

## Memo

**To:** Mr John Moran, Mayor

**From:** Vincent Murray, Director of Services, Planning and Place Making

**Date:** 29<sup>th</sup> October, 2024

**Proposal Reference:** PT8LL132

248132

**Proposal Description:** For 6 no. Housing Units at Mulcair Drive, Rivers, Annacotty, Co. Limerick

---

Dear Mayor,

Please find attached for your consideration report prepared in accordance with Section 179 of the Planning and Development Act 2000 (as amended) in respect of a proposal for 6 no. Housing Units at Mulcair Drive, Rivers, Annacotty, Co. Limerick.

The proposal prepared by the Housing Directorate has been evaluated taking into consideration all submissions received. It is concluded that the proposed development is in accordance with the objectives of the Limerick Development Plan 2022 – 2028, and the proper planning and sustainable development of the area.

It is recommended that the proposed development be recommended to the Elected Members of Limerick City & County Council for their approval.

Signed: 

Jennifer Collins, Executive Planner

Signed: 

Nuala O'Connell, Senior Planner

Signed: 

Vincent Murray, Director of Services, Planning and Place Making Directorate

**MAYOR'S REPORT & RECOMMENDATION IN ACCORDANCE  
WITH SECTION 179 (3)(a) OF THE PLANNING & DEVELOPMENT  
ACT 2000 (AS AMENDED)**

**Re: Proposed Development:** 6 no. Housing Units

**At:** Mulcair Drive, Rivers, Annacotty, County Limerick

**Reference Number PT8LL132**

## 1.0 Introduction

This report has been prepared pursuant to Section 179 of the Planning & Development Act 2000 (as amended), and Part 8 of the Planning & Development Regulations 2001 (as amended).

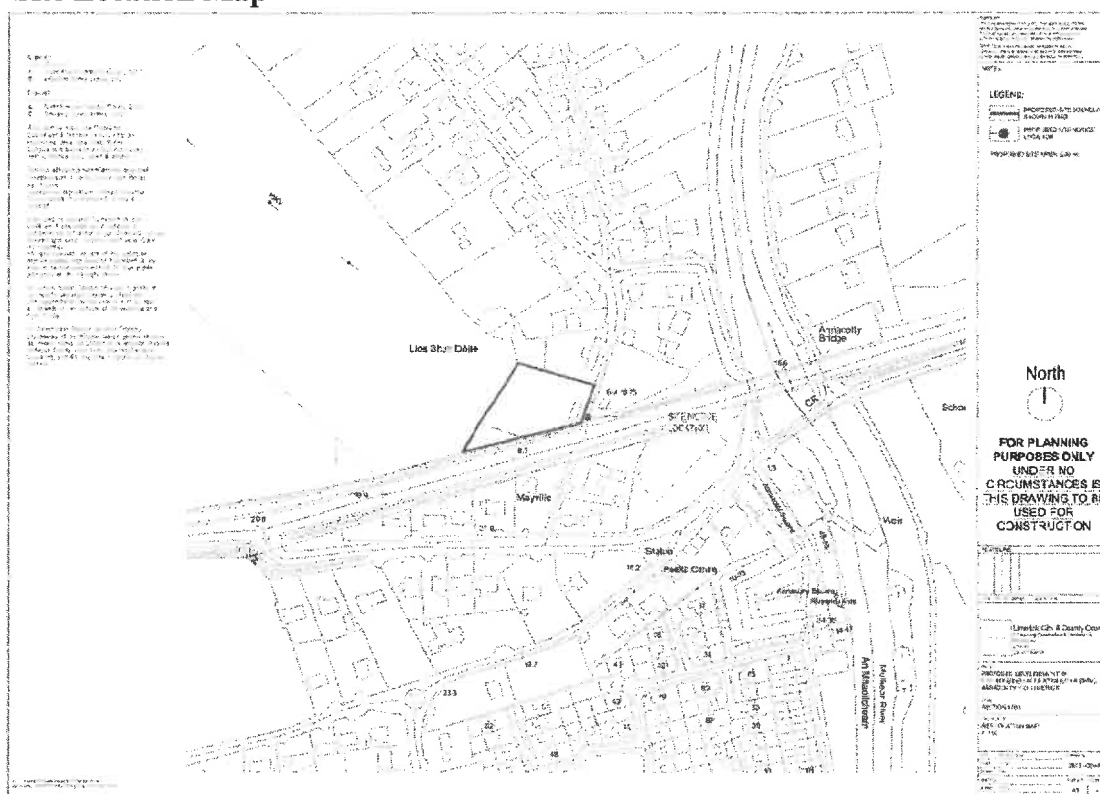
## 2.0 Description of the nature and extent of the proposed development

For 6 no. Housing Units at Mulcair Drive, Rivers, Annacotty, Co. Limerick

### 2.1 Site Location

The project site is located along the public road at Mulcair Drive and it's junction with the R445 Regional road at Annacotty, Co. Limerick. The proposed development area is located on lands in the ownership of Limerick City and County Council.

