

LONGFORD COUNTY COUNCIL

**SECTION 179 OF THE PLANNING AND DEVELOPMENT ACT 2000
(as amended)**

**PART 8 OF THE PLANNING AND DEVELOPMENT REGULATIONS 2001 (as
amended)**

PROPOSAL TO CARRY OUT A DEVELOPMENT REFERRED TO AS –

**PART 8 – NO. 83
CONSTRUCTION OF A C.5KM LONG, GREENWAY
PATH, INCLUDING CAR PARK, FENCING AND
ANCILLARY SITE WORKS AT NEWTOWNFORBES
Co. LONGFORD**

**REPORT IN ACCORDANCE WITH
SECTION 179 OF THE PLANNING AND DEVELOPMENT
ACT 2000 (AS AMENDED) AND
PART 8 OF THE PLANNING & DEVELOPMENT
REGULATIONS 2001 (AS AMENDED)**

To: The Cathaoirleach and Members of Longford Municipal District.

Being satisfied that the requirements of subsections (1) and (2) of Section 179 of the Planning and Development Act 2000 as amended, and Articles 79 to 85 inclusive of the Planning and Development Regulations 2001 (as amended) have been fully complied with in relation to the above proposed development, I have prepared the attached report in accordance with the requirements of subsection (3) of Section 179 of the Planning and Development Act 2000 as amended and formally submit same to the Cathaoirleach and members of Longford Municipal District for consideration.

1. Introduction / Site Location of the proposed development.

2. The nature and extent of the proposed development and the principal features thereof are as set out in Section 2 of the Report.
3. Section 3 of the Report evaluates the consistency of the development with the proper planning and sustainable development of the area to which the development relates, having regard to the provisions of the development plan.

I am satisfied that all issues have been fully considered in the evaluation and that the proposed development is consistent with the proper planning and sustainable development of the area to which the development relates, having regard to the provisions of the development plan, for the reasons set out in the report.

4. The persons and bodies who made submissions or observations with respect to the proposed development in accordance with the provisions of the above Act and Regulations are listed at Section 4.
5. Section 5 sets out details in relation to S.E.A. and Appropriate Assessment.
6. Section 6 sets out the recommendation of the Planning Authority in relation to the proposed development regarding the planning considerations and submissions and observations received.

In accordance with the provisions of Section 179(3)(b)(v) of the Planning and Development Act 2000 (as amended) I recommend that the proposed development should be proceeded with subject to the conditions listed in Section 6 of the attached report.

Dated this the 15th March, 2021


John Brannigan,
Director of Services.

Note:

Planning and Development Act 2000 (as amended) – Subsection 4 of Section 179.

- (4) (a) The members of the local authority shall, as soon as may be, consider the proposed development and the report of the Chief Executive under subsection (3).
- (b) Following consideration of the Chief Executive's Report under paragraph (a), the proposed development may be carried out as recommended in the Chief Executive's Report, unless the local authority, by resolution, decides to vary or modify the development, otherwise than as recommended in the Chief Executive's Report, or decides not to proceed with the development.
- (c) A resolution under paragraph (b) must be passed not later than 6 weeks after receipt of the Chief Executive's Report.



