



Section 179A Report

Demolition of Existing Welfare Units and Installation of 11no. new Welfare Units and associated construction works at Hillview Park, Rathkeale, Co. Limerick.

Pursuant to Section 179A of the Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 (as amended by the Planning and Development (Section 179A) Regulations 2023)

Prepared by the Local Authority Housing Construction Department
Limerick City & County Council

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1. Introduction

The Local Authority Traveller Accommodation Unit, Limerick City & County Council, is giving notification of a submission for the demolition of existing welfare units and installation of 11no. new Welfare units and associated construction works at Hillview Park, Rathkeale, County Limerick, pursuant to Section 179A of the Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 (as amended by the Planning and Development (Section 179A) Regulations 2023). The proposed development is led by Limerick City & County Council in partnership with the Housing Agency and DHLGH.

2. Development Overview

The subject site is located at Hillview Park within the settlement of Rathkeale, Co. Limerick. Measuring 0.66 hectares in area, the site contains 11 bays which are all occupied. The site is bounded to the south and west by houses and housing developments and to the east and north by adjacent green-field sites. The site is zoned for residential development as per the Limerick Development Plan 2022-2028, and is currently serviced via the public water system, on-site waste water treatment system and ESB network connections.

The proposed development will deliver 11no. new Welfare Units, 1 for each bay. Construction works will comprise extending each of the bays, installing bin store areas, upgrading asphalt on entrance road, upgrading perimeter and bay boundary walls, construction of new bay boundary walls and upgrading services where required.

The proposal has been referred for assessment to both internal Local Authority sections as well as external prescribed bodies and any comments/requirements returned have been attended to.

The proposed development will be funded by the Department of Housing, Local Government and Heritage. Capital Works Management Framework Combined Stage 1-2 funding has been approved by the DHLGH, enabling the proposal to proceed to S.179A application.

The land subject to this development is owned by the Limerick City and County Council.



Figure 1.0 – Proposed Site Location Map

Site Layout & Design Strategy

1. Demolition of Existing Welfare Units.
2. Installation of 11no. New Welfare Units.
3. Extension of each bay to allow enough separation between mobile units and welfare units to comply with Fire Safety Guidelines in Existing Traveller Accommodation.
4. Installation of New Bin Store area as currently bins are discarded at the site entrance.
5. Upgrading of Asphalt surface on entrance road.
6. Upgrading Boundary Walls and bay boundary walls and construction of to comply with Fire Safety Guidelines in Existing Traveller Accommodation.
7. Construction of new Bay Boundary walls where the bays have been extended.
8. Upgrading site services where required.

