



## **Leitrim County Council**

**Planning & Development Acts 2000 (as amended)**  
**PART XI**

**Planning & Development Regulations 2001 (as amended)**  
**PART 8**

**Planning Register Ref. No. 21-C-07**

***A FACILITY CENTRE FOR WATER SPORTS, A NEW CAR PARK AND A  
CONTROLLED PEDESTRIAN CROSSING ON THE R207***

***MAY 2022***

## 1.0 Introduction and Scheme Overview

Leitrim County Council in conjunction with Fáilte Ireland is proposing the development of a facility centre for water sports, a new car park and a controlled pedestrian crossing on the R207 that will complement the existing facilities at Acres Lake Amenity and the Blueway from Drumshanbo to Battlebridge. Acres Lake is located south of Drumshanbo town adjacent to the R207 in Co. Leitrim. There are several facilities beside the lake, including an outdoor swimming pool, tennis courts, playground, Sliabh an Iarainn Visitor Centre and the Blueway.

The proposed facility centre for water sports will provide much needed indoor and outdoor showers, toilets, external and internal seating, communication workspace which will be multifunctional, multimedia education and learning area for the operators of, and visitors to, the proposed facilities. The floating boardwalk extends for approximately 7km to Battlebridge, 1km from Leitrim Village. Water sports take place during the summer months on Acres Lake, such as paddle boarding, kayaking, and canoeing. Acres Lake is connected to the River Shannon by a canal network which is navigable by cruisers and has a mooring beside the proposed project location. There is a high footfall of people in this area all year round.

There is currently a limited number of carparking spaces available at the Amenity, resulting in insufficient parking spaces to cater for the number of visitors that drive to this location, and resulting in hazards for both motorists and pedestrians.

The proposed new car park providing 70 no. spaces will be to the south of the proposed new facility building. A new controlled pedestrian crossing will be created at the entrance for the safe crossing for pedestrians to the eastern side of the regional road. The location of the proposed development is located in Figure 1 below.



**Figure 1 Location of Proposed Development**

In order to be recognised internationally as a best-in-class activity destination, it is crucial that Ireland invests in compelling activity infrastructure, the visitor experience and building the capacity of the activity providers to ensure the Irish experience meets and exceeds visitor expectations. 'Platforms for Growth' is Fáilte Ireland's new multi-annual capital investment programme designed to support Fáilte Ireland's strategic imperative of Building Brilliant Visitor Experiences. It provides Grant Schemes for Large Tourism Projects 2016 – 2020 and is funding this project.

1.2 Site Plans

The following Figure 2 shows the proposed site layout and location of the facility and associated car parking area and Figure 3 shows the layout of the facility area.

