

Westmeath County Council

Part 8 Planning Report



WESTMEATH COUNTY COUNCIL
Local Authority Development

Athlone Flood Alleviation Scheme

Flood Cell 3 – The Quay.

File Ref. LA(A) 2017(4)

**Planning Report in Accordance with Section 179 of the Planning and
Development Act 2000-2014 and Part 8 of the Planning and Development
Regulations**

1. Site/Location:

The site location of the proposed flood alleviation works is along the quay on the west side of the Shannon and runs along the west bank of the River Shannon between the Town Bridge and downstream of the Lock Gates.



2. Description of nature and extent of the proposed development;

Westmeath County Council plan to develop a flood alleviation scheme for Athlone comprising of structural works and additional flood modelling that is being carried out as part of the Shannon Catchment Flood Risk Assessment and Management (CFRAM) Study which was commissioned to address the issue of flooding in the Shannon Catchment.

A programme of works comprising eight discrete 'cells' of flood defence works Athlone Municipal District have been identified as follows:

- Flood Cell 1 Deerpark,
- Flood Cell 2 The strand,
- **Flood Cell 3 The Quay,**
- Flood Cell 4 Brick Island,
- Flood Cell 5 Marine View,
- Flood Cell 6 Iona Park,
- Flood Cell 7 River AI (Creggan), and
- Flood Cell 8 Golden Island.

Flood Cell 3 'The Quay', to which this Part 8 refers, has been identified as requiring flood alleviation measures within Athlone town.

It is proposed that the projects will be delivered in a phased manner with cells progressing to planning and construction once all required studies and investigations have been completed to ensure works are completed in a timely fashion.



2015 Flooding Event at Flood Cell 3 'The Quay'

3. Observations/Submissions;

One submission received from Mr. Phil Byrne, Sean's Bar via email on 25th August 2017. The following points were raised:

- Firstly, [our] access to the Quay from the rear of Sean's Bar has been eliminated which would have a serious impact from a business point of view and the overall amenity of the Quay wall.
- Secondly, there is no provision for a new access at the old OPW store that is due to be demolished.
- Thirdly, where is the provision being made for the proposed cycle track? All the talk at the moment is that it will go on the river side of the wall. Does this mean that the trees will be cut down and the flower beds eliminated to make way for these works? Why not pedestrianise the street?
- Finally, is it possible for the facade of the flood wall to blend in with the area i.e. the Castle a bit better that the illustration suggests?

Response:-

- There are no proposals to eliminate or make any other change to access to the rear of Sean's Bar.
- Access arrangements to the Quay will be improved with the demolition of the OPW store. The replacement of same with a low level flood defence wall with demountable gates will open up this section of the quays providing greater accessibility to the River Shannon.
- The flood defence wall shall be aligned in such a way as to accommodate the proposed cycleway in accordance with drawing Ref: WH9901-04-008 prepared by Westmeath National Roads Office (WNRO). Development works shall be undertaken in consultation with WNRO regarding the Cycleway Bridge EIS Scheme. It is intended that all existing trees will be retained and the area will be landscaped as part of the proposed cycleway scheme.
- The images presented are indicative only. It is intended that the stone used shall be locally sourced limestone and the works shall be undertaken by a skilled stonemason.

4. Referrals

The application was advertised locally in the Westmeath Independent on the 22nd July 2017 and also by placing site notices at a number of locations.

Referrals were also made to the following:

- Department Culture, Heritage and the Gaeltacht
- Transport Infrastructure Ireland (TII)
- National Roads Office
- Irish Water
- Water Services
- Waterways Ireland
- Arts Officer WCC
- An Taisce
- The Heritage Council
- Fáilte Ireland
- Inland Fisheries Ireland
- Office of Public Works
- District Engineer - Athlone Municipal District

A summary of the responses to the above referrals are detailed below.

