



Comhairle Contae Thiobraid Árann
Tipperary County Council

**Chief Executive's Report
PT8TT142**

Part VIII Development

**Installation of approx. 950 metres of 1.8metre wide
pedestrian
concrete footpath on Mill Rd, Thurles, Co Tipperary.**

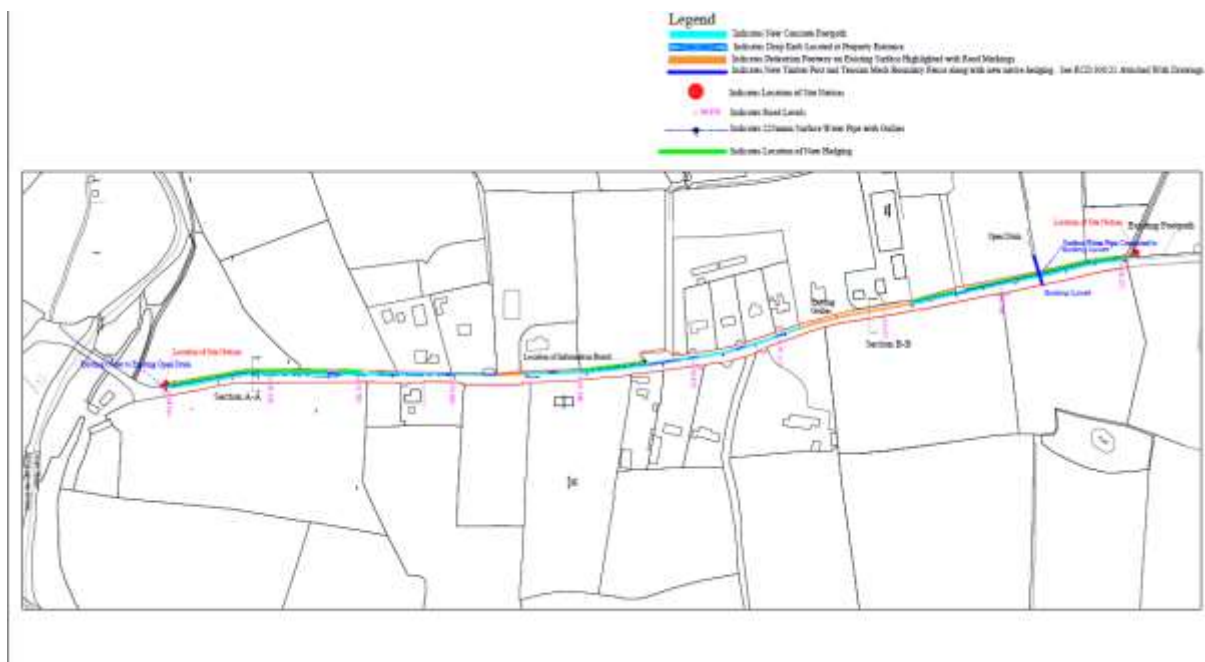
October 2024

1. NATURE AND EXTENT OF THE PROPOSED DEVELOPMENT AND THE PRINCIPLE FEATURES THEREOF:

The key elements of the development are as follows:

- Installation of approx. 950metres of 1.8metre wide concrete pedestrian footpath.
- Installation of localise drainage and gullies at intervals along the route.
- Installation of new boundary treatments and new native hedging at sections on the route.
- Installation of information signage opposite garden centre on the Mill Rd.
- Landscaping and making good as required.

Site Layout Plan.



2. SITE LOCATION & DESCRIPTION

The is located at Mill Rd, Thurles and covers an area of 950 metres in length. The proposed footpath will commence 172 metres approx. north of the Tipperary Equestrian entrance and extends to a point north of the bridge over the Drish river.

3. PUBLIC CONSULTATION

Plans and particulars of the proposed development were available for inspection and purchase from 9:30 am to 4.30 pm., Monday to Friday from Wednesday 24/7/2024 to Friday, 23/8/2024 (excluding bank holidays) at the following locations:

- Thurles Municipal District Offices, Castle Street, Thurles, Co. Tipperary E41 KA44
- Tipperary County Council, Civic Offices, Limerick Road, Nenagh, Co. Tipperary, E45 AO99
- Tipperary County Council, Civic Offices, Emmet Street, Clonmel, Co. Tipperary E91 N512
- Online at <https://planning.localgov.ie>

Submissions and observations with respect to the proposed development could be made in writing to Tipperary County Council by no later than 4.30 pm on 6th September 2024.

4. CONSIDERATION OF SUBMISSIONS

1no. Submission on the proposal received from Uisce Eireann that states as follows:

A summary of the submissions received and the Chief Executive's Consideration and Recommendation for each submission is set out below.