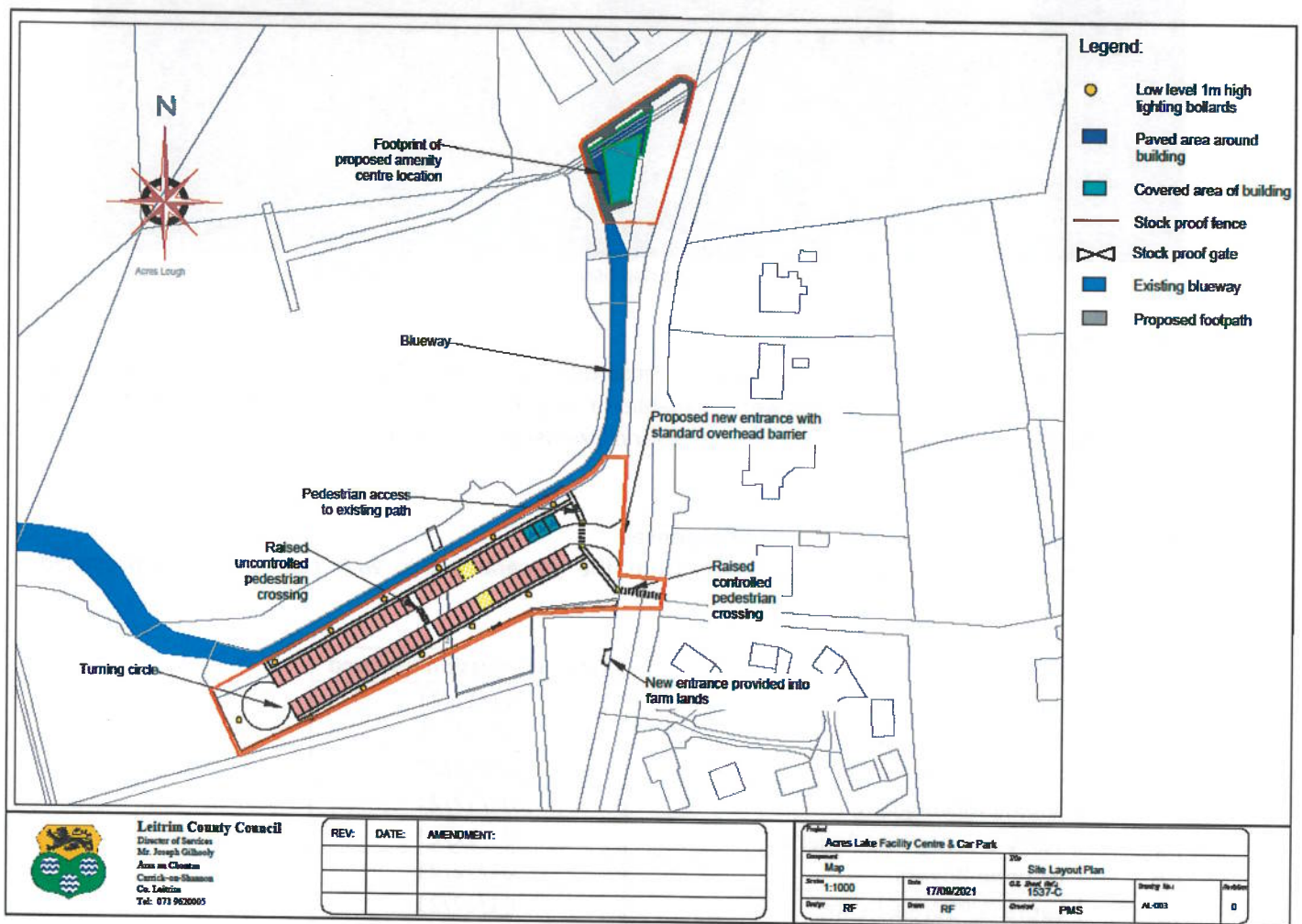


Figure 2 Proposed site layout and location of the facility and associated carparking area





Figure 3 Illustration of the proposed facility when completed

**2.0 Public Consultation Process**

The project was formally advertised for public consultation between 20 October 2021 and 17 November 2021. Details of the proposed works were available for inspection during normal office hours at the office of the Planning Authority and also on the Council website. The closing date for submissions was 1 December 2021.

**2.1 Submissions/Observations and Responses**

A number of submissions were received from the general public with regard to this proposed development.

No.	Name	Date Submission received
1	Padraig McLoughlin	11/11/21
2	John Gerard Cullen	17/11/21
3	Cllr Des Guckian	29/11/21
4	Sabina McLoughlin	01/12/21
5	Terry & Josephine Rogers	01/12/21
6	Grainne Rogers	01/12/21
7	Laura & Padraig Kenny	01/12/21
8	Aoife Grier	01/12/21
9	Patricia Gilroy	01/12/21
10	Sinead Rogers	01/12/21
11	Catherine Kelly	01/12/21

A summary of the issues raised in the submissions are set out below in the order received.



1. Padraig McLoughlin:

- Welcomes the provision of additional facilities at amenity area but raises concerns about the scale of the parking proposed and the failure to make best use of existing structures and the failure of the development to align with the aims of the 2015-2021 Leitrim County Development Plan.

- The Development Plan aims “to encourage alternative means of travel (other than the car) where practicable”. The provision of 70 car parking spaces would seem to favour access by car, contrary to the stated aim. The development will draw further traffic into a residential area which would also seem to contradict another stated aim of the Development Plan.
- There is limited cycle parking provision would seem to alter the existing facility with a shift from pedestrian and cycle travel to car friendly access being provided.
- Proposal does not meet the aim of the Development Plan “To relieve traffic congestion, minimise pollution and enhance safety, particularly in town centres, by means of traffic management and traffic calming schemes”.
- Proposed parking is located outside the town of Drumshanbo and would exceed the combined size of existing town centre car parks. Would likely result in business being directed away from the town of Drumshanbo which would contradict the stated aim of the Development Plan of encouraging growth of town development through interventions such as a review of car parking.
- 70 no. spaces out of scale when compared to other developments at Tullaghan and Sheemore and closer in number to the car park at Flynn’s Field in Carrick on Shannon.
- Acres Lake is drained through a canal system and therefore has a very slow rate of exchange of water. The existing car parking area is a wetland. The drainage of the area relies on this wetland area. The existing pier required recent interventions to protect access to it with increased water levels. A detailed study on the likely impact the loss of lakeside wetland to a car park would be required on the local surface drainage system.
- Acres Lake is drained through a canal system and therefore has a very slow rate of exchange of water. Any drainage from the car park is likely to include amount of oil and remnants from cars. No SUDS is proposed for car parking area. Proposal will result in persistent oil pollution to the lake.
- Recommends that the proposal should be rejected in its entirety if the plan requires 70 no. car parking spaces and the continued favouring of Acres Lake rather than the town centre.

## 2. Cllr Des Guckian:

Observations and submission of opinion and objection are based on the opinions of local residents who are sure that this enlarged development will impact them unfavourably on the rightful enjoyment of their properties and will have a wider adverse impact on the area generally.

It is stated that this proposal has “been sprung” on short notice on the residents without any indication by the Council of what was intended with an agreement already in place to buy land from a local landowner.

Cllr. Guckian has no objection to the construction of the Facility Centre.

In relation to the proposed car park of 70 spaces, it is considered that would be disproportionate away from the town centre. A car park of 35 to 40 no. spaces should be totally adequate. Submission makes reference to proposed car park giving rise to antisocial behaviour. The proposal includes no measures to provide security or a garda presence. The proposal will likely result in illegal dumping with the experience at Drumsna harbour cited in support. Outlines his view that on the basis of the above that it is wrong to expose a neighbourhood to such issues.

Considers that the proposal will result in environmental damage in a sensitive environment.

In relation to the proposed pedestrian crossing’s type & location, it is acknowledged that some efforts have been made to take into account the very definite views of the local residents and users. Requires a written guarantee that the Council will work with the residents to meet their sensible proposals.

### 3. John Gerard Cullen Solicitors:

States their objection and offers a number of observations and submissions (although does not state on behalf of who they make the objection):

The proposed development is considered contrary to proper planning and development, is unrelated to any local need, will constitute an unacceptable and disproportionate adverse effect upon the residential amenity of residents, will generate traffic and litter hazard and will constitute a gross invasion of visual amenity.

It is contended that the proposed development has been subject to a superficial desk survey screening only for an appropriate assessment.

The proposed development offends principles of transparency and is therefore contrary to the Aarhus Convention.