Referral Response: Department Culture, Heritage and the Gaeltacht**Received: 06th September 2017****Summary of submission:**

- The proposed development will be within the area of archaeological potential around Recorded Monument WM029-042 and will involve groundworks in the vicinity of Athlone Castle (National Monument no. 520).
- Recommend that pre-development testing be carried out to enable the Dept and Planning Authority to formulate a programme of archaeological mitigation in advance of development works.
- Advises that due to the proximity to the National Monument, all ground works, including pre-development test excavations should be carried out subject to ministerial consent rather than subject to the terms of an archaeological excavation licence.
- Outline of Archaeological Impact Assessment outlined including advisory that should any significant archaeological remains found, further excavation and monitoring will be required.
- Appropriate Assessment – due consideration should be given to whether there is sufficient information and clarity on the following points:-
 - If indirect impacts on the Qualifying Interests of European sites have been identified at screening stage the Council should consider whether it would be appropriate to produce a Natura Impact Statement for the proposed works. Screening should be undertaken without the inclusion of mitigation.
 - Notes that the proposals to develop a Construction Management Plan, Environmental Operating Plan etc (at a later stage); advises that no significant details of the project and of the mitigation measures that will apply should be deferred until construction stage as this may mean that there are gaps/uncertainties in the environmental assessments that are carried out.
 - The Council should consider whether it has been demonstrated, within the documentation provided, that the mitigation measures listed can be delivered in the locations necessary, sequenced as required and will be effective in ameliorating the adverse effects, or risks of these, at all stages of the project development from site set up to operation.

Response:

- Noted; WCC shall engage with the Dept. regarding pre-development testing and to formulate a programme of archaeological mitigation in advance of development works.
- Screening for Appropriate Assessment (AA) and Screening for Environmental Impact Assessment indicated there will be no direct impacts to European sites, best practice construction and operation measures shall be employed to prevent indirect impacts.
- Internationally recognized best practice construction measures shall be incorporated in full into the OPW and sub-contractors detailed construction method statements.

Referral Response: Transport Infrastructure Ireland (TII) Received: 25th August 2017	
Summary of submission: <ul style="list-style-type: none"> • Advises that the site and the extents of the proposed Flood Alleviation Scheme extends into the site area for the Athlone Pedestrian and Cycleway Bridge EIS Scheme. • TII have provided funding to WCC to progress same and the application for consent was submitted to An Bord Pleanála in May 2017. • Recommends that WCC consults with the local National Roads Office in considering the Part 8 proposals. • Recommends that any requirements to accommodate the Athlone Pedestrian and Cycleway Bridge EIS Scheme shall be incorporated into the proposed works prior to adoption and approval of this Part 8. 	Response: Noted; The flood defence wall shall be aligned in such a way as to accommodate the proposed cycleway in accordance with drawing Ref: WH9901-04-008 prepared by Westmeath National Roads Office (WNRO). Development works shall be undertaken in consultation with WNRO regarding the Cycleway Bridge EIS Scheme.
Referral Response: Westmeath National Roads Office Received: 4th September 2017	
Summary of submission: <ul style="list-style-type: none"> • The Galway to Dublin National Cycle Route is proposed from Athlone Castle along the Quay. • Recommendations as follows:- <ul style="list-style-type: none"> - The flood defence wall should be relocated closer to the Shannon in order to leave adequate space for the National Cycle Route. - The proposed cycleway shall be on the roadside of the flood defence wall to act as a safety barrier for the cyclist from the River Shannon. - Sufficient room shall be available to accommodate a 3m wide cycle way (except where 2.5m restrictions apply). - The cycleway from CH0 to CH60.00 should be positioned as per the EIS Landscape proposal for the Cyclehub at the Castle. - Landscaping proposals from CH 60to CH 150 (The Quay) shall be a shared surface space as per EIS Landscape proposals for the Cyclehub at the castle. - Flood gates shall be as outlined with recommended additional gate at Ch 175 to allow pedestrians/cyclists re-enter the cycle route. 	Response: Noted; The flood defence wall shall be aligned in such a way as to accommodate the proposed cycleway in accordance with drawing Ref: WH9901-04-008 prepared by Westmeath National Roads Office (WNRO). Development works shall be undertaken in consultation with WNRO regarding the Cycleway Bridge EIS Scheme.

