

Submission

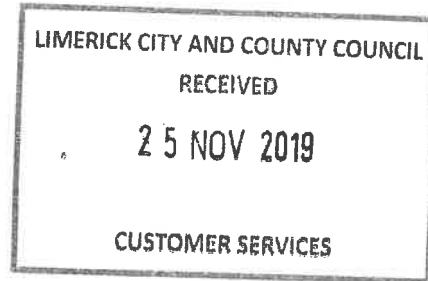
Residents of Brookhaven, Montpelier, Co. Limerick

Design & Delivery Services

Limerick City and County Council

Merchants Quay

Limerick V94 EH90



November 25<sup>th</sup> 2019

Re: Project 17101-001 Brookhaven, Montpelier, Co. Limerick

The residents of Brookhaven, Montpelier, Co. Limerick are making this submission in relation to the proposed development of 12 residential units along with all associated works.

The overriding concern to us is the impact of these additional dwellings with regard to flooding and wastewater treatment. The existing septic tank is not fit-for-purpose for our existing 16 residences. In this regard please see report from Dr. Eugene Bolton of Trinity Green attached to Montpelier Development Association submission.

On the proposal in Environmental & Heritage Considerations and in the planning report, it appears as if an outdated CFRAMS map dated July 2016 has been included. We attach link to June 2017 report<sup>1</sup> which clearly shows that the location of the existing septic tank in the area is located in a 1% AEP area that we know floods regularly – see below and attached picture of local flooding. This was not shown on the July 2016 version so are concerned that non-current information has been used in assessing the feasibility and impact of this development. Furthermore as per picture, it is clear that part of the development site was affected during the November 2009 floods-aerial photo attached.

There has long been concern by us about the workings of this septic tank and this issue was noted when raised at a public meeting in 2017 when the OPW public consultations on the Flood Risk Management Plan.<sup>1</sup> This report notes that issues were reported on the communal septic tank during flood events which was noted. These issues have not been resolved and remain of great concern to us.

In Appendix D of the Civil & Structural Report (content number 6.4) a letter from Irish Water has been included dated 8<sup>th</sup> March 2018. Regarding Wastewater assessment, within this report Irish Water have stated that currently there is capacity for 5 out of the 10 proposed houses. This number of dwellings has now been increased to 12 in the plans. It further references that a detailed assessment of the wastewater treatment infrastructure in the area will be completed in the next 12 months. If this has been completed we believe this report should have been published rather than the original pre-approval letter. We are concerned that the feasibility of the 12 proposed dwellings with regard to wastewater capacity has not been published.

<sup>1</sup> [https://www.limerick.ie/sites/default/files/media/documents/2018-05/FRMP\\_Final2018\\_RiverBasin\\_25\\_26.pdf](https://www.limerick.ie/sites/default/files/media/documents/2018-05/FRMP_Final2018_RiverBasin_25_26.pdf) - pg 102

The planning report states that the lands are in the hydrological catchment of the River Shannon but that there are no impacts that can be considered significant with regard to the conservation objectives of the Lower Shannon SAC. We require clarification as to how the additional load (increasing number of properties feeding this tank by 75%) will not impact on this Natura 2000 site. EPA discharge authorisation A0499-01 issued to Limerick County Council 2012 is no longer valid as Irish Water is now in charge of the discharge and should have a Waste Water Discharge Authorisation.

The objectives of the guidelines for local Authorities in The Planning System and Flood Risk Management<sup>ii</sup> are to avoid new developments increasing flood risk elsewhere, including that which may arise from surface water run-off<sup>2</sup>. The site proposed for development is very steep and a number of properties ground level will be substantially higher than adjoining existing properties. We feel more details and assurances are required in ensuring no adverse impacts on existing properties as a result of this development.

Associated with this is the concern that there will be significant site preparation works required and the proposed hard landscaping which includes roads, footpaths, parking, garden walls and public lighting. The guidelines state that in considering planning for new or extensions to residential development the extent of hard surfacing and paving should be reduced as well as requiring the use of sustainable drainage techniques<sup>3</sup>. We would appreciate more details on how this risk will be managed to ensure no adverse impacts on existing properties.