The proposed development does not consider adequately the adverse effects on the qualifying interests of the adjacent and or hydrologically connected European sites.

The proposed development does not take into account the combined environmental effects of forestation, traffic congestion, effects of car use and extant environmental pollution. It does not take into account the non-temporary, adverse and significant environmental effects of this development in combination with the effects from other adjacent plans, developments, projects and existing pollution.

The proposed development does not take into account the effects on the birds foraging in the Acres Lake area, more particularly, on the actual numbers of Black headed Gull, cormorant, mute swan and snipe. A Stage 2 Appropriate Assessment has not been carried out. Considers that the precautionary principle should apply and that there is an onus upon the Local Authority to prove beyond reasonable scientific doubt that this development, in combination with other developments, will not have a deleterious effect upon birds and habitats. It is contended that the Council has failed to discharge this onus of proof.

Cites Article 6.3 of the Habitats Directive which provides that any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects shall be subject to the appropriate assessment of its implications for the site in view of the site's conservation objectives. Argues that there has been no compliance with Articles 6.3 and 6.4, a gross absence of any necessary public consultation and an apparent lack of rigorous scientific enquiry.

### 4. Sabina Mc Loughlin:

- Concerns expressed regarding the size of the proposed car parking area and the failure of the development to align with the aims of the 2015-2021 Leitrim County Development Plan.
- Proposed parking is located outside the town of Drumshanbo and would exceed the combined size of both existing town centre car parks. Would likely result in business being directed away from the town of Drumshanbo which would contradict the stated aim of the Development Plan of encouraging growth of town development through interventions such as a review of car parking.
- The Development Plan also aims "*to encourage alternative means of travel (other than the car) where practicable*". The provision of 70 car parking spaces would seem to favour access by car, contrary to the stated aim. The development will draw further traffic into a residential area which would also seem to contradict another stated aim of the Development Plan.
- There is limited cycle parking provision would seem to alter the existing facility with a shift from pedestrian and cycle travel to car friendly access being provided.

- A detailed survey on the likely impact the loss of lakeside wetland to a car park would have on the local drainage system which extends beyond the immediate vicinity of the lake should be undertaken. the replacement of wetland, system of streams and drains
- Acres Lake is drained through a canal system and therefore has a very slow rate of exchange of water. Any drainage from the car park is likely to include amount of oil and remnants from cars. No SUDS is proposed for car parking area. Proposal will result in persistent oil pollution to the lake.
- Sliabh an Iarainn visitor's centre had been moved from its location in the centre of Drumshanbo and this proposal will encourage development on the outskirts of the town rather than the town centre.

Concludes by stating that the proposed development should be rejected in its entirety.

5. Terry and Josephine Rogers:

The following observations are made:

Building

- Proposed building is too big, encroaches on footpath narrowing it considerably and making it more difficult for buggies and wheelchair users to pass comfortably towards walkway and play area.
- Too close to the lake which will impact on snipes who live in the reeds.
- Queries if there is a strong possibility that canoes, kayaks or paddle boards blocking footpath for pedestrians.
- States that the boardwalk was developed for the enjoyment of walkers, runners and cyclists whereas the water sports enthusiasts are now receiving priority. Considers that Lough Allen already has 2 water sports school in Drumshanbo and that this should have been the location chosen.
- Outlines vandalism concerns for the proposed building and that the likely solution will leave the area looking like a prison compound.

Car Park

- Considers the car park is too big even with the concession of lowering it to 55 no. spaces.
- No provision for e cars charging points within the car park at odds with Government plans. Queries whether or not supplying such bays have been included in the Council's budget for the project and the compatibility of such the charging points in an area prone to flooding. This will likely exacerbate with climate change.
- The area is profuse with Devil's Bit Scabious in late summer – habitat for the Marsh Fritillary Butterfly. Contended that the consultants who prepared the assessments did not visit this area.

Pedestrian crossing

- Don't understand the need for a crossing where it is proposed considering proximity of existing crossing. Argues that what is needed are traffic control bumps further out the Carrick Road to slow traffic coming into the area.

Environment

- The quiet residential area surrounded by nature will be impacted by the proposal and will lose flora, fauna, birds, some of which are only returning to the area since the Boardwalk was developed. right to enjoyment of home and lands.
- Development not in keeping with European Convention of Human Rights, Article 8 which states that a person has the right to peaceful enjoyment of all their possessions which includes their home and other lands.
- Tourists will no longer enjoy the view from the Carrick Road because of negative impact of car park and that the attraction of the county is because it is not developed.
- The existing Development Plan states a need to promote public transport, minimise environmental impact and minimise pollution, none of which will be adhered to if project goes ahead.



Concludes by stating their objection to the proposed development.

6. Grainne Rogers:

Outlines a number of strong objections to the proposed development directly opposite a residential area. Considers that the proposed development will have a serious impact on residents standard of living, the visitor's experience of the natural surroundings and the environment itself for the following reasons:

- Development not in keeping with European Convention of Human Rights, Article 8 which states that a person has the right to peaceful enjoyment of all their possessions which includes their home and other lands. Development of one of the largest car parks in Leitrim in a quiet residential area does not correlate with this basic human right.
- There will be a significant increase in traffic and visitors who will have to walk past a row of houses impeding their privacy and being overlooked.
- The design of the proposed development is not of sympathetic design to the area (barriers, lighting, masses of concrete and tarmac, gates)
- The proposal will lend to over development of the area taking business away from the town centre which is in contradiction to the Leitrim County Development Plan 2015-2021.
- Will result in increased noise levels for residents within this rural setting and increase pollution, from littering but also from car fumes.
- There is no plan for proper drainage – car waste will drain directly into the lake effecting flora and fauna.
- Car park is proposed on known wetlands which will require constant upkeep and maintenance of the tarmac as flooding will cause the wearing down of same.
- The proposed is in conflict with the County Development Plan 2015-2021 for transport which states a need to promote public transport, minimise environmental impact and minimise pollution.
- Legislation stipulates that EV charge points should be in situ for all car parks greater than 10 spaces. There is no mention of such in the plans.