Referral Response: Irish Water**Received: 1st September 2017****Summary of submission:**

- Irish Water is to carry out significant infrastructure investment (circa €30 million) in Athlone through the delivery of the Athlone Main Drainage Scheme.
- Irish Water recognises the need for the Flood Alleviation Scheme for Athlone and the significant benefits this scheme will also bring to the residents and businesses in the town.
- It is imperative that both infrastructure projects, the flood relief scheme and the main drainage scheme, are co-ordinated to ensure a feasible design and that delays, additional costs and disruption to the town are minimised.
- Subject to planning permission, the programmed contract start date is in Q4 2018 and the estimated completion date is Q4 2020.
- The interconnectedness of the Flood Relief Scheme and the Athlone Main Drainage Scheme, together with the financial investment and the potential impact on residents and businesses of both projects, it is appropriate that the Part 8 process considers the Athlone Main Drainage Scheme.
- A detailed synopsis of the proposed development works submitted including reference to the installation of a new gravity sewer from the location of the existing West Bank pumping station, running north along the Quay Road to a location at Sean's Bar and; the decommissioning and removal of the existing West Bank pumping station and associated combined sewer overflow.

Response:

- Agreed; Close co-ordination between these two vital infrastructural projects is required and where possible, site work should be co-ordinated/ scheduled accordingly to minimise disruption along the Quays
- RPS Consultants shall continue to liaise with Irish Water and their consultants sharing information/ drawings/ proposed phasing & scheduling etc.
- Noted. RPS has received the proposed Main Drainage Scheme (MDS) drawings from Jennings O'Donovan & Partners (JOD) and J. B. Barry and Partners Ltd (JBB) and is aware of the proposed route.

Irish Water Cont'd	
Summary of submission:	<p>Drawing no. MGW0249DG1001-01 P02 submitted with the Part 8 application confirms that '<i>works in this area will impact on the Athlone Main Drainage Contract which is due to be constructed in the near future. The timing and sequencing of works will be coordinated with the Main Drainage Contract including the possibility of installing temporary flood defences until such time as the Main Drainage works are completed in this area</i>'.</p>
<ul style="list-style-type: none"> • Need to ensure protection of the existing old, stone culvert sewer along the Quay Road. The information in the Part 8 flood relief scheme does not identify how the sheet piles required for the flood defence scheme will be constructed so as not to have a negative impact on this essential infrastructure. • Based on the information provided in the Part 8 documentation, should the flood wall be constructed in as proposed and in advance of the Irish Water works, it would necessitate the removal of 60m of the wall in order to enable Irish Water to construct Shaft WBTS 1 (required to install the sewer beneath the Shannon). Removal of the wall would be necessary to provide the working area within the compound and deliver on the accommodation works. It would also be necessary to remove the flood relief scheme sheet piles at the location of the shaft both to construct the shaft and make the connections into the shaft from the new river crossing, the new sewer on Quay Road and diversion from the old culvert sewer. • Highlights concerns regarding diversion to existing underground utilities • A co-ordinated design and programme delivery approach is necessary to ensure that both the flood defence wall and the construction of this section of the West Bank sewer is possible to construct in this very tight urban environment. 	<p>The installation of sheet piles in close proximity to the existing stone culvert will not be undertaken until such time as the culvert has been taken out of commission</p> <p>A co-ordinated design and delivery programme is necessary. The Part 8 Drawings include the possibility of installing temporary flood defence measures until which time the WBTS 1 Shaft has been installed.</p> <p>Sheet piling identified to be required as part of the Flood Alleviation Scheme may be installed at the same time as works to the Main Drainage Scheme in a co-ordinated fashion.</p> <p>Site investigation and detailed design shall be undertaken to identify existing services and potential impact on the proposed flood defence wall.</p>

Referral Response: Water Services**Received: 21st August 2017****Summary of submission:**

- Sheet Piling will be required at the flood defence walls in areas at risk from Subsurface flood infiltration.
- Diversion of Storm water sewerage pipes and services required but not identified on plans submitted.
- Site investigations to identify impacts upon existing water services, including the 1450 Egg Combined Sewer, 875 brick Combined Sewer and smaller diameter sewers, the west bank pumping station and 100mm Watermain will be required in advance of any works. Protection measures, unimpeded working areas to existing sewers and watermains, diversions' etc for the existing sewers and watermains must be agreed with Irish Water before construction begins.
- It appears that the proposed scheme does not address the surcharging of combined sewers in rain events during flood conditions when the existing sewers are inundated with Flood Water

Response:

Noted; as above,
A co-ordinated design and delivery programme is necessary.