**LONGFORD COUNTY COUNCIL
PLANNING DEPARTMENT**

**PART 8 – NO. 83
CONSTRUCTION OF A C.5KM LONG, GREENWAY
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MARCH 2021

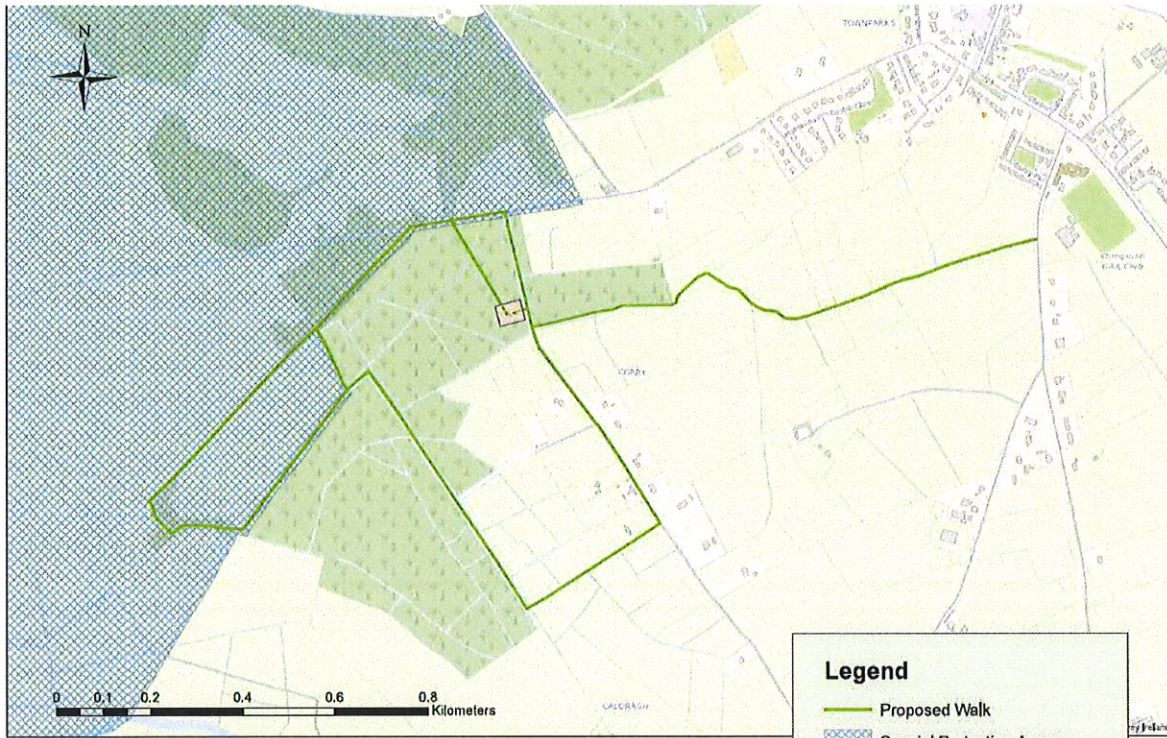
1. INTRODUCTION/ SITE LOCATION

The proposed amenity trackway is located from Corry in Newtownforbes through the townlands of Castleforbes Demesne, Killeen (Longford By) Caldragh & Corry (Longford By). The route will traverse Ballykenny-Fisherstown Bog SPA and Lough Forbes Complex SAC), approximately 1 km west of Newtownforbes. The proposal site extends over a distance of approximately 5km from the L5005 Local Road via the existing lanes and trails and traverses in a east/west direction over existing peatland including a forest loop.

2. NATURE AND EXTENT OF PROPOSED DEVELOPMENT

The proposed development provides for the construction of an amenity trackway which comprises of approximately 3m wide pathway over approximately 5km. The construction of the trackway will comprise of a geo-textile membrane with clause 804 stone and quarry dust for surface finishing.

The vast majority of the proposed walkway will be located along existing section of roadway and farm/bog access tracks utilising the existing transport infrastructure from the L5005, which includes tracks, farmers access roads and minor roads.