7. Laura and Padraig Kenny:

- Attended meeting with the Senior Engineer and other residents in relation to outlining their concerns in relation to the car park and development. They are in agreement with the changes outlined in an e-mail on 18<sup>th</sup> November last to Ms. Aoife Greer. They express their appreciation that their concerns have been taken into account.
- Note that gate will be provided in the event of anti-social behaviour however requesting assurances that the gate will be locked at night time. This is a major concern as they are residents opposite the entrance to same.
- Would like grasscrete to be explored as part of redesign of proposed car park.
- Request entrance wall to car park to be constructed of cut stone which would enhance the look of the development.

8. Aoife Grier:

Understands that since the application was lodged, the Council have amended it to:

- 55 no. car-park spaces instead of 70.
- Low lighting and a gate that can be locked.
- Moving the proposed pedestrian crossing back towards Jinny's Tearooms.

Does not support the proposed car park in a beautiful natural organic environment. Considers that the necessity of a car park is only for 3 weeks a year. Questions what an empty car park will attract, who will maintain and monitor it, who will lock the gate at night time, will CCTV be provided to be the building as



existing facilities here have been vandalised previously. It is argued that the proposal will provide car parking to Jinny's Tearooms and that the location of the pedestrian crossing supports this view. It is argued that this is the reason that the Council are provided the car park and that the other coffee shop in Drumshanbo also results in car parking on footpaths and whether the Council will provide this coffee shop with parking too?

9. Patricia Gilroy:

- Water sports are already well catered for with Lough Allen Adventure Centre whilst the Sliabh an Iarainn Visitor Centre is well equipped to cater for proposed multifunctional and multimedia learning facility.
- New toilets and shower facilities could be erected at swimming pool area; therefore no need for new building which would eliminate existing car parking spaces at entrance to Shannon Blueway Walkaway.
- The proposed development would be an invasion of privacy in a scenic idyllic area for residents and visitors.
- Regarding proposal for car park, the area proposed is a wetland suitable only for farming, includes drains and streams which enter the lake whose only outlet is via the canal. Development here will result in flooding onto Blueway Walk and car park.
- Development does not take into account wildlife and birds and use of lake by fishermen.
- Entrance to car park is located too close to private residences and will constitute a traffic hazard for families entering and exiting their homes.
- It is suggested that it may be possible to use existing entrance to the Blueway walk as entrance to car park.
- The installation of the proposed pedestrian crossing is too close to entrance/exit of car park onto regional road and therefore would be a traffic hazard and cause congestion for local residents. This will cause noise pollution.
- Proposes that pedestrian crossing should be at the start of speed restrictions.
- Concludes by proposing that the development be rejected entirely.

10. Sinéad Rogers:

- Development not in keeping with European Convention of Human Rights, Article 8 which states that a person has the right to peaceful enjoyment of all their possessions which includes their home and other lands. The proposed 70 bay car park with an entrance directly opposite residential houses would impede upon their rights accordingly.
- Proposed area for development of car park is on known wetlands and should be retained. Constant flooding leads to the wearing down of tarmac and risk of flooding to surrounding areas.
- Development is not in keeping with Leitrim County Council's own development plan whereby it is stated that there is a need to minimise environmental impact and minimise pollution. Proposed development would contravene what is written in the Plan.

11. Catherine Kelly:

Formally objects to the car park on the basis of the detrimental effect it will have on the eco system on the marsh land field to the wildlife and that it will cause flooding in the area.

### **Response to Submissions Received**

The Planning Authority acknowledges the number of submissions received. It is considered that there is considerable overlapping of the points raised in the individual submissions received. The report will group the response to the principal issues raised in the submissions.

### 1. Consultation with the Local Community

The Local Authority (Capital Projects Team assisted by the Planning Department) have worked closely with the local residents opposite the proposed development during the course of the consultation process and before the formal process was commenced. This included meeting a delegation of the residents in the Council chamber after the Part 8 documentations were published and ultimately proposing a reduction to the number of car parking spaces included, to the design of the proposed car park in terms of an alternative surface and landscaping, the introduction of low lighting within and a gate that can be locked and the relocation of the proposed pedestrian crossing. It is considered that the revised design, which softens the proposal significantly, represents an enhanced solution to this setting and demonstrates the value of the public consultation process.

This will be recommended to the Elected Members as a modification to the proposed development at the end of this report.

### 2. Principle of Proposed Development at Acres Lake

The Planning Authority is satisfied and fully supportive of the provision of a facility centre for water sports, a new car park and a controlled pedestrian crossing that will complement the existing facilities at Acres Lake Amenity and the Blueway from Drumshanbo to Battlebridge. It is the considered view of the Planning Authority that the revised proposed works will not adversely impact upon the local receiving environment and the development will accord with the proper planning and sustainable development of the area. The Planning Authority is satisfied that the proposed development adheres to and is consistent with the policy framework contained with the statutory Leitrim County Development Plan 2015-2021.

It is the contention of the Planning Authority that the proposal will result in an improvement rather than an adverse impact on the residential amenity of the existing residents opposite. This impact is outlined in the next section in relation to the impact which existing car parking causes and which represents a traffic hazard.

