

**MATERIAL ALTERATION SUBMISSION  
ON DRAFT LIMERICK DEVELOPMENT PLAN 2022 - 2028**

**For John & Mary Mortell**

**Caherdavin  
Limerick**

April 7, 2022

**Limerick City and County Council  
Planning Department  
Dooradoyle  
Limerick**

**Forward/Strategic Planning  
Economic Development Directorate**

**. 8 APR 2022**

**Limerick City & County Council**

**RE: This submission relates to land south of Jetland District Centre Caherdavin and adjoining land to the south in Clonmacken.**

Limerick Planning Application 21/1741 was refused on this combined site on 17th February 2022 and a hurried motion to amend the draft development plan was presented and passed by the elected representatives on the 18th of February 2022 without any consultation with or consideration of concerned observations/objections to 21/1741.

The Caherdavin site is infill (it was surplus to requirements when Jetland Centre construction works were completed and is zoned District Centre - it is not Brownfield).

Flooding

The adjoining Clonmacken Site in question is Greenfield not Brownfield and is subject to flooding and water lodging, very poor soakage with a high water table, with a history of over-flowing into Ashbrook lowlands. Any re-zoning or construction on this site has potential to disturb existing water storage channels and soakage with disastrous impact on local adjoining housing.

Of local interest, at the end of February 2022 we had some very heavy rainfall and the local Westfields wetlands/marsh SAC water level rose by approximately 500mm for about 2 days and overflowed some of the walkways. This is what climate change and wetlands do.

The subject land is also protected by legacy historic flood defences which are very challenged and have crumbled and overflowed in recent years, with river water flowing across the Condell Road.

Conclusion, construction work on this land should not take place until major river defences and surface/storm water management takes place. Please see attached Chief Executives Report *Draft Limerick Development Plan 2022 - 2028, submission No. 198, P. 251 and No. 204, P. 253.*

## HSE Justification - As Developers Proposed Tenants

Planned Development for local accessible healthcare and social services for 12,600 people in the community could be accommodated by a much smaller building on the infill site at Caherdavin Jetland District Centre or other local comparable sites and the existing local services provided by HSE. The other uses for the proposed planned development would include Anchor Tenants which are a **local relocated GP Practice and Pharmacy**. This does not increase service in the community. We have numerous GP Practices and 5 Pharmacies within 1km of this site. All are on existing bus routes.

The HSE plan to house headquarters for a local community network for wider population of 37,000 people. Management, Administration and Training does not require a 5-storey building over floodplain carpark in Floodzone A area, and there are of course additional costs associated with flood evacuation plan requirements.

Tusla Facility - Tusla already has a presence in this Caherdavin Community and lands at St. Josephs Hospital, Mulgrave St., are already designated for this agency.

Planning for this site started pre-Covid and since then work practices have changed dramatically and permanently. Buildings large enough to house full Management and Administration staff are no longer required and could be poorly utilized.

<b>No.198</b>	<b>Ref. &amp; Name/Group:</b> LCC-C62-198 HSE	<p><b>Submission/Observation Summary</b></p> <p><b>1. Zoning:</b> The submission relates to lands south of Jetland District Centre and north of Condell Road and requests a change in zoning from Agricultural and Open Space and Recreation to Mixed Use.</p> <p>These lands have been the subject to assessment by the HSE as a location for a Primary Care Centre, having considered demography, site optimisation and accessibility to public transport. An application is imminent and a detailed Flood Risk Assessment will be submitted as part of the planning application. This assessment has been prepared as per 2009 Flood Risk Guidelines, OPW Flood Hazard maps, CFRAMs, and the JBA Consulting Strategic Flood Risk Assessment 2021. The conclusion of the assessment is a low risk of flooding,</p>	<p><b>Chief Executive Response</b></p> <p><b>1. Zoning:</b> The content of the submission received is noted.</p> <p>The Draft Plan includes a limited number of Mixed Use zones to reflect specific site proposals only. In accordance with the Draft Development Plan Guidelines for Planning Authorities, the Draft Plan is moving towards a standardised national set of zoning objectives. In this regard, the provision of additional mixed use zoned sites is not recommended.</p> <p>The main issue in relation to the zoning of these lands to accommodate a Primary Care Centre is flood risk.</p> <p><b>-Flood Risk:</b> The Planning and Development Act 2000 (as amended) requires the preparation of the Development Plan in accordance with Section 28 Ministerial Guidelines. In accordance with The</p>
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<p>given the mitigation measures proposed. The proposed Draft Plan will delay the delivery of the Slaintecare Implementation Strategy.</p>	<p>Planning System and Flood Risk Management, Guidelines for Planning Authorities (the Guidelines), a Strategic Flood Risk Assessment (SFRA) has been prepared to assess flood risk within the plan area.</p> <p>In order to achieve the aims and objectives and comply with the requirements of the Guidelines, the Local Authority’s approach to the zoning of land is to avoid development in areas at risk, where possible and substitute less vulnerable uses, where avoidance is not possible. A precautionary approach will be applied, where necessary to reflect uncertainties in flooding datasets and assessment techniques and the ability to predict the future climate and performance of flood defences.</p> <p>The lands are located within Flood Zones A (high probability of flooding). Section 3.5 of the Flood Guidelines indicates that development in this zone should be avoided and/or only considered in exceptional circumstances, such as in city and town centres, or in the case of essential infrastructure that cannot be located elsewhere and where the Justification Test has been applied. Table 3.1 of the Flood Guidelines makes a distinction between various land uses, where residential is considered a ‘highly vulnerable development’ and commercial is a ‘less vulnerable development’.</p> <p>Highly and less vulnerable uses are only appropriate if a Justification Test is passed. In considering the Justification Test it should be noted that in order to achieve Compact Growth, the Draft Plan takes a City Centre first approach to the spatial development</p>
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	<p>of Limerick City and Environs. The core is defined as the area zoned “City Centre”.</p> <p>Furthermore, Part 2 of the Justification Test requires the Local Authority to consider a number of factors, including whether the site is located within the core, or if there are suitable alternative lands, for the particular use or development type, in areas at lower risk of flooding, within or adjoining the core of the urban settlement. The Draft Plan has zoned sufficient alternative lands to meet the requirements of projected growth, in areas that are not at risk of flooding and suitable for the provision of highly vulnerable uses in accordance with the sequential approach of the Guidelines. The Justification Test does not pass, it is recommended that these lands are not included for Mixed Use zoning.</p>
	<p><b>Chief Executive Recommendation</b></p> <p>1. No change.</p> <p><b>SEA/AA Response</b></p> <p>N/A</p>