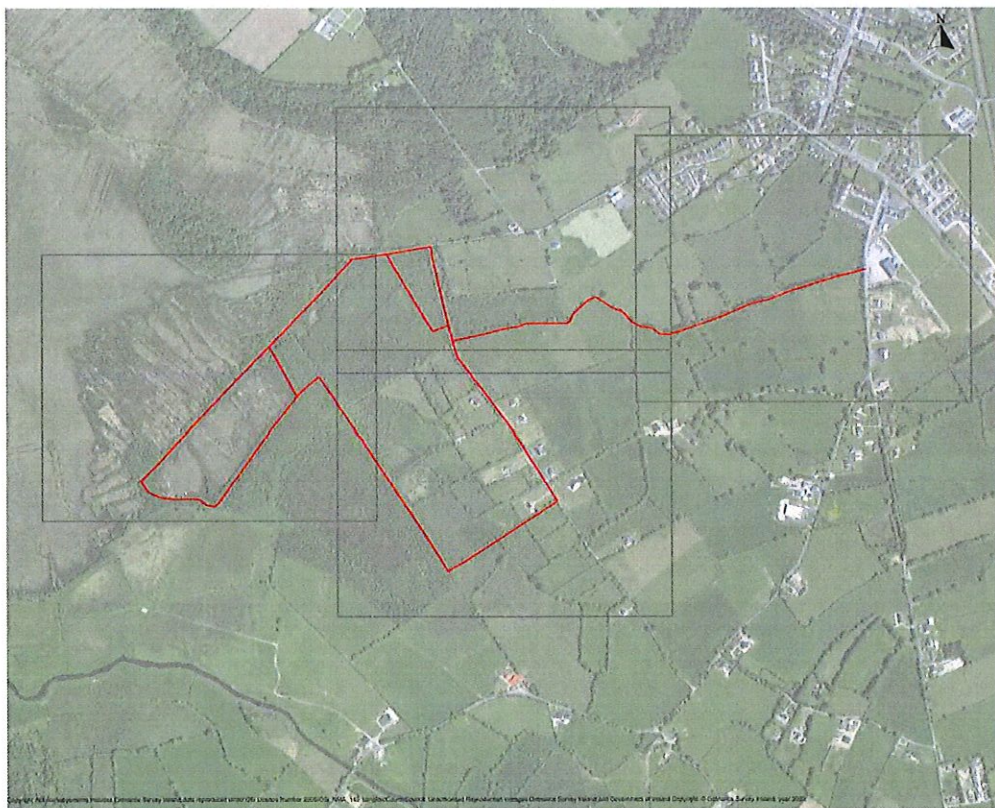
Proposed Newtownforbes Walk

Total Length of proposed walk: 5.02Km
Date: 17/11/2020

Legend

- Proposed Walk
- Special Protection Areas
- Proposed Car Park (NTS)

Figures : Site Location of Proposed Works (above and below)



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3. PLANNING CONSIDERATION/ EVALUATION

The site is located within the functional area of Longford County Council and, as such, the provisions of the Longford County Development Plan 2015 – 2021 apply. The proposed development site is seen as an integral step in the overall regeneration plan for the area which is included as an objective in the current County Development Plan. The proposed development is seen to be in keeping with a number of key tourism and amenity policies and objectives presented in the Longford County Development Plan 2015-2021. The following policies and objectives are seen to be particularly relevant in the context of the proposed development:

***TOU 2:** The Council recognises the potential of all peatland bogs in the County, including industrial peatlands, in terms of providing opportunities for recreation and tourism thus creating new features of local distinction. Where appropriate the Council will cooperate with adjoining local authorities including Roscommon and Westmeath County Council to facilitate, subject to the requirements of the Habitats Directive, this potential in areas where bogs straddle the County boundary.*

The development of the bogs for amenity purposes will not exclude them for other purposes such as the generation of renewable energy including wind generation. It is envisaged that these types of activities can be mutually inclusive and developed in an integrated way.

***TOU 3:** The Council will seek to facilitate and promote, where appropriate the development of the Mid Shannon Wilderness Park and Corlea Archaeological and Biodiversity Project.*

***TOU 4:** The Council will promote the growth of the County's indoor and outdoor tourism sector and the necessary supportive facilities, providing an array of activities in order to diversify the range of tourist experiences available in Longford and extend the tourist season.*

Having regard to the nature of the proposed development, i.e. the construction of an amenity walkway along the edge of the bog and forest which also features as an integral element of the Regeneration of the County, it is considered that the proposed development is substantially in keeping with the policies and objectives outlined in the Longford County Development Plan 2015-2021.

4. PUBLIC/ STATUTORY BODIES CONSULTATION, SUBMISSIONS, REPORTS, ETC.

The proposed works were duly and properly notified as required by Section 179 of the Planning and Development Act, 2000 (as amended) and Part 8 of the Planning and Development Regulations 2001 (as amended).

The plans and particulars for the proposed greenway within the townlands of Castleforbes Demesne, Killeen (Longford By) Caldragh & Corry (Longford By), Co. Longford were made available for public inspection at the offices of Longford County Council, Áras and Chontae, Great Water Street, Longford during official opening hours, excluding weekends and bank holidays, from Friday 11th December, 2020 up to and including Monday 18th January, 2021.