### 3. Scale and Design of Car Park

There is currently a limited number of car parking spaces available at the overall Acres Lake amenity on lands owned by the Council and Waterways Ireland and also along the regional road. A certain number of spaces in the existing car park will be lost to facilitate the construction of the proposed building. However, regardless of the proposed Facility for Water Sports Activities being developed, there is a significant lack of car parking spaces to serve the existing facilities and amenities at this location. These include the Visitor Centre, outdoor swimming pool, playground, tennis court, marina along with the successful greenway including the floating elements along Acres Lake. At present, during busy periods, the car parking facilities are wholly inadequate to cater with demand. When the car park and parallel spaces are full, motorists park their cars along the footpath in front of residences opposite the amenity area and also along the grass verge opposite as far as Acres Cove housing development. The current situation represents a traffic hazard to road users, creates an obstruction to residents attempting to drive out of their driveways safely and is an obstruction to pedestrians using the footpath. Arising from the success of the existing amenities, additional infrastructure in the form of further car parking is required to be provided by the Local Authority. The rationale for the car park is contained within the documentation which was placed on public display. It is not considered that the proposed development deters from the town centre, it seeks to maximise the considerable potential and existing level of investment at Acres Lake and floating boardwalk. The level of car parking proposed responds to the level of demand being generated by the proposal. The development of Jinny's Tea Rooms opposite would not have occurred without the success of the Greenway and that too now generates haphazard parking along the footpath at this location. The proposed car park will also facilitate this development although as an unintended consequence of proximity.

On the basis of consultation with the local residents and through consideration of their detailed submissions / objections, it is proposed to reduce the number of car parking spaces from 70 no. to 58 no. spaces. It is considered that the existing impact of cars being parked along the footpaths / grass margins will be eliminated by the proposed car park which will improve the level of amenity being enjoyed by the residents.

In a rural county such as Co. Leitrim, people travel from a considerable distance to enjoy the amenities at Acres Lake and Greenway. The provision of adequate car parking facilitates such demands similar to the provision of car parking at the extension of the Blueway at Blackrock. This does not conflict with the aims and objectives of the County Development Plan. A condition will be included in relation to the provision of ducting for and the provision of a number of electric charging points within the car park.

A revised design is being proposed to the Elected Members for their consideration which addresses a number of concerns raised in the submission in relation to it being dominated by tarmacadam, unsightly design, etc. with a barrier proposed to ensure that only cars can enter the car park and a lockable gate to deter the likelihood of incidences of anti-social behaviour arising.

#### 4. Location of Pedestrian Crossing

It is proposed to relocate the proposed pedestrian crossing having considered carefully the concerns expressed by the local residents. The location is now proposed in front of Maguires Holiday Cottages and away from any existing permanent residences and access laneway.

#### 5. Facility Building

The Planning Authority is satisfied that the design and scale of the proposed building is appropriate to its site and setting. The design is required to confirm to nearly zero energy building standards and to integrate with the site's natural environment and surroundings.

#### 6. Flooding / Surface Water Drainage

The Planning Authority would indicate that the water levels within Acres Lake and the canal system are controlled / managed by the E.S.B. and Waterways Ireland. The Site Services Layout (Drawing No. AL-006) indicates that surface water from the proposed car park will be collected along the northern site boundary and discharged to an existing drain along the southern boundary via a petrol interceptor. The nature of the proposed car parking development is not considered to represent a use which is sensitive to the effects of flooding. A Flood Risk Assessment was therefore not considered to be required. Floodmaps.ie do not record any incidence of flooding at this location. It is not considered that the loss of this extent of wet grassland would not be of significance to the effect of flooding in the wider area.

The existing level of the ground will require to be raised by approximately 0.5 metres. The material used to raise the existing ground will consist of the importation of granular material which would not prevent surface water from infiltrating below the surface of the completed car park. The petrol interceptor will therefore be at a level above the existing ground levels and will prevent any such residues from being discharged into the water system thus ensuring no adverse impact occurring.

The revised design of a grasscrete finish to the proposed car parking spaces adheres to the principles of SUDS.

#### 7. Appropriate Assessment

The Planning Authority has considered the Screening Report for Appropriate Assessment. There are no other projects that the Planning Authority consider to be intrinsically linked to the proposed project. In completing the Appropriate Assessment, the Planning Authority considered, in particular, the likely direct and indirect impacts arising from the proposed development, both individually or in combination with other plans or projects and the conservation objectives for the European Sites in the vicinity or with a

direct connection to the proposed development. The Appropriate Assessment screening process has considered potential effects which may arise during the construction and operational phases as a result of the implementation of the project. Through an assessment of the pathways for effects and an evaluation of the project characteristics, taking account of the processes involved and the distance of separation from European sites, it has been concluded that there are no likely significant adverse effects on the qualifying interests, special conservation interest or the conservation objectives of any designated European site.

The proposed project is 7.1 km away from the closest SAC and over 15 km away from the closest SPA. Given the nature of the proposed work, the scale and the localised and temporary nature of the potential effects, the proposed project will not lead to any significant effects in-combination with effects arising from any other plans or projects. No Annex I Habitats or rare / protected floral species were found on site. The Appropriate Assessment Screening Report is based on best scientific knowledge and has utilised ecological and hydrological expertise. Hydrological connectivity of the site shows significant dilution effects before reaching any European site. The Screening Report has identified that the proposed project is not likely to have significant effects on any European site.

## 8. Ecological Assessment

Acres Lake is a semi natural lake that has been excavated to improve the flow and provide canal channels. This area is long established and has been managed to create tall herb swamp areas. The site is an existing pier with activities taking place on site already. The proposed site has been identified to have an overall moderate to high local ecological importance due to the freshwater habitats and the riparian woodlands on the far side of the lake itself.