<p><b>No.</b> 204</p>	<p><b>Ref. &amp; Name/ Group:</b> LCC-C62-204 HRA PLANNING on behalf of Valley Healthcare Infrastructure Investment Fund ICAV</p>	<p><b>Submission/ Observation Summary</b></p> <p><b>1. Zoning:</b> The submission requests a change in zoning of 1.6 hectares from Agricultural and Recreation and Open Space to Mixed Use, commensurate with its location within the Jetland District Centre.</p>	<p><b>Chief Executive’s Response</b></p> <p><b>1. Zoning:</b> The content of the submission received is noted. This submission relates to lands subject of Submission No. 198 above. See Response No. 1 to Submission No. 198 above.</p>
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The submission sets out the site location, characteristics and policy context. The site is within a designated District Centre, within walking distance of services and facilities.

The submission seeks to revert the zoning to District Centre Use and to extend this zoning to the full 1.6 hectares, whilst maintaining the public open space to the east. A planning application is due to be lodged for a Primary Care Centre (PCC) with a Tusla facility, acting as a headquarters for Ballynanty, Thomond and Westbury Community Healthcare Network serving 37,000 people.

The land is accessible with adequate water services and facilities. An access road will open lands to the rear. The HSE has identified a demand and need for a PCC at this location. Zoning for mixed use will ensure that a portion of new development reflects the compact growth and town centres first agenda, a key dynamic in addressing climate change, through reducing dependence on car-based transport, the extent of green-field land consumption and costly and inefficient infrastructure provision and use.

**-Flood Risk Assessment:** A detailed Site-Specific Flood Risk Assessment (SSFRA) has been undertaken by Punch Consulting. The JBA flood mapping is a preliminary set of mapping. The definition of the Flood Zones is based on an undefended scenario and does not take into account the

	<p>presence of any flood protection structures. The flood extents are a worst-case scenario.</p> <p>A review of the OPW database indicated that there have been historical instances of flooding, but not within the site. The flood extents are coastal and the site is Flood Zone B for coastal flooding. The site is not subject to pluvial flooding. The site is elevated to Flood Zone A in an undefended scenario. As the development will not provide critical patient or overnight care, the development could be classified as “Less Vulnerable”.</p> <p>The lands would be in compliance with the Justification Test. The proposed development is at a low risk of flooding and is appropriate provided the residual risk of coastal flooding is addressed by implementing the mitigation measures, including providing a finished floor level of 5.50mAOD, a sufficient surface water drainage network, water compatible construction and an emergency plan for evacuation.</p>	
<b>Chief Executive’s Recommendations</b>		
1. No change.		
<b>SEA/ AA Response</b>		
N/A		

<b>No.</b> 199	<b>Ref. &amp; Name/Group:</b> LCC-C62-199 HRA Planning on behalf of Catherine Radcliffe	
<b>Submission/Observation Summary</b>		<b>Chief Executive Response</b>