#### Site Location Map



## 3.0 Public Consultation

The plans and particulars were placed on public display from 6<sup>th</sup> August 2024 up to and including 3<sup>rd</sup> September 2024. Submissions and observations were invited up to 17<sup>th</sup> September 2024.

## 4.0 Submissions with respect to the proposed development

A total of 3no. written submissions/observations were received and are listed below:

No.	Name
1	Mid-West National Road Design Office
2	Uisce Éireann
3	Colm & Alison Tobin

#### **SUB (1) Mid-West National Road Design Office**

##### **Submission Summary:**

Submission in respect of the development proposal noting the following:

The Mid-West National Road Design Office has no observations to make in relation to the above application.

##### **Mayor's Response:**

Noted.

#### **SUB (2) Uisce Éireann**

##### **Submission Summary:**

Submission in respect of the development proposal noting the following:

1. Uisce Éireann confirms that a Confirmation of Feasibility has been issued advising that water/wastewater connection(s) for the development are feasible.
2. Uisce Éireann advise that the applicant [LCCC] shall enter into a Connection Agreement(s) with Uisce Éireann to provide for a service connection(s) to the public water supply and/or wastewater collection network and adhere to the standards and conditions set out in that agreement.
3. Uisce Éireann advise that all development shall be carried out in compliance with Uisce Éireann's Standard Details and Codes of Practice.
4. Uisce Éireann advises that it does not permit Build Over of its assets. Where the applicant proposes to build over or divert existing water or wastewater services written Confirmation of Feasibility (COF) of Diversion(s) from Uisce Éireann is required prior to any works commencing.

##### **Mayor's Response:**

Noted.

#### **SUB (3) Colm & Alison Tobin**

##### **Submission Summary:**

Submission in respect of the development proposal noting the following concerns:

1. **Safe access to Mulcair Drive and the Dublin Road** – The submitter considers that the additional traffic and sharp turn for access/egress to and from these dwellings will create a jam. They note that the turn from the Dublin Road to Mulcair Drive is already sharp and dangerous, without it being followed by another sharp turn.

2. **Density** - The submitter considers that 6 no. houses on this site is not in line with the density of other houses on this road. The submitter notes that the units are one-story properties and considers it is important that these are single story properties.
3. **Value of property** – The submitter notes no consultation or information has been provided on how these dwellings will be used and without this information, has concerns whether the development will devalue their property. The submitter notes significant social and security problems in the past on the site while it was under the ownership of the Council.
4. **Security of property** – The submitter considers the fence between properties is not acceptable for security purposes and requests that a wall is erected.
5. **Shared trees on boundary** – The submitter notes there are trees along the boundary between both properties and so are in common ownership. In this regard, the submitter seeks assurance that these trees will be maintained and that any associated cost with their maintenance in the future will be shared.
6. **Impact to our house** – The submitter seeks confirmation that there is no implication for the front of their house and boundary wall.

**Mayor's Response:**

1. A Stage 1 Road Safety Audit has been carried out for the proposal, and all proposed accesses as designed comply with current standards and regulations. In addition, the Mid-West National Road Design Office have reviewed the proposal, and have no objection to same as per their submission, Submission No. 1 above.
2. In terms of density, the site is located within Density Zone 2 Intermediate Urban Locations/Transport Corridors as outlined in the Limerick Development Plan 2022-2028 where a density of 45+ dwelling units per hectare may be permitted. The current proposal relates to 6 no. dwellings on a 0.3ha site which equates to a density of 20 dwellings per hectare. The density as proposed has been arrived at having regard to the residential character of the area, which comprises individual dwellings on large sites, and in consideration of the site's location in proximity to the Annacotty village centre, which is located within the Limerick Metropolitan Area. Having regard to the density and the size and scale of the dwellings, which are modest single storey 2-bed units, the current proposal on the site does not represent over-development of the site.
3. All 6 no. units have been designed to Universal Design standards in order to accommodate a range of suitable occupiers including elderly persons. The proposed development will be finished to a high standard, including the units themselves and the external areas, which will be landscaped and maintained by the Council. The current proposal is designed to minimise anti-social behaviour in areas where it may occur including for example behind the existing derelict cottage proposed to be demolished. In addition, the design as proposed will ensure the external areas on the site will benefit from passive surveillance from the public road as well as from the proposed dwellings themselves.
4. The fencing proposed along the subject site boundary with the neighbouring property is a 2m high concrete post and panel fence, which is solid and robust and will provide a secure boundary, which will not be subject to deterioration. This type of fencing also minimises any impact on existing tree and hedgerow root systems. However, prior to commencement of development, the Council will

engage with the owners of the site boundary in question to agree a suitable alternative if required, for example a 2m high masonry wall.

5. It is the intention of the Council to retain and maintain the shared trees and hedgerow boundary in question.
6. Works associated with the proposed development will not extend outside of Council owned property, therefore the proposed development will not affect the existing boundary wall of the neighbouring property. Prior to the commencement of works, the Council will engage with the owners of the property and the boundary wall in question to agree any works to the shared site boundary.

#### **4.0 Habitats Directive Project Screening Assessment**

An Appropriate Assessment Screening Report was undertaken by ASH Ecology & Environmental and dated June 2024, for the proposed development and examined the impacts the proposed development may have on any nearby European Designated Sites.