In the Ecological Impact Assessment, which was undertaken by competent professionals, some of the habitats present on site are of high local importance in terms of support for local biodiversity, resource availability and ecological connectivity. The habitats were classified as lake habitats, tall herb swamps, amenity grasslands, riparian woodland and wet grassland with the latter the main type of habitat lost as a result of the proposed development. This is considered a low diversity pasture field with a corresponding low local ecological value. There were no mammal activity signs identified on site during any of the surveys by the ecologists. The presence of otter although not verified by sight or by otter holt was assumed to be present for the purposes of the ecological assessment. The ecological assessment details sightings / expected presence of bats, birds (both breeding and water birds) and amphibians within and adjoining the area of the proposed development.

The area within which it is proposed to undertake the proposed development has low ecological value and are species poor however there is direct connectivity to local hydrologically sensitive areas. Overall, it was assessed that the implementation of the proposed project will have temporary impacts associated with water quality and the loss of wet grassland habitats.

The assessment notes that there is potential for the development to have adverse impacts on local biodiversity during the construction stage if left unmitigated. These potential impacts and the appropriate mitigation measures are outlined in Section 5 of the Ecological Impact Assessment Report.

Overall, the resources that will be lost are considered to be of low ecological importance

It is clear from reading of the Ecological Impact Assessment that ecologists visited the site on 8<sup>th</sup> September 2020 and 11<sup>th</sup> August 2021. An entire walkover of the entire site and key ecological areas within the surrounding areas were undertaken. A specific bat survey was also undertaken on 30<sup>th</sup> August 2021. A dedicated winter bird assessment was also undertaken over a 6 month period.



## 2.2 Internal & External Bodies

6 No. submissions/observations were received from the following internal referral bodies/sections:

1. Development Applications Unit
2. Water Services
3. Environment Department
4. District Engineer
5. Fire Department
6. Access Officer

## 2.3 Summary of Issues Raised and Responses

### 1. Development Applications Unit

A response from the DAU appears to relate to Sheemore rather than to the subject development. It is similar in content to the submission received to a separate Part 8 (Sheemore Heritage Trail ref. 21-C-08 refers).

#### Response

It is not considered that the submission is of relevance as it clearly relates to a different Local Authority proposed development including reference to a submitted archaeological report. No further consideration of this report is warranted as a result.

### 2. Water Services

- A Connection Agreement from Irish Water is required;
- The proposed wastewater connection, rising main and pumping station must be constructed to Irish Water's requirements.

#### Response

It is not considered that any further consideration is required as the project will be undertaken by Leitrim County council who will ensure that such requirements are adhered to.

### 3. Environment Section

The report notes that Acres Lake is a hydrological sensitive area, this lake waterbody is "*at risk*" of not meeting the good status by 2027 under the Water Framework Directive. The presence of E.coli has been noted during water sampling in this lake during summertime with many swimmers getting sick as a result of bathing in polluted lake water. The presence of pathogens in this lake have been attributed to moored boats emptying their wastewater tanks into the lake water. There is no pump out facility for boats to empty their wastewater tanks at mooring boardwalk at Acres Lake.

As part of the proposal to construct this Facility Centre for Water Sports Activities the installation of a wastewater boat pump out facility at Acres Lake should be strongly considered to ensure that the lake is of bathing water standards, free from E.coli and Enterococci.

The Ecological Impact Assessment report identifies in Section 5 mitigation measures / monitoring measures, itemized 1 to 6. This mitigation measures must be applied to prevent the project having the potential to have significant adverse effects on the habitat. These measures should be conditioned as part of any planning approval.

### Response

It is not considered that the issue of a wastewater boat pump out facility is relevant to the consideration of the proposed Part 8 development. This consideration should be dealt with through a separate project in conjunction with Waterways Ireland.

A relevant condition shall be included in relation to the mitigation measures included in the Ecological Impact Assessment.

### 4. District Engineer

The only comments made by the District Engineer is to note that there is a Restoration Improvement Grant for this roadway in 2022 and that road water to be contained from egress and ingress at the entrance

### Response

It is not considered that any further consideration is required as the project will be undertaken by Leitrim County council who will ensure that such requirements are adhered to.

### 5. Fire Department

A Fire Safety Certificate and Disability Access Certificate are required in respect of the facility building and plant building.

A Commencement Notice is required in respect of the facility building and plant building.

### Response

It is not considered that any further consideration is required as the project will be undertaken by Leitrim County council who will ensure that such requirements are adhered to.

### 6. Access Officer

Whilst having no objection to the proposed development, it is recommended that the project, if approved, be conditional on the following:

1. All works are to comply with the guidance contained in Book 1 of Building for Everyone: A Universal Design Approach, published by the National Disability Authority.
2. The accessible parking spaces to have full length dropped-kerb and to be provided with tactile paving
3. All street furniture, e.g. seating, bins, bollards or tree guards, to be colour contrasted to their surroundings.

Details of compliance with the foregoing shall be submitted to the Planning Authority for agreement prior to commencement.

### Response

An appropriate condition shall be included.

### **3.0 Assessment**

The Planning and Development Act 2000, as amended, required the Chief Executive's report to evaluate whether or not the proposed development would be 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 and giving the reasons and the considerations for the evaluation.

Leitrim County Council have several policies and objectives set out in the *Leitrim County Development Plan 2015 – 2021* which supports the proposed development. These have been set out in the Planning Report which accompanies the Part 8 documentation.

Policy 1 states that it is the policy of the Council to deliver a *County Tourism Strategy* which will, inter alia, forge strategic and operational partnerships in tourism planning, marketing, and promotion with surrounding counties in the northwest and Northern Ireland.