Ref. No.	Date received	Submission Name and Address
1	21/8/2024	Uisce Eireann, PO Box 6000, Dublin 1 Ireland.
Summary		
<p>The submission makes the following points:</p> <ol style="list-style-type: none">1. Uisce Éireann has no objection in principle to the proposal, however our records indicate the presence of water services infrastructure which may be impacted by the proposed development. Therefore, Uisce Éireann requests the applicant to liaise with Uisce Éireann during the final design stage of the proposed development works in order to ascertain the impact on the existing Uisce Éireann network infrastructure so that protection works or replacement works can be agreed and carried out as appropriate.2. Uisce Éireann requests that prior to any works being undertaken, that the location of any / all watermain(s) / sewer(s) and any associated fittings shall be confirmed on the ground with the local water curator.3. The new kerb-lines should be set out on site so that the local water curator can ensure that the new kerb-line will not be sitting on top of the existing water/wastewater pipes as the new kerblines has the potential to be close to this infrastructure. Uisce Éireann requests that the integrity of the infrastructure shall be protected during the works and the Council's water service's engineer consulted prior to and during construction.		
Chief Executive's Consideration		
<p>The importance of protecting Uisce Eireann assets is noted. Council records show a watermain located within the roadway in the scheme works area. No wastewater services exist within the scheme works area.</p> <p>The Council will ensure that the requirements of Uisce Eireann regarding identification of and protection of water service pipes and associated infrastructure are adhered to as part of the project implementation.</p>		
Chief Executive's Recommendation		
<p>It is recommended that, prior to works being undertaken the location of any / all watermain and any associated fittings shall be confirmed on the ground with the local water curator. The works shall be undertaken so that the integrity of the water services infrastructure shall be protected during the works.</p>		

5. PRESCRIBED BODIES

No prescribed bodies were consulted.

6. PLANNING POLICY CONTEXT

DEVELOPMENT PLAN OR OTHER DESIGNATIONS

The scheme traverses lands within the Thurles & Environs Local Area Plan 2024 area and the Tipperary County Development Plan 2022 area. The relevant policies and objectives are set out below.

Tipperary County Development Plan 2022	
Volume 1 Written Statement	
Policy 11-9	<p>Assess all new developments (both within and without designated Flood Risk Zones) in line with the 'Staged Approach' and pre-cautionary principle set out in the Planning System and Flood Risk Management Guidelines for Planning Authorities, (DEHLG, 2009) and any amendment thereof, and the following:</p> <p>(a) Require the submission of site-specific Flood Risk Assessments for developments undertaken within Flood Zones A & B and on lands subject to the mid-range future scenario floods extents, as published by the OPW. These Flood Risk Assessments shall consider climate change impacts and adaptation measures including details of structural and non-structural flood risk management measures, such as those relating to floor levels, internal layout, flood-resistant construction, flood-resilient construction, emergency response planning and access and egress during flood events.</p> <p>(b) SFRA's and site-specific flood risk assessments shall provide information on the implications of climate change with regard to flood risk in relevant locations. The 2009 OPW Draft Guidance on Assessment of Potential Future Scenarios for Flood Risk Management (or any superseding document) shall be consulted with to this effect.</p> <p>(c) Ensure each flood risk management activity is examined to determine actions required to embed and provide for effective climate change adaptation as set out in the OPW Climate Change Sectoral Adaptation Plan for Flood Risk Management applicable at the time.</p> <p>(d) Applications for development on land identified as 'benefitting land' may be prone to flooding, and as such site-specific flood risk assessments may be required in these areas.</p> <p>(e) Require applications for new development, or for an extension to an existing development on land zoned for 'Social and Public' or 'Amenity' use and where a potential flood risk is identified, and where the proposed use might be vulnerable, to be subject to site-specific flood risk assessment to the satisfaction of the Council.</p>
Policy 12-1	<p>(a) Support the achievement of the modal shift targets set out in Table 12.1 Modal Share Targets to apply to Tipperary, and require new development to demonstrate and ensure that land-use, connectivity and transportation are integrated in a manner which reduces</p>