Submissions or observations with respect to the proposed development, dealing with the proper planning and sustainable development of the area in which the development would be situated, were invited to be made in writing to the Planning Section, Longford County Council, Áras an Chontae, Great Water Street, Longford, Co. Longford to arrive not later than 4pm on Monday 1st February, 2021

4.1 Submissions

Following the requisite statutory public consultation, three submission have been received in relation to the proposed development.

One submission was made by Mr Tony Lowes (Friends of the Environment) with respect to the proposed development. Mr Lowes rises concerns in relation to the impact of the proposed development on the Natura 2000 site and has concerns with the AA screenings conclusion that there is little risk to the designated sites. Mr. Lowes also indicated that the Greenland White-fronted Goose has been present on the site for the last 8 years.

Mr Lowes submission has been noted

One submission was made by Mr John O'Brien (Newtownforbes Walkway Development Group) with respect to the proposed development.

Mr. O'Brien notes support of the trackway, however an alternative route for the proposed walkway has been put forward, which is indicated on a submitted map and includes the omission of the proposed carpark.

This submission on behalf of the Newtownforbes Walkway Development Group has been noted.

A submission was made by Enda & Anne Marie McKeon with respect to the proposed development. Mr. & Mrs McKeon notes support of the trackway, however they has objections to certain parts of the proposed development including the proposed carpark which will create traffic issues on an already narrow busy road, possible dumping and anti-social behaviour issues and a privacy issue for their neighbours.

Mr. & Mrs McKeon's submission has been noted

A submission was made by Cathal Sorohan with respect to the proposed development. Mr. Sorohan highlights concerns regarding the security and privacy of his property and it goes along the boundaries of his land and within metres of his house.

This submission by Mr. Sorohan has been noted.

A submission was made by Ms Andrea McHale with respect to the proposed development. Ms. Mc Hale notes support of the principle of a greenway, however has highlighted issues in relation to the construction of a proposed carpark, the location of the walkway in relation to proximity to her property. Ms. Mc Hale also suggest alternative routes and possible parking for the proposed greenway

This submission has been noted.

A submission was made by James & Geraldine Mulvey with respect to the proposed development and objecting on the following grounds road traffic issues and the resultant increase in traffic from the proposed development, anti-social behaviour as a result of the proposed carpark and the proposed car park would be detrimental to the quality and character of the Greenway

This submission has been noted.

4.2 External Reports

The application was referred to the following external bodies for comments in relation to the proposed development:

- An Taisce – no report received at the time of writing;
- Fáilte Ireland – no report received at the time of writing; and
- An Comhairle Ealaíon – no report received at the time of writing.
- Shannon Regional Fisheries Board - no report received at the time of writing
- National Heritage Council - no report received at the time of writing
- Shannon Regional Fisheries Board - no report received at the time of writing
- Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media (National Parks and Wildlife Service) – report received indicating in principal support and indicating a narrower path in the cutover bog of c.1.5m. The NPWS intends to implement restoration measures within the Ballykenny bog in the near future which will require the blocking of drains and the construction of low peat bunds. The bunds and path can be co-designed so as to accommodate both projects.

The National park and wildlife Ranger for the area was also contacted in relation to the proposed development, she indicated strong support for the proposed development and stated that the Greenland White-fronted Goose has not been recorded on the site for over 21 years.

4.3 Internal Reports

The application was referred to the following sections of Longford County Council for comments in relation to the proposed development:

Area Engineer – No report received at time of writing.

Environment Section – No report received at time of writing.

Road Design Section – No report received at time of writing.

5. NATURE AND EXTENT OF PROPOSED DEVELOPMENT

The proposed development provides for the construction of a greenway which comprises of approximately 3m wide pathway over approximately 5km.