Section 3.6.1 of the County Development Plan deals with Sustainable Transportation. The policies and objectives contained therein are guided by the national policy document '*Smarter Travel: A Sustainable Transport Future, (2009)*'. The promotion of initiatives that can reduce congestion, improve local environments, and encourage healthier and safer lifestyles are key features of sustainable transportation. Leitrim County Council seeks to influence people's travel behaviour towards more sustainable options and seeks to do so by working closely with relevant organisations in improving public transport facilities and promoting opportunities for alternative transportation such as walking and cycling.

Leitrim County Council also recognises the importance of walking and cycling to the wellbeing and quality of life of residents. It will support and encourage the continued development of walking as a sustainable form of transportation and will work with organisations and groups in the promotion of safe walking throughout the county, including heritage walks and the protection of public rights of way, which are an important amenity and tourism resource.

In accordance with the principles of sustainable development, the basis of the Council's transportation policies includes the encouragement of walking and cycling as a recreational activity and a healthy exercise.

Section 3.10.2 of the County Development Plan deals with the '*Provision for Recreation and Amenity*'. The Council is aware that the tourism potential of its amenities has not yet been fully developed and will facilitate, and where necessary become directly involved in, the promotion and development of amenities.

On the basis of the foregoing and having considered a range of issues in response to the number of submissions received, the Planning Authority is satisfied that the principle of the proposed development adheres to the policy framework and objectives contained in the County Development Plan 2015-2021. The proposal seeks to enhance further access to a range of recreational activities centred on Acres Lake for both residents and visitors alike. The revisions to the design of the car park and to the location of the pedestrian crossing enhance further the manner in which the development would be consistent with the proper planning and sustainable development of the area.

### **3.1 Appropriate Assessment**

Natura 2000 sites are protected habitats for flora and fauna of European importance. They comprise Special Areas of Conservation (SACs), designated under the Habitats Directive and Special Protection Areas (SPAs), designated under the Birds Directive. The conclusion of the Appropriate Assessment Screening Report (Habitats Directive) is that the proposed development will have no significant adverse impacts upon the qualifying interests of any Natura 2000 site.

The Planning Authority has considered the Screening Report for Appropriate Assessment. The Planning Authority considers that the information before it is adequate to allow the carrying out of an Appropriate Assessment. There are no other projects that the Planning Authority consider to be intrinsically linked to the proposed project. In completing the Appropriate Assessment, the Planning Authority considered, in particular, the likely direct and indirect impacts arising from the proposed development, both individually

or in combination with other plans or projects and the conservation objectives for the European Sites in the vicinity or with a direct connection to the proposed development.

The AA screening process has considered potential effects which may arise during the construction and operational phases as a result of the implementation of the project. Through an assessment of the pathways for effects and an evaluation of the project characteristics, taking account of the processes involved and the distance of separation from European sites, it has been evaluated that there are no likely significant adverse effects on the qualifying interests, special conservation interest or the conservation objectives of any designated European site.

The proposed project is 7.1 km away from the closest SAC and over 15 km away from the closest SPA. Given the nature of the proposed work, the scale and the localised and temporary nature of the potential effects, the proposed project will not lead to any significant effects in-combination with effects arising from any other plans or projects.

The Planning Authority noted that the proposed development is not directly connected with or necessary for the management of a European Site and considered the nature, scale and location of the proposed development. The Planning Authority concludes that, by itself or in-combination with other plans and projects in the vicinity, the proposed development would not be likely to adversely affect the integrity of the European Sites, in view of the sites' stated conservation objectives. Consequently, a Stage Two AA (NIS) is not required.

### **3.2 Environmental Impact Assessment**

An Environmental Impact Assessment Screening Statement was completed for the proposed development. This has had regard to requirements set out in Schedule 7 of the Planning and Development Regulations 2001, as amended. It is the view of the Planning Authority that this document, along with the other supporting documents, provides adequate information to make a determination that the proposed development which is a prescribed project type but is significantly below the applicable thresholds requiring the preparation of an Environmental Impact Assessment, would not be likely to have a significant effect on the environment and that the undertaking of an Environmental Impact Assessment is not required.

The applicable thresholds are outlined in detail in the EIA Screening Report. The threshold criteria include construction of a car-park providing more than 400 no. spaces, other than a car-park provided as part of, and incidental to the primary purpose of, a development, and urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.

The proposed development includes the construction of a car park containing 70 no. car parking spaces. This equates to 17.5% of the stated threshold for car parks. The overall area of the proposed development is 0.5075 hectares. The area of the proposed amenity building extends to 990m<sup>2</sup> and the area of the proposed car park extends to 4,085m<sup>2</sup>. The proposed development is located outside but adjoining the development envelope of Drumshanbo as defined by the Drumshanbo Land Use Zoning Strategy as contained in the County Development Plan 2015-2021. However, applying the precautionary principle, the site is considered to be located within the built up area of Drumshanbo but not in a Business District. The relevant threshold is therefore 10 hectares. The proposed development would therefore equate to 5% of this threshold.

It is also noted that a separate Appropriate Assessment Screening Report has concluded that the proposed project is not considered likely to give rise to any significant adverse effects on any designated European sites, alone or in combination with other plans or projects. This evaluation was made in view of the conservation objectives of the habitats or species for which these sites have been designated.



Consequently, a Stage II AA (Natura Impact Statement) was not considered necessary. In addition, an Ecological Impact Assessment of the proposed development was undertaken separately by competent professionals along with an Arboricultural Impact Assessment, Tree Protection Plan & Method Statement for the proposed Amenity Block. All of these assessments have informed the determination by the Planning Authority with respect to the issue of Environment Impact Assessment.