	<p>reliance on car-based travel, promotes more sustainable transport choice, and coordinates particular land uses with their accessibility requirements.</p> <p>(b) Apply the principles of the National Sustainable Mobility Policy (DoT, 2022), the Design Manual for Urban Roads and Streets (DTTS and DHPLG, 2019) and the Design Manual for Urban Roads and Streets Interim Advice Note – Covid-19 Pandemic Response (2020).</p> <p>(c) Development proposals shall be required to provide for well-integrated pedestrian and cycling networks and infrastructure, such as cycle parking, as part of their planning application and ‘Sustainability Statement’, where applicable, the development management standards Volume 3 will apply.</p> <p>(d) To apply a ‘whole journey approach’ to make public transport fully accessible to people with disabilities’, this refers to all elements that constitute a journey from the starting point to destination including footpaths, tactile paving, cycle paths, roads, pedestrian crossing points, town greenways and bus stops/shelters in line with relevant Guidance from the Department of Transport.</p>
Policy 13-4	<p>Safeguard sites, features and objects of archaeological interest, including Recorded Monuments, National Monuments and Monuments on the Register of Historic Monuments, and archaeological remains found within Zones of Archaeological Potential located in historic towns and other urban and rural areas. In safeguarding such features of archaeological interest, the Council will seek to secure their preservation (i.e. in situ or in exceptional circumstances preservation by record) and will have regard to the advice and recommendation of the Department of Arts, Heritage and the Gaeltacht.</p> <p>Where developments, due to their location, size or nature, may have implications for archaeological heritage, the Council may require an archaeological assessment to be carried out. This may include for a requirement for a detailed Visual Impact Assessment of the proposal and how it will impact on the character or setting of adjoining archaeological features. Such developments include those that are located at, or close to an archaeological monument or site, those that are extensive in terms of area (1/2 ha or more) or length (1 kilometre or more), those that may impact on the underwater environment and developments requiring EIA.</p>

Thurles Local Area Plan 2024-2030	
Volume 1 Written Statement	
Zoning	<p>Part of the lands on which the development is located are zoned Town Environs under the Thurles Local Area Plan the objective of which is To provide for agricultural needs and to protect and enhance the rural environment and setting of the settlement.</p> <p>Description-Prioritise the protection of rural amenity and avoid harmful impacts of urban sprawl. Provide for and protect agricultural activities and rural -related business activities which have a demonstrated need for a rural location, and will not conflict with the future growth of the town.</p>
Policy 5.3	<p>Require new development proposals relating to housing, public realm, amenity, accessibility and public transport etc. to be designed in accordance with ‘Universal Design’ and ‘Age Friendly’ principles, in particular in relation to the provision of rest and dwell spaces in the town centre.</p>

Policy 6.1	Support new development that will improve accessibility and movement within Thurles, reduce dependency on private car transport, increase permeability in the town, and encourage the use of energy efficient forms of transport through the promotion of walking, cycling and public transport
Policy 8.4	Require that all development proposals in Thurles integrate SuDS, and nature-based solutions, as part of an overall sustainable urban drainage and urban greening approach (refer also to Section 3.5 of the accompanying SFRA, “Sustainable Urban Drainage Systems and Surface Water Guidance and Strategy”), unless they are demonstrated to be operationally unfeasible to the satisfaction of the Council.
Policy 8.5	<p>Require proposals for development to comply with requirements of the Planning System and Flood Risk Assessment Guidelines (DEHLG, 2009 and any update thereof) including providing detailed design specifications as may be required to facilitate the impact of development. The following provisions apply:</p> <p>a) Extensions of existing uses or minor development within flood risk areas will be supported, provided they do not: obstruct important flow paths; introduce a number of people into flood risk areas; entail the storage of hazardous substances; have adverse impacts or impede access to a watercourse, floodplain or flood protection and management facilities; or increase the risk of flooding elsewhere.</p> <p>b) Applications for development on previously developed lands within Flood Zones A or B, shall be subject to site specific flood risk assessment and shall provide details of structural and non structural flood risk management measures, such as those relating to floor levels, internal layout, flood-resistant construction, flood-resilient construction, emergency response planning and access and egress during flood events.</p> <p>c) Where a ‘Justification Test’ applies, it must be demonstrated to the satisfaction of the planning authority that the flood risk can be adequately managed, and that the use and the development of the lands will not cause unacceptable impacts elsewhere.</p> <p>d) Require the submission of site-specific Flood Risk Assessments for developments undertaken within Flood Zones A & B and on lands subject to the mid-range future scenario floods extents, as published by the Office of Public Works. These Flood Risk Assessments shall consider climate change impacts and adaptation measures including details of structural and non-structural flood risk management measures, such as those relating to floor levels, internal layout, flood-resistant construction, flood-resilient construction, emergency response planning and access and egress during flood events. Flood Risk Assessments shall apply the precautionary approach recommended in the Guidelines and shall be informed by the advice on the expected impacts of climate change and the allowances to be provided for future flood risk management provided in the OPW’s (2019) Flood Risk Management Climate Change Sectoral Adaptation Plan and the guidance on potential future scenarios contained therein.</p> <p>e) Groundwater and pluvial flood risks shall be considered by any site-specific flood risk assessment undertaken at project level, in compliance with the Planning Systems and Flood Risk Management Guidelines (DEHLG, 2009). For the avoidance of doubt, the Office of Public Works’ Preliminary Flood Risk Assessment indicative pluvial maps (2012) are not considered to be reliable for assessing pluvial risk.”</p> <p>f) Any planning application within Defended Areas (refer to SFRA for more details) shall demonstrate that residual risks have been considered and shall include measures for their management as appropriate.</p>

7. PLANNING ASSESSMENT

PRINCIPLE OF PROPOSAL

The proposal is to improve footpath infrastructure along Mill Road, Thurles through developing approx. 950metres of 1.8metre wide concrete pedestrian footpath along the western side of the Mill road to a point north of the existing bridge over the Drish river.