We question the designation of Montpelier as a Tier 5 settlement in the County Development Plan. Tier 5 settlements supposedly have a range of community infrastructure that provide for convenience and daily needs of the local population and the surrounding area. They also provide some small-scale employment opportunities and local level community facilities, such as primary schools, churches, local sporting facilities and a community hall. In Montpelier there is a community hall. A small oratory which used to have weekly church services but this has been reduced to once a month. There is no school, no shop, no Doctor, no Post Office, no local link bus and very limited public transport.

Objective SS 03: Capacity of town/village to absorb development. Included in this objective is the capacity (infrastructural, social, cultural and economic) of the village. It is our view based on the information above that the capacity of Montpelier in a number of these areas is incapable of supporting this proposed expansion of 12 residences. Objective SS 014 states that new community and social facilities shall be provided in conjunction with residential development as required. The current proposal does not appear to have any additional facilities included.

O'Briensbridge and Montpelier was one of the areas identified in OPW Flood Risk Management Plan 2018 as being in a flood risk area. In this report it states that there was no estimated increase in population in O'Brien bridge & Montpelier and it is this criteria that has been used in (pg 16) which states that whilst flood relief measured have been investigated a more detailed assessment of costs and benefits needs to be completed.

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<sup>2</sup>

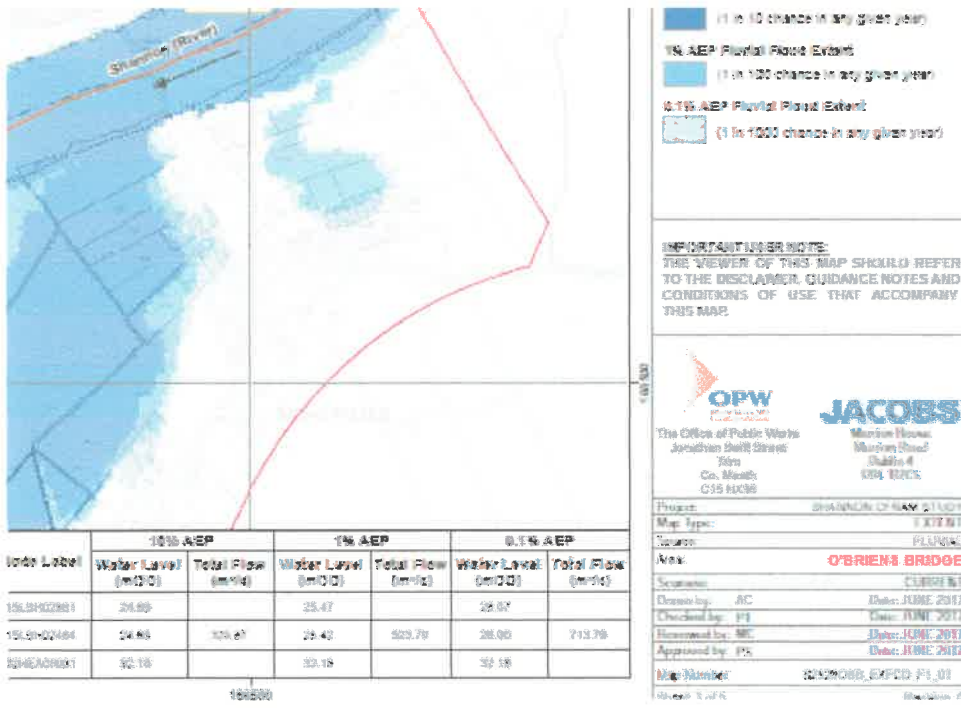
<https://www.opw.ie/media/Planning%20System%20and%20Flood%20Risk%20Management%20Guidelines.pdf>

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<sup>3</sup>

<https://www.opw.ie/media/Planning%20System%20and%20Flood%20Risk%20Management%20Guidelines.pdf>

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[https://s3-eu-west-1.amazonaws.com/docs.floodinfo.opw/pdf/shannon/uom\\_25/afa/obriens\\_bridge/01\\_ex/current/fluvial/s25260bb\\_exfcd\\_f1\\_01.pdf](https://s3-eu-west-1.amazonaws.com/docs.floodinfo.opw/pdf/shannon/uom_25/afa/obriens_bridge/01_ex/current/fluvial/s25260bb_exfcd_f1_01.pdf) - accessed 24/11/19