An application was submitted by a member of the public, Ms. Josephine Rogers, to An Bord Pleanála, Ref; ABP-311914-21 requesting An Bord Pleanála to consider and determine, in accordance with its powers under article 120(3)(cc) of the Planning and Development Regulations, 2001, as amended, whether Leitrim County Council should be directed to prepare an Environmental Impact Assessment Report in respect of proposed development. The Board determined on 5<sup>th</sup> April 2022 NOT to direct Leitrim County Council prepare an Environmental Impact Assessment Report in respect of the said proposed development. The decision was based on the reasons and considerations set out as follows:

*Having regard to the nature and limited scale of the proposed development which does not come within a class of development set down in either Part 1 of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended, and to the fact that the proposed development would not be likely to have significant effects on the environment, it is considered that the preparation and submission of an Environmental Impact Assessment Report is not therefore required.*

No further consideration of this matter is therefore required.

#### **4.0 Recommendation**

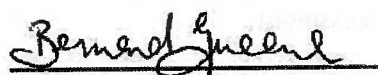
It is considered, having regard to the Consultation Process with the local community, along with the reports and recommendations from the internal and external referees, that elements of the proposal should be modified by condition, including the reduction of the development to provide for 58 no. car-parking spaces, the introduction of low lighting and a gate that can be locked to serve the car park, the relocation of the proposed pedestrian crossing by a distance of approximately 20 metres to the south of originally proposed, and the introduction of an alternative surfacing and landscaping of the car park. A revised design, which softens the proposal has been prepared, and which it is now recommended to the Members (Appendix 2 of this report).

On the basis of the reports which were prepared and formed part of the Part 8 public consultation exercise, the Planning Authority is satisfied that the proposed revised development adheres to and is consistent with the policy framework contained with the statutory Leitrim County Development Plan 2015-2021 and generally to the wider national and regional policy framework. The Planning Authority is equally satisfied that the proposed works will not adversely impact upon the local receiving environment and that the development would accord with the proper planning and sustainable development of the area.

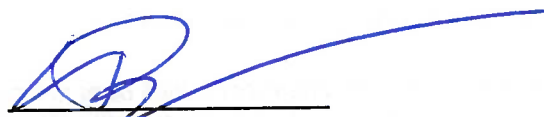
The conclusion of this assessment is that the County Development Plan 2015-2021 supports the provision of a facility centre for water sports, a new car park and a controlled pedestrian crossing on the R207 that will complement the existing facilities at Acres Lake Amenity and the Blueway from Drumshanbo to Battlebridge. The Planning Authority supports the principle of the proposed development which accords with the stated policy framework contained in the County Development Plan.

Section 179(3) of the Planning and Development Act 2000, as amended, requires the preparation of a report by the Chief Executive of the Local Authority following the placing of the proposed Part 8 application on public display. This report shall culminate in a recommendation "*whether or not the proposed development should be proceeded with as proposed, or as varied or modified as recommended in the report or should not be proceeded with, as the case may be*".

It is recommended that the proposed development be proceeded with as proposed subject to the inclusion of the attached recommended conditions in Appendix 1.



Bernard Greene,  
Senior Planner  
5 May 2022



Vincent Dwyer  
Deputy Chief Executive  
5 May 2022

**Appendix 1 Schedule of Conditions**

1. The development shall be executed generally in accordance with plans, particulars, details and specifications lodged as part of the Part 8 public consultation documentation, save, as is herein under otherwise required or as agreed in writing with the Planning Department prior to the commencement of development.
2. The layout of the car park and the location of the pedestrian crossing shall be amended to that included in Appendix 2 of this report. Lighting provided within the car parking area shall be low level in nature details of which shall be agreed in writing with the Planning Authority.
3. Prior to the appointment of contractors to construct the proposed car park, the following details shall be submitted to the Planning Authority and the written agreement of the Planning Authority obtained for such details:
  - i) details of the proposed boundary treatment to the car parking entrance and barrier. Consideration shall be given to a natural stone entrance. Proposals shall also include the provision of timber bollards along the roadside edge to ensure that the use of barrier is effective.
  - ii) A landscaping plan as prepared by a suitably competent professional for the car parking area to include the area between the car parking spaces and regional road.
  - iii) Provision of an agreed number of Electric Vehicle charging points and the provision of ducting for additional charging points within the car park.
4. The successful consultants appointed by the Local Authority to undertake the detailed design of the proposed development shall ensure that the necessary recommendations, as practicable, contained in the reports prepared by the Environment Department and Access Officer are adhered to in the final approved detailed design. In the event of uncertainty of the relevance of any recommendation contained in the above mentioned reports, the successful consultants shall obtain the written agreement of the Planning Authority in this regard before proceeding to complete the final detailed design.
5. All excavated material shall be disposed of in a proper and environmentally friendly manner. Where appropriate, i.e. if works are being undertaken by an outside contractor, licenses for these works shall be obtained prior to commencement. Details of and locations of landfills or sites to be utilised for the disposition of excavated material, shall be submitted to and agreed in writing, with the Planning Department, following consultation with the Environment Department of Leitrim County Council.
6. A Site Ecologist shall be appointed by Leitrim County Council to monitor the proposed works. The role of the ecologist shall be to approve the contractor's Construction Environmental Management Plan and Operational Environmental Management Plan, ensure that both plans contain all mitigation measures included in the Ecological Impact Assessment prepared as part of this Part 8 Public Consultation exercise and ensure that all required mitigation measures are implemented on site.

Appendix 2 Revised Car Park and Location of Proposed Pedestrian Crossing