- Sheet piling identified to be required as part of the FAS may be installed at the same time as works to the MDS in a co-ordinated fashion.

- Site Investigation works are currently ongoing. Existing site services and any potential diversions shall be considered as part of the detailed design and co-ordinated with the Irish Water Main Drainage Scheme works. The detailed design will also consider combined sewer flooding where feasible but it should be noted that the main aim of the project is to defend the Quay from River Shannon flooding.

Referral Response: Arts Officer WCC Received: 5th September 2017	
Summary of submission: <ul style="list-style-type: none"> • Requests that consideration is given to the inclusion of the Per Cent for Art element to this project in accordance with national guidelines. 	Response: Noted. The Per Cent for Art scheme is to provide funding for public art features in state funded major construction projects such as the combined flood alleviation works as outlined in the CFRAMS report. This matter should be considered by the Office of Public Works as part of the overall Athlone Flood Alleviation Scheme.
Referral Response: Waterways Ireland Received: 11th July 2017	
Summary of submission: <ul style="list-style-type: none"> • Waterways Ireland confirms that the land to which the current Part 8 applies is under its ownership and gives consent to WCC to carry you proposed works. 	Response: Noted.

5. **Planning History;**
None

6. **Policies/Objectives;**

- **Athlone Town Development Plan 2014**
- **EU Floods Directive 2007**
- **Planning System & Flood Risk Management Guidelines**
- **Shannon CFRAM**

WATER, DRAINAGE & ENVIRONMENTAL SERVICES

AIM:

To provide, improve and extend water, wastewater, surface water and flood alleviation services throughout Athlone and its environs, and achieve improved environmental protection, including providing for adaptation to climate change.

Policies & Objectives:-

FLOOD RISK MANAGEMENT & SURFACE WATER POLICIES & OBJECTIVES

It is the policy of the Councils:

P-FL1	To comply with the requirements of the "Planning System and Flood Risk Management Guidelines for Planning Authorities" (DECLG/ OPW, 2009) through the use of the sequential approach and application of the Justification Tests for Development Management.
P-FL2	To ensure that a site specific flood risk assessment is carried out for any development proposal on lands at risk of flooding, including Pluvial Flooding in accordance with the "Planning System and Flood Risk Management – Guidelines for Planning Authorities" (DECLG/OPW, 2009).
P-FL3	To consult with the Office of Public Works in relation to proposed developments in the vicinity of drainage channels and rivers for which the OPW are responsible, and to retain a strip of 10 metres on either side of such channels where required, to facilitate access thereto.
P-FL4	To implement the recommendations of the Shannon CFRAM study, when published.
P-FL5	To ensure new development does not significantly increase flood risk elsewhere, including that which may arise from surface water run off.
P-FL6	To protect and enhance the county's floodplains and wetlands as vital green infrastructure which provides space for storage and conveyance of floodwater, enabling flood risk to be more effectively managed and reducing the need to provide flood defences in the future.
P-FL7	To seek to alleviate flood risk in areas currently liable to flooding.

It is an objective of the Councils:

O-FL1	To improve and extend the surface water disposal infrastructure to serve the planned levels of growth, during the lifetime of this Plan, in order to facilitate development.
O-FL2	To incorporate and promote the use of Sustainable Urban Drainage Systems within development proposals and infrastructural projects.
O-FL3	To carry out improvements to surface water drainage on the AI River, subject to habitats protection requirements.
O-FL4	To promote rain water harvesting in all developments and in particular for larger developments, as an alternative to attenuation.
O-FL5	To provide for the control of surface and storm waters arising from new development within Athlone.
O-FL6	To remediate and enforce against unauthorised discharges to the surface water drainage system.
O-FL7	To ensure in newly developing neighbourhoods that all surface and storm water discharges shall be attenuated and sustainable urban drainage systems utilised. Attenuation schemes may be combined with the provision of public amenity areas through the provision of water features, wildlife refuges and other desirable elements.