The project includes development of associated drainage infrastructure, new boundary treatments, landscaping, reinstatement and a new sign opposite the garden centre.

The proposal is acceptable in principle and is in accordance with Policy 6.1 of the Thurles Local Area Plan 2024 and Policy 12-1 of the Tipperary County Development Plan 2022 that support the development of improved pedestrian infrastructure.

DESIGN & LAYOUT

The development will result in a new 1.8 metres wide footpath being developed along a 950 metre section of the Mill Road. It will tie into the existing footpath on the west side of the Mill Road. The proposed footpath and associated boundary treatment and landscaping works are visually acceptable.

The proposed sign is visually acceptable.

SERVICES

Roads:

The proposal will significantly improve pedestrian infrastructure along the scheme extents and will connect with existing pedestrian infrastructure on Mill Road. The Local Transport Plan (LTP) that sits as Appendix 2 of the Thurles & Environs Local Area Plan 2024 includes objectives to link the N62 to the Mill Road. The proposed development does not impact on this proposal which relates to an area of Mill Road north of the scheme extents.

Surface water:

Surface waters are to be collected by road gullies and drained into an open drain at the south of the site. This is the existing arrangement in place for road drainage. No flood risk issues arise with this proposal.

Water:

The proposal presents no water supply issues. The works will be undertaken so as to protect existing Uisce Eireann assets within the scheme area. In this regard that prior to any works being undertaken the location of any watermains and any associated fittings shall be confirmed on the ground with the local water curator and the new kerb-lines can be set out on site so that the local water curator can ensure that the new kerb-line will not be sitting on top of the existing water pipes. The construction of the development will proceed in a manner that ensures the integrity of the infrastructure shall be protected during the works

Waste water:

The proposal presents no wastewater disposal issues. There is no wastewater infrastructure in the scheme area.

ARCHAEOLOGY

It is noted that the subject site does not contain any zone of archaeological interest. There are 3 recorded monuments to the south of the site (TN041-065----Mill, TN041-065003-Mill and TN041-065001- Bridge. The works do not come within the zone of interest of these monuments.

The area to which works are proposed have been previously disturbed through previous phases of development. Notwithstanding in order to mitigate against any impacts on unknown archaeology all groundworks associated with the development should be undertaken under the supervision of a licenced archaeologist.

FLOODING

Following review of the most up to date flood risk mapping for the county, it is noted that the subject site intersects with an area at risk of fluvial flooding. The proposal however is a minor development in the context of flood risk and can be considered water compatible in the context of the Planning and Flood Risk Management Guidelines for Planning Authorities 2009. No changes of levels are proposed that would alter flooding or result in flood displacement.

It is considered the flood risk to the proposed development is low and the development is acceptable from a flood risk perspective.

8. APPROPRIATE ASSESSMENT (AA) AND ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

The proposed development has been subject to an Appropriate Assessment screening exercise which appraises the potential impact of the development on Natura 2000 sites. It is considered that the proposed project poses no potential negative effects on the Lower River Suir SAC or any Natura 2000 site.

It has been determined that EIA is not required in respect of the project

9. CONCLUSIONS AND RECOMMENDATIONS

The Planning Authority is satisfied that the proposal is in accordance with the Tipperary County Development Plan 2022-2028 and Thurles & Environs Local area Plan 2024, is acceptable in terms of design and drainage and presents no significant impacts on the conservation objectives of any Natura 2000 site.

The development as set out on the plans and particulars is considered acceptable and is consistent with the principle of the proper planning and sustainable development of the area. Therefore, it is recommended that the proposed development should proceed subject to the following recommended requirements and conditions.

10. REQUIREMENTS AND CONDITIONS

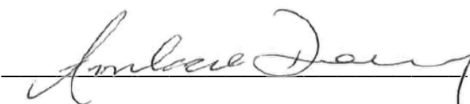
The development should be subject to the following:

1. Prior to works being undertaken the location of any / all watermain and any associated fittings shall be confirmed on the ground with the local water curator. The works shall be undertaken so that the integrity of the water services infrastructure shall be protected during the works.

Signed: 

Date: 16/10/2024

A/ Senior Executive Planner

Signed: 

Date: 16/10/2024

A/Senior Planner

Signed: Sean Kennedy

Date: 17th October 2024

Director of Services