<https://www.opw.ie/media/Planning%20System%20and%20Flood%20Risk%20Management%20Guidelines.pdf> - accessed 24/11/2019

- Attachments –
- Concerns of residents
- Site notice
- Aerial photo of flood November 2009



SIGNATURES OF RESIDENTS OF MONTPELIER, BROOKHAVEN, CO. LIMERICK  
Re. Objection submission to project 17101-001 Limerick City & County Council

1 Brookhaven

M. Meenan

2 Brookhaven

Chris Barry

3 Brookhaven

Theresa Kelly

4 Brookhaven

John Mc...

5 Brookhaven

Phyllis Walsh John Walsh

6 Brookhaven

Michael & Patricia Keelohar

7 Brookhaven

Lil O'Brien

8 Brookhaven

Will

9 Brookhaven

Anaola McEneaney

10 Brookhaven

Alex Slattery

11 Brookhaven

Janet & Ted Tobin

12 Brookhaven

Tom & Deirdre White

13 Brookhaven

HOUSE VACANT AT THE MOMENT.

14 Brookhaven

Franklin Callan

15 Brookhaven

Celine / Jean Hanley

16 Brookhaven

Aine Keelohar



November 25<sup>th</sup> 2019

### Limerick City and County Council Planning Project 17101-001 Brookhaven, Montpelier, Co. Limerick

Over the coming months Limerick City & County Council (LCCC) will put before the 21 Councillors on Limerick Council their proposal to build 12 houses adjoining Brookhaven, Montpelier, Co. Limerick. Listed below are the concerns of the residents of Brookhaven and the Montpelier Development Association.

#### Sewage / Septic Tank

- It is proposed by LCCC to connect the proposed 12 houses into the existing septic holding tank used for the 16 houses in Brookhaven.
- Residents of Brookhaven are greatly alarmed, particularly as at a meeting held in Montpelier on October 25<sup>th</sup> 2019 a representative of LCCC confirmed that the 41 year old sewage tank is not, in fact, a septic tank but a holding tank (there is no percolation area).
- This holding tank feeds directly into the River Shannon some 100m or so from the tank. In fact, there is raw, untreated human effluent being discharged by a release valve into the majestic River Shannon.
- We would like to see the bi-annual analysis of the waste water as per Water Discharge Licence A0499-01.
- Swimmers, rowers, cancer patient dragon racing, triathlon training etc. are all using the river in this area on a regular basis and are not aware of sewage being dumped, poisoning the river and therefore being a serious health risk.
- There are reports of local dogs dying after swimming in the polluted river.
- The tank emits very strong smells into the surrounding area, especially during the summer, and residents cannot sit out in their gardens due to the strong smell.
- Extra houses would mean that soakage area in the higher field area would be covered by concrete and extra storm waters would flow down to the tank causing it to fill and overflow, as has previously happened causing the sewage to come out on the road.

#### Flood Zone

- Brookhaven is a flood plain as a result of the extreme rain that year and delayed discharge of water by the ESB at the Parteen Weir in November 2009.
- The only access to the new proposed housing is through this flood plain, however, the proposed new houses are considered **not** to be in a flood plain.
- 4 homes were badly flooded at that time and those residents were without their homes for over 3 months to dry out, defumigate and make good their homes.
- 3 homes were in danger of flooding and were saved only by 24/7 work by the homeowners pumping water from their houses.
- At the time of the flood the road was impassable and residents living beyond the flood had to park at the entrance to the estate and wade through to their homes.
- Residents cannot get flood insurance since that date in 2009.
- In 2016 the flood waters were once again rising and the Army were sent out with sandbags to help the residents protect their homes. The area where the septic tank is located was totally flooded, at that time, and pumps were put in place 24/7 by LCCC which pumped the excess sewage and flood water directly into the river.