The construction of the trackway will comprise of a geo-textile membrane with clause 804 stone and quarry dust for surface finishing. Figure 2 below provides a cross sectional drawing of the proposed trackway. Much of the proposed trackway traverses existing tracks, roads and lanes. It is also proposed to construct a carpark facility

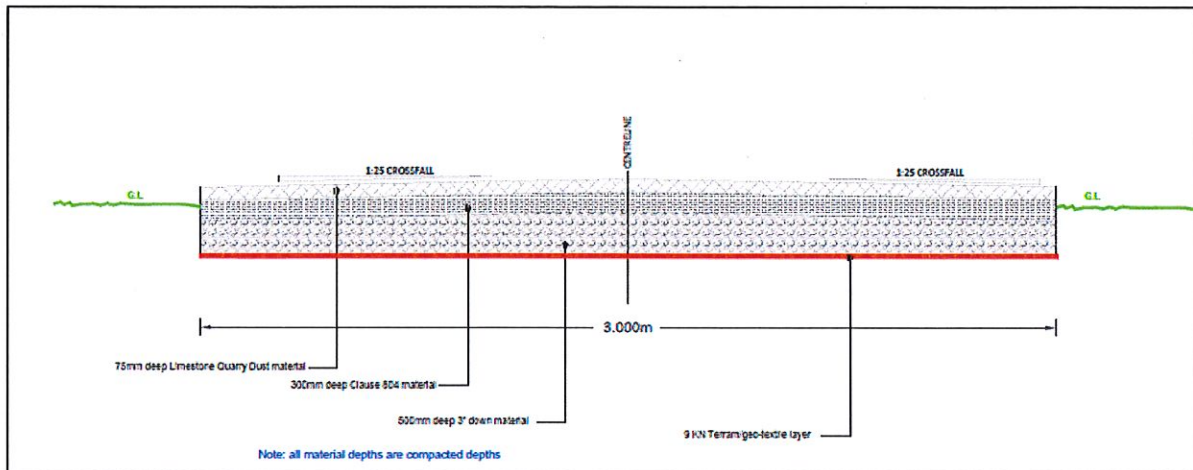


Figure 2: Cross sectional drawing of proposed amenity trackway.

6. APPROPRIATE ASSESSMENT

The proposed development was the subject of a Stage 1 Appropriate Assessment Screening, in which it was noted that the nearest Natura 2000 sites are Ballykenny- Fishertown Bog Special Protection Area (SPA Site Code: 004101) and Lough Forbes Complex Special Area of Conservation (SAC Site Code: 001818), within which part of the proposed greenway is located.

The Appropriate Assessment screen report concludes that impact to the Ballykenny- Fishertown Bog Special Protection Area and Lough Forbes Complex Special Area of Conservation and or any other Natura 2000 designated sites as a result of the proposed trail construction are extremely unlikely. Disturbance to the Special Conservation Interest of the Special Protection Area may be ruled out at this species does not utilise this site. Impacts to the qualifying interests of Lough Forbes SAC are extremely unlikely as these habitat types do not occur within the proposed route. It is therefore concluded that a full Appropriate Assessment is not required.

7. EIA SCREENING DETERMINATION

The proposed development has also been the subject of an Environmental Impact Assessment Screening to determine if the proposed development is to be subject to EIA as set out in the mandatory and discretionary provisions of the Planning and Development Act 2000, as amended, and in Schedule 5 of the Planning and Development Regulations 2001, as amended, and as transposed from the EIA Directive 2011/92/EU (as amended by Directive 2014/52/EU).

The conclusion derived from this EIA Screening was that there was no specific requirement to conduct an EIA of the proposed development.

8. RECOMMENDATION

Having regard to the above mentioned planning considerations and to the submissions and observations received, it is considered that the proposed development would be in accordance with the proper planning and sustainable development of the area. It is therefore recommended that the proposed development now be proceeded with, subject to the attachment of the following condition:

1. The proposed carparking facility shall be omitted from the proposed development and revised plans shall be submitted to the planning authority for record purposes.

Reason: In the interests of road safety

2. In the Ballykenny cutover bog the path shall be narrowed to c. 1.5 metres at a location to be agreed with the NPWS to co-ordinate with their construction of low peat bunds to constrain the egress of water from the bog.

Reason: In the interests of protecting the natural amenity of the area

Donall Mac An Bheatha

Donall Mac An Bheatha. 01/03/2021

Senior Planner