

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. 114

**BALLINALEE COMMUNITY PARK & CHILDREN'S
PLAYGROUND, BALLINALEE OR SAINT JOHNSTOWN
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)

January 2024

To: The Cathaoirleach and Members of Longford County Council

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 County Council.

The report includes the following sections:

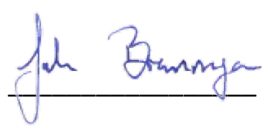
1. Introduction / Site Location of the proposed development.
2. The nature and extent of the proposed development and the principal features thereof are as set out in Section 2 of the Report.
3. Section 3 of the Report evaluates the consistency of the development with the proper planning and sustainable 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 Appropriate Assessment.
6. Section 6 sets out the EIA Screening Determination.
7. 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 7 of the attached report.

Dated this the **15th January 2024**



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. 114
BALLINALEE COMMUNITY PARK & CHILDREN'S
PLAYGROUND, BALLINALEE OR SAINT JOHNSTOWN
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DECEMBER 2023

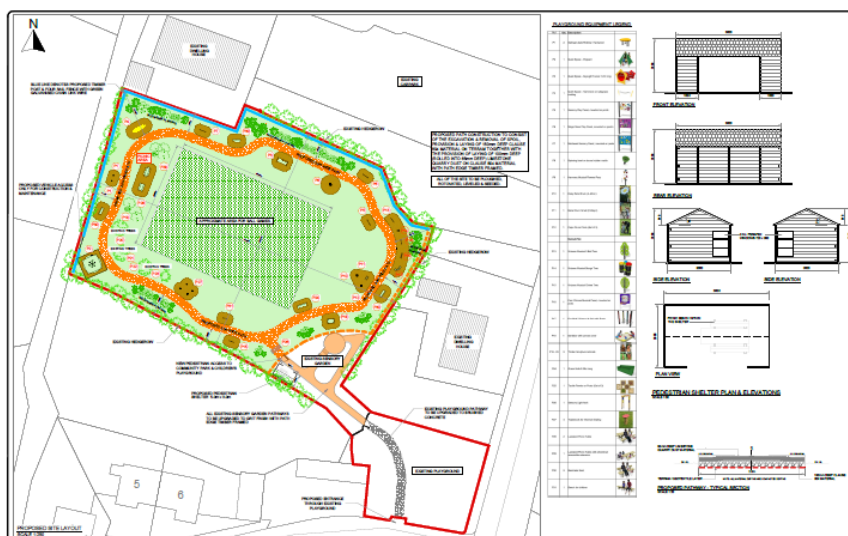
1. INTRODUCTION/ SITE LOCATION

The subject lands are located within the development envelope of Ballinalee, as identified in the Longford County Development Plan 2021 – 2027. The site is located just off the local road L1056 and to the north of the regional road R194. The proposed site has a stated site area of 0.5 hectares.

The site is bounded to the east by the L1056 and a residential site, to the north by the Holy Trinity Church and its associated car park and to the west by a small woodland and to the south by the Camlin View residential area. The land-use surrounding the site is mixed use.



Existing site layout



Proposed site layout

2. NATURE AND EXTENT OF PROPOSED DEVELOPMENT

The proposed development includes the construction of a new Community Park and Children's Playground Facility to include a 2.0m wide path approximately 250m long within the site space, upgrade of any existing pathways, biodiversity planting and all ancillary site services and works.

The proposed development includes the installation of new post and four rail fencing along the west and northern elevations to the site.

Biodiversity planting around the site.

A variety of playground equipment around the site including items 1 – 31.

Creation of a ball game area.

Installation of a pedestrian shelter facility.

The development extends and improves access and facilities to the existing playground and sensory garden.

3. PLANNING CONSIDERATION/ EVALUATION

The site is located within the functional area of Longford County Council and lies within the Designated Development Envelope of Ballinalee Village settlement. As such the provisions of the Longford County Development Plan 2021 – 2027 apply.

The proposed site is located on land zoned Social/Community/Education/Public Utility and aims to:

“To primarily provide for educational, health, social, cultural, religious and community facilities. “

This zoning provides for facilities that serve the community as a whole such as schools, community centres, nursing homes etc.

It is identified that there are a number of identified Protected Structures and NIAH listed structures mapped within the subject. It has been identified that the mapping of these structures is incorrect and that the structures are in fact located outside of the area of the

proposed development. As such it is recommended that archaeological monitoring be undertaken before and during the proposed construction works on site.

As such it is considered that the proposed development is substantially in keeping with the zoning as outlined in the Longford County Development Plan 2021-2027.

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 development for the proposed development includes the construction of a new Community Park and Children's Playground Facility to include a 2.0m wide path approximately 250m long within the site space, upgrade of any existing pathways, biodiversity planting and all ancillary site services and works, in Ballinalee, Co. Longford were made available for public inspection at the offices of Longford County Council, Áras an Chontae, Great Water Street, Longford and during official public opening hours, excluding weekends and bank holidays, and online from Friday 3rd November 2023 up to and including Friday 1st of December 2023.

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 Friday the 15th December, 2023.

4.1 Submissions:

One submission was received from:

The Department of Housing Local Government and Heritage indicating that it is possible that sub-surface archaeological remains could be encountered during the construction

phases that involve ground disturbance. In line with national policy, see Section 3.7 of Frameworks and Principles for the Protection of the Archaeological Heritage 1999, the Department recommends that conditions for archaeological monitoring be included in any grant of planning permission.

4.2 Internal Reports

- Roads Design Section – No report received at time of writing.
- Area Engineer – No report received at time of writing.
- Heritage Officer – No report received at time of writing.

5. 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 site is Ardagullion Bog SAC (002341), which is located approximately 10km to the south-east of the subject site.

Given the nature and extent of the proposed development, as well as its location, it is not considered that the development would result in any significant impacts on the Natura 2000 network. Having reviewed the qualifying interests (habitats and species related interests) of the Natura 2000 sites closest to the proposed development, it is considered that there are no likely adverse impacts arising from the proposed development on the integrity of the Natura 2000 network. Accordingly, it is considered that there is no requirement to progress to a full Appropriate Assessment in this case.

6. EIA SCREENING

There is no specific requirement to conduct an EIA or EIA Screening of the proposed development. An EIAR Screening has been submitted as part of the application.

7. 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 conditions:

1. Any alteration required for the proposed development to meet the necessary guidelines shall be submitted to the Planning Authority for record purposes.

Reason: In the interest of proper planning and sustainable development

2. Archaeological Conditions:
 - a) The applicant is required to engage the services of a suitably qualified archaeologist to carry out licenced monitoring of all ground works associated with the development.
 - b) Should archaeological material be found during the course of monitoring, the archaeologist may have work on the site stopped pending a decision as to how best to deal with the archaeology. The developer shall be prepared to be advised by this Department with regard to any necessary mitigating action (e.g. preservation in situ, and/or excavation). The applicant shall facilitate the archaeologist in recording any material found.
 - c) The Planning Authority and this Department shall be furnished with a report describing the results of the monitoring.

Reason: In order to ensure the continued preservation (either *in situ* or by record) of places, caves, sites, features or other objects of archaeological interest.

Ian C. Lacey

18th December 2023

Ian Lacey - Executive Planner



Signed:

Date : 18/12/2023

Rita Connaughton A/Senior Planner

APPENDIX 1 -Site Photographs