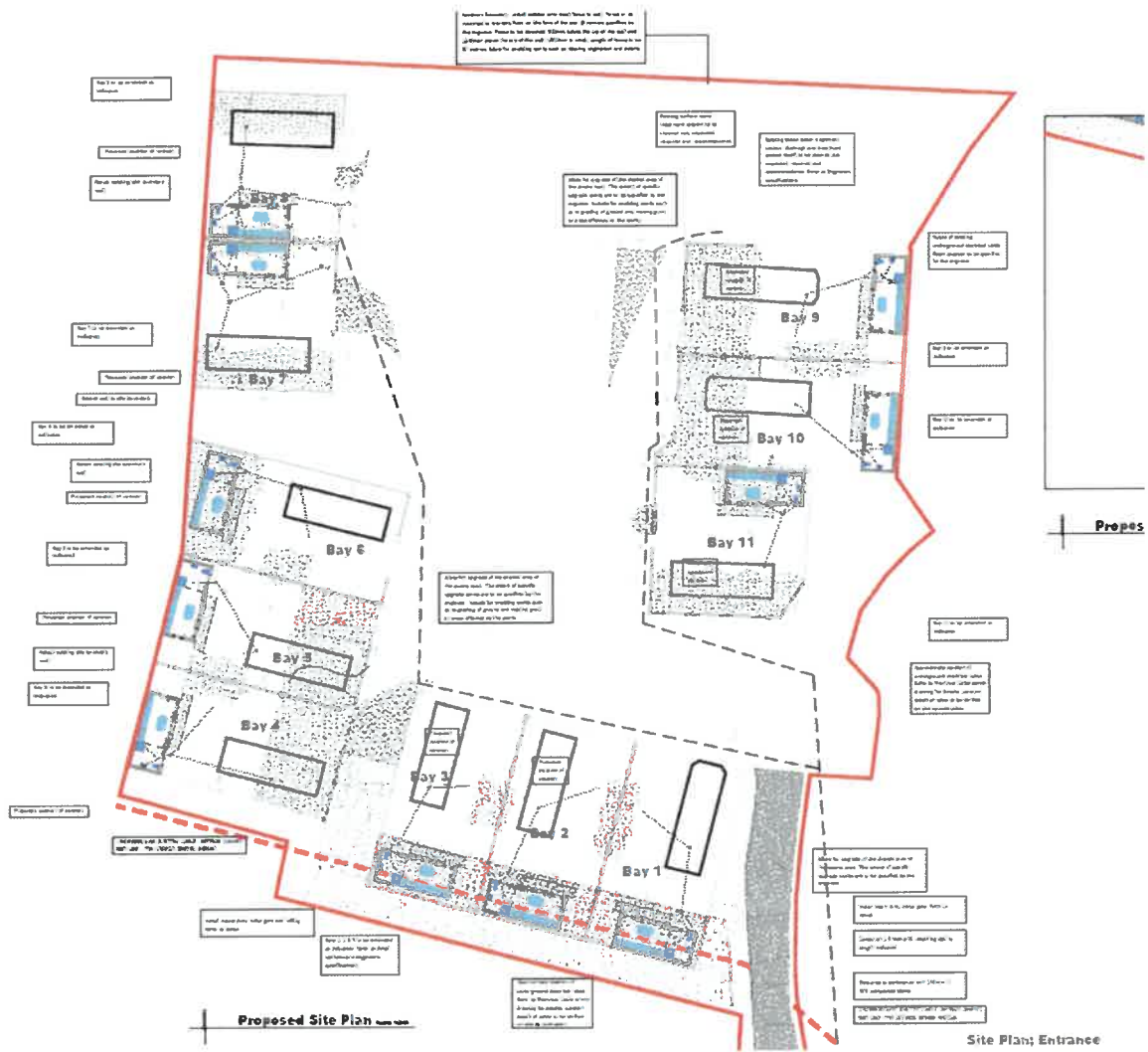


Figure 2.0 – Proposed Site Layout

3. Development Standards

Development Summary

- Site Area: 0.66 ha.
- Proposed no. of welfare units: 11.
- Proposed other works: Extending Bays and construction of Boundary and Bay walls to comply with Fire Guidelines.

Development Density

- The density of the development is remaining the same.

Access, Transport & Mobility

- The entrance road to the site will be upgraded with new asphalt.
- There are small additional areas of roadways which have to be incorporated due to the extension of the bays and the consequent change to the entrances.

Public Open Space & Public Realm

- Approximately 0.15 ha of the total site area is provided as public open space, this will not change.
- All new boundary walls will be completed in a high quality, durable and robust finish.

Private Open Space

- Each bay will be extended to comply with Fire Safety Guidelines in Existing Traveller Accommodation.

FSC and DAC

- Each welfare unit will have a fire safety certificate and a disability access certificate.

4. Environmental & Heritage Assessment

EIA Screening Report and the AA Screening Reports

- EIA & AA Screening assessments were carried out, with the conclusion that is no real likelihood of the proposed development having significant effects on the environment and therefore an EIA is not required.
- Both the EIA Screening and AA Screening Reports were made available for inspection during the 4-week public consultation period (refer to section 5 of this report). No submissions in relation to same were received during that period.

National Monuments & Protected Structures

- There are no protected structures or national monuments located within the curtilage of the proposed development site.

Natura 2000 Sites

- The proposed development does not fall within or in proximity to any of the following Natura 2000 sites:
 1. Special Protection Area (SPA).
 2. Proposed Natural Heritage Area (pNHA).
 3. Natural Heritage Area (NHA).
 4. Special Area of Conservation (SAC).

5. Public consultation

A four-week non-statutory period of public consultation ran from 4th June 2024 to 02nd July 2024 inclusive, where submissions and observations with respect to the proposed development were invited from members of the public and prescribed bodies. All architectural, engineering and environmental proposals and reports drafted for the purpose of this S.179A application were made available for inspection.