### **Road entrance to Brookhaven**

- LCCC are in charge of the road in Brookhaven, which is a private cul-de-sac.
- This road is the only access to the field for the proposed new houses and LCCC propose to use this cul-de-sac.
- The road has a tendency to flood when there is heavy rain – nothing has been done by LCCC to solve this problem.
- Irish Water has dug several holes along the road to check on leaking pipes. These pipes are old and the road has a sandy base and is sinking which also leads to broken pipes. The road has not been repaired by Irish Water or LCCC to date.
- As this sandy unstable road is the building site entrance for all trucks and heavy machinery to the 12 new houses it will bring further weight and cause extreme stress on the road.
- This is a very narrow road with limited areas for passing oncoming cars as there are home-owners cars parked along the footpath.
- The bin lorries cannot drive down and turn – they need to turn at the entrance to the cul-de-sac and reverse down this narrow winding road, using a guide to stop cars and block the road to make their collections several times a week.
- At present there are 25 cars on the estate and there is a potential for further 24 cars to use this road on a daily basis with the 12 new houses, which is totally unacceptable.

### **Amenities**

- At present there are no amenities in the area – no Church, no school, no shop.
- Public transport is very poor and due to be discontinued soon.

The Montpelier Development Association, on being made aware of the sewage situation, has now engaged the services of Dr. Eugene Bolton of Sepcon, an expert on environmental issues, to carry out a detailed assessment of the discharge into the river. This survey took place Monday, November 18<sup>th</sup> and results have been submitted by Montpelier Development Association.

We would like confirmation that the proposed development area is not designated as agricultural land.

Sincerely

Residents Brookhaven, Montpelier, Co. Limerick

**LIMERICK CITY & COUNTY COUNCIL**  
**PART 8 DEVELOPMENT**  
**SITE NOTICE**

**PLANNING & DEVELOPMENT ACTS 2000 (as amended)**  
**PLANNING & DEVELOPMENT REGULATIONS 2001 (as amended)**  
**Part 8 Development**

In accordance with Part XI of the Planning & Development Acts 2000 (as amended) and Part 8, Article 81 of the Planning and Development Regulations 2001 (as amended), notice is hereby given that **Limerick City & County Council** proposes to carry out the development described hereunder at the following site at Brookhaven, Montpellier, County Limerick.

The proposed development will consist of:

- (a) Provision of 12 no. residential units comprising; 3 no. single storey 2 bedroom dwellings; 4 no. two storey 2 bedroom dwellings, 5 no. two storey 3 bedroom dwellings;
- (b) Hard landscaping including roads, footpaths, parking, garden walls, and public lighting;
- (c) Soft landscaping including lawns, trees; and hedgerows;
- (d) Provision of new water connections, a foul sewer connection, and a surface water drainage system;
- (e) All associated site works.

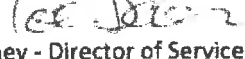
In accordance with S.I. 476, 2011, Section 250, Planning and Development (Amendment) (No. 3) Regulations, 2011, the Council has carried out a screening and it has been determined that an Appropriate Assessment is not required.

Limerick City & County Council has carried out an Environmental Impact Assessment (EIA) Screening Report and has determined that there is no real likelihood of significant effects on the environment. Accordingly, it has been determined that EIA is not required in respect of this proposed development. Nonetheless any person may within 4 weeks from the date of this notice apply to An Bord Pleanála for a screening determination.

Plans and particulars of the proposed development will be available for inspection from 14<sup>th</sup> October 2019 up to and including the 12<sup>th</sup> November 2019 during office hours at the Customer Services Desk, Limerick City & County Council, Merchant's Quay, Limerick, V94 EH90, and online at <https://mypoint.limerick.ie>.

Submissions and observations in relation to the proposed development, dealing with the proper planning and sustainable development of the area in which the development would be situated, will be accepted up to 5 p.m. on the 27<sup>th</sup> November 2019 in writing to Design & Delivery Services, Limerick City & County Council, Merchant's Quay, Limerick, V94 EH90 or online via <https://mypoint.limerick.ie>.

Note: Only submissions made in the above manner will be considered as valid submissions for the purposes of the Chief Executive's Report that will be presented to Council.

Signed:   
Joe Delaney - Director of Service  
Limerick City & County Council,  
Merchants Quay, Limerick

Date of Erection of Site Notice: 14<sup>th</sup> October 2019





\*  
SEPTIC /  
HOLDING  
TANK

AERIAL  
PHOTO  
MONTPELIER  
BROOKHAVEN  
FLOOD  
NOVEMBER  
2009