7. Need

The need for the development arises from flooding events and the need to protect areas at risk of future flooding.

The EU Floods Directive (2007/60/EC) required Member States to undertake a national preliminary flood risk assessment at river catchment level to identify areas where significant flood risk exists or might be considered likely to occur. The Directive also required the preparation catchment-based Flood Risk Management Plans (FRMPs) by 2015, to set out flood risk management objectives, actions and measures.

The Shannon Catchment Flood Risk Assessment and Management Study (CFRAMS) is one of seven such River Basin District (RBD) studies carried out to meet the requirements of the EU Floods Directive (Directive 2007/60/EC). The Plan identifies the levels of existing and future flood risk in the Shannon River Basin District area (RBD)

In addition to identifying and assessing areas at flood risk, the plan has identified viable structural and non-structural measures and options for managing the flood risks for localised high-risk areas and within the catchment as a whole.

The development works to which this Part 8 refers has been identified one of eight locations where flood defence works are required.

8. Appropriate Assessment & Environmental Impact Assessment:

An Appropriate Assessment (AA) Screening Report and EIA Screening Report was completed in compliance with the relevant European Commission and national guidelines.

The AA Screening report identified and assessed potential impacts which are likely to occur as a result of the proposed Flood Cell 3 'The Quay' works. The screening report identified three sites within the zone of influence of the proposed works - those which support indirect connectivity include the River Shannon Callows SAC, Middle Shannon Callows SPA and Lough Ree SAC. The potential impacts during the construction and operation of the proposed have been considered in the context of Natura 2000 sites, their Qualifying Interests and conservation objectives. The Screening for AA concludes that the proposed flood alleviation works at Flood Cell 3 'The Quay' either alone or in-combination with other plans and projects, will not have any significant effect on the integrity of European sites in light of their conservation objectives, therefore a Stage 2 Appropriate Assessment is not required.

An EIA Screening assesses the potential significant effects of the proposed flood defence works to determine whether an EIS is required to be submitted to the planning authority with the planning application.

The main constraints relate to Architectural, Archaeological and Cultural Heritage. The proposed works are almost entirely within the Zone of Archaeological Potential for the historic town of Athlone (WM029-042) which is listed on the statutory Record of Monuments and Places (RMP). A number of individual sites are located in the vicinity of the proposed works, in particular Athlone Castle (WM029-042002/WM029-042099), which is a National Monument in State Ownership (No. 520). In addition, the Shannon Road Bridge (RPS reg. no. 004/NIAH 15000010), the Shannon Navigation House (RPS reg. no. 066/NIAH 15000344, Shannon Navigation Lock (RPS reg. no. 067/NIAH 15000345) and the five cast-iron bollards along the quay (RPS reg. no. 075/NIAH 15000414) are all listed on the Record of Protected Structures (RPS) for Athlone and are therefore protected under Section 58 of the Planning and Development Act 2000. The works will directly interact with RPS reg. no. 004 and RPS reg. no. 066.

To ensure that these features will not be materially affected by the proposed works, glass flood walls are proposed at these locations. The proposed works will not impact RPS reg. no. 067 and RPS reg. no. 075.

The EIA Screening report concluded that there will be no likely significant effects on the environment as a result of the proposed flood alleviation works. Any potential impacts can be effectively mitigated for through best practice construction and operational measures.

9. Issues

The primary issues to determine relate to the impact of the development upon the delivery of the Athlone Main Drainage Infrastructure, the accommodation of the Athlone Pedestrian and Cycleway Bridge EIS Scheme as part of the Galway to Dublin National Cycle Network in addition to environmental impact, visual impact, access to the quays, archaeological and architectural heritage of structures associated with the construction and operation of the proposed works.