No submissions were received in relation to same.

6. Compliance with S.179A Criteria

Section 179A is mandatory for local authorities in strictly defined circumstances where the following criteria are satisfied:

No.	Criteria	Satisfied Yes/No
1	The proposed Housing Development is carried out by, on behalf of, or jointly or in partnership with, a local authority pursuant to a contract entered into by the local authority concerned, whether in its capacity as a planning authority or in any other capacity (s.179A(1)(a)).	Y
2	The proposed Housing Development does not materially contravene the development plan or local area plan for the area (s.179A(1)(b)).	Y
3	The proposed Housing Development is in accordance with the strategy included in the development plan for the area in accordance with section 94(1) (s.179A(1)(c)).	Y
4	The proposed Housing Development is not subject to a requirement, in accordance with the Environmental Impact Assessment Directive, for an assessment with regard to its effects on the environment (s.179A(1)(d)).	Y
5	The proposed Housing Development is not subject to a requirement, in accordance with the Habitats Directive, for an appropriate assessment (s.179A(1)(e)).	Y
6	The proposed Housing Development is on land: (i) that is owned by a local authority or a State Authority, (ii) that is zoned for residential use, and (iii) that has access, or can be connected, to public infrastructure and facilities, including roads and footpaths, public lighting, foul sewer drainage, surface water drainage and water supply, necessary for dwellings to be developed and with sufficient service capacity available for such development(s.179A(1)(f)).	Y
7	The proposed Housing Development is commenced before 31 December 2024 (S.179A(1)(g)).	Y

The definition of 'housing development' is included in Section 179A(5) of the Act and includes:

- a) the construction or erection of a house or houses,
- b) the construction of a new road or the widening or realignment of an existing road, to serve houses referred to in paragraph (a),
- c) the construction or erection of pumping stations, treatment works, holding tanks or outfall facilities for waste water or storm water, to serve houses referred to in paragraph (a),
- d) the laying underground of sewers, mains, pipes or other apparatus,
- e) the provision of open spaces, recreational and community facilities and amenities and landscaping works to serve houses referred to in paragraph (a), and
- f) the provision of car parks, car parking places, surface water sewers and flood relief work, and ancillary infrastructure to serve houses referred to in paragraph (a).

7. Conclusion

The proposed development will be funded by the Department of Housing, Local Government and Heritage. Capital Works Management Framework Combined Stage 1-2 funding has been approved by the DHLGH, enabling the proposal to proceed to S.179A application.

The land subject to this development is owned by Limerick City and County Council.

The proposed housing development complies with the statutory definition of a "Housing Development" provided for by S.179A(5) of the 2000 Act and for reasons set out previously herein, complies with the provisions and criterion provided for by S.179A(1) of the 2000 Act.

The proposed housing development complies with policies and objectives as set out in the Limerick Development Plan 2022-2028, and also complies with the requirement to satisfy 'sustainable communities' objectives as set out by the DHLGH Design Manual for Quality Housing.

Consultation with Elected members has been carried out throughout the process. The outstanding requirements of S.179A including the need to notify the Elected Members of the intention to proceed with this development shall be complied with in full. Internal Limerick City & County Council internal Departments have made no objection to the proposed development.

EIA & AA Screening assessments were carried out, with the conclusion that there is no real likelihood of the proposed development having significant effects on the environment and therefore an EIA is not required.

It is intended that as per the requirements of S.179A, construction on site will begin before December 2024, subject to Department approval and construction costs, with full project completion by the end of Q1 2025.

In accordance with s.179A(5) of the 2000 Act, the Elected Members of the Council will be formally notified with respect to this recommendation to proceed with the proposed development, and prior to the publishing of a site notice and a newspaper notice as part of the public display stage. This report is pursuant to S.179A of the 2000 Act and the 2001 Regulations and is to be read in conjunction with the appended S.179A Planning Report.



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Date: 09/08/24



Caroline Curley

Director of Service, Housing Directorate, Limerick City & County Council.

Date: 9/8/24.



Dr. Pat Daly

Director General, Limerick City & County Council.

Date: 12/8/24

Section 179A Application for 11No. New Welfare Units at Hillview Park, Rathkeale, Co. Limerick.