➤ *Athlone Main Drainage Infrastructure*

As detailed in the response to the referral received from Irish Water in respect of the proposed works, close co-ordination between these two vital infrastructural projects is required and where possible, site work shall be co-ordinated/scheduled accordingly to minimise disruption along the Quay in accordance with a co-ordinated design and delivery programme prior to the commencement of any development works and as part of any Site Investigation works.

➤ *Athlone Pedestrian and Cycleway Bridge EIS Scheme*

The flood defence wall shall be aligned in such a way to accommodate the proposed cycleway in accordance the drawing Ref: WH9901-04-008 prepared by Westmeath National Roads Office (WNRO). Development works shall be undertaken in consultation with WNRO and the design proposals outlined in the Cycleway Bridge EIS Scheme.

➤ ***Environmental impact***

As detailed in point 8 above; mitigation measures as outlined shall be complied with as part of the Construction Works Plan.

➤ ***Visual impact***

Flood Cell 3 'The Quay' is situated in a prominent town centre location in a scenic area adjacent to the River Shannon, Athlone Castle, the Town Bridge and Sean's Bar. The site is located within a designated Architectural Conservation Area (ACA). This area is a popular locality and is regularly accessed by both locals and tourists.

The proposed works have been adapted to minimise potential visual impacts to the surrounding area. The height of the flood defence walls have been minimised in so far as possible while offering the necessary protection against projected flood levels. The use locally sourced wall cladding has been selected to be sympathetic to the stone facing of the castle and quay walls and shall constructed in accordance with best conservation principles.

Access to the quay has been retained to match existing access locations and has taken into account the considerations of stakeholders such as local businesses, residents, river users and general members of the public.

In addition to the drawings presented, it is recommended the introduction of demountable flood gates are installed extending from the glass wall at the Town Bridge for a distance of c. 50metres southbound. This will serve to enhance the area earmarked for the future Athlone Cycle Hub at the Castle as per the Athlone Pedestrian and Cycleway Bridge EIS Scheme and shall also serve to open up views from the Castle.

➤ ***Access to the Quays***

Access to the quays shall be provided by way of demountable flood gates that will allow for openings along the flood defence wall in non-flood events. The gates shall only be activated when the risk of flooding occurs. The location and extent of same shall be finalised as part of the detailed design.

➤ ***Archaeological and architectural heritage***

The development works are located within the designated Zone of Archaeological Potential. Westmeath County Council shall engage with the Department of Culture, Heritage and the Gaeltacht regarding pre-development testing and to formulate a programme of archaeological mitigation in advance of development works.

Material and craftsmanship of the stone wall shall be sympathetic to the sensitive receiving environment that includes Athlone Castle and the Town Bridge (Protected Structures). The wall shall be low profile, while effective in flood defence, and shall be designed in such way to positively contribute to the public realm and amenity of the area.

A detailed design specification shall be approved by WCC Conservation Officer in addition to close liaison with the Department of Culture, Heritage and the Gaeltacht and National Monuments Service.

10. Evaluation of consistency with the proper planning and development of the area having regard to the provisions of the Development Plan.

The proposal is considered to be in accordance with adopted local and national policy having regard to the policy and objectives as outlined above

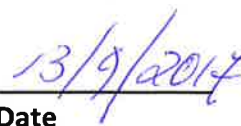
11. Recommendation

It is considered that the proposal is consistent with the provisions of the Athlone Town Development Plan 2014 and the Westmeath County Development Plan 2014 and therefore accords with the proper planning and sustainable development of the area and subject to the following:

- **The development shall proceed in accordance with the submitted drawings, subject to a co-ordinated design and delivery programme in consultation with the Department of Culture, Heritage and the Gaeltacht's National Monuments Service, Irish Water and Westmeath National Roads Office in accordance with Best Practice Construction and Operational Measures.**
- **The precise location and alignment of the proposed flood defence wall and the extent and location of the access points with demountable flood gates shall be finalised in accordance with the above and in advance of development works.**
- **The issue of the Percent for Art Scheme will be raised with the Office of Public Works with a view to the establishment of a single suitable arts project in conjunction with the overall Athlone Flood Alleviation Scheme.**



Chief Executive



Date