The Screening report concluded that upon the examination, analysis and evaluation of the relevant information including, in particular, the nature of the proposed works and the likelihood of significant effects on any European site, in addition to considering possible in-combination effects, and applying the precautionary principles, it is concluded by the author of this report that, on the basis of objective information, the possibility may be excluded that the proposed works will have a significant effect on any of the European sites below:

- Lower River Shannon
- Glenomra Wood SAC
- Glenstal Wood SAC
- River Shannon and River Fergus Estuaries SPA
- Slievefelim to Silvermines Mountains SPA

The Screening report further concluded that these complete, precise and definitive findings, based on the best available scientific evidence, remove all reasonable scientific doubt that the proposed works will have any significant impacts on the European sites detailed above; and it is therefore concluded that there will be no likely significant negative impacts caused to any European sites as a result of the proposed works. A Natura Impact Statement (NIS) is not required

In this regard, the Executive is satisfied given the nature and scale of the works and the nature of the existing surrounding urban environment, that the development as proposed should not exercise a significant effect on the conservation status of any SAC or SPA either alone or in combination with other plans or projects and therefore a Stage 2 NIS is not necessary.

#### **5.0 Environmental Impact Assessment Screening**

An EIA Screening report was undertaken by ASH Ecology & Environmental and dated June 2024, for the proposed development, which considers whether an EIA is required for the proposed development. The Screening Report concludes that the proposed development does not fall under any category within Schedule 5(10) of the Planning and Development Regulations (2001) for Mandatory EIAR. The screening exercise has

been completed in the report and the methodology used has been informed by the available guidance, legislation and directives.

The Screening report further concludes that a sub-threshold EIAR is not required as the proposed development is small in scale and the site is of no particular ecological importance. In summary, the need for Environmental Impact Assessment can, therefore, be excluded on the grounds that:

- The proposal is substantially below relevant mandatory EIA thresholds.
- There are no potential cumulative or in combination effects likely to arise.
- There will be no impacts to the Natura 2000 network.
- With the implementation of the detailed mitigation measures for bats and birds, as well as general good practices for protecting biodiversity, there is no real likelihood of significant effects on the environment arising from the proposed development

In this regard, the Executive is satisfied that the proposed development, which is for 6 no. dwellings, is not a type of development included for under Schedule 5 of the Planning and Development Regulations 2001(as amended) nor is a sub-threshold EIAR required.

## **6.0 Key Policy Provisions**

- **Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (January 2024)**
- **Quality Housing for Sustainable Communities Guidelines (2007 as updated)**
- **Urban Design Manual, Quality Housing for Sustainable Communities**
- **Design Manual for Urban Roads & Streets (2013)**
- **Development Management Guidelines for Planning Authorities**
- **Urban Development & Building Heights, Guidelines 2018**
- **Limerick Development Plan 2022-2028 (LDP)** - The site is zoned Existing Residential where the objective is to provide for residential development, protect and improve existing residential amenity.

The LDP sets out the following policies and objectives with respect to residential development.

### **Policy HO P1 Implementation of the Housing Strategy, including the Housing Need Demands Assessment**

It is a policy of the Council to facilitate the implementation and delivery of the Housing Strategy and Housing Need Demand Assessment (HNDA) 2022 – 2028, to meet the increasing projected population, changing household size and housing needs, including social and affordable housing requirements of Limerick over the lifetime of the Plan

### **Objective HO O1 Social Inclusion**

It is an objective of the Council to ensure that new developments are socially inclusive and provide for a wide variety of housing types, sizes and tenure, in suitable locations, throughout Limerick, to cater for the demands established in the Housing Strategy and the Housing Need Demand Assessment.

## **Objective HO O2 Density of Residential Developments**

It is an objective of the Council to:

- a) Promote, where appropriate, increased residential density in the exercise of its development management function and in accordance with Table 2.6 Density Assumptions per Settlement Hierarchy in Chapter 2: Core Strategy and the Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities and the accompanying Urban Design Manual, DEHLG, May 2009.
- b) Encourage increased densities that contribute to the enhancement of a town or village by reinforcing street patterns or assisting in re-development of backlands and centrally located brownfield sites.

## **Policy CS P2 Compact Growth**

It is a policy of the Council to support the compact growth of Limerick City Metropolitan Area, towns and villages by prioritising housing and employment development in locations within and contiguous to existing City and town footprints where it can be served by public transport and walking and cycling networks, to ensure that development proceeds sustainably and at an appropriate scale, density and sequence, in line with the Core Strategy Table 2.7.

## **Policy CGR P1 Compact Growth and Revitalisation**

It is a policy of the Council to achieve sustainable intensification and consolidation, in accordance with the Core Strategy, through an emphasis on revitalisation and the delivery of more compact and consolidated growth, integrating land use and transport, with the use of higher densities and mixed-use developments at an appropriate scale on brownfield, infill, backland, state-lands and underutilised sites within the existing built footprint of Limerick's City, Towns and Villages.

## **8.0 Appraisal**

This Part 8 application is for the provision of 6 no. housing units on land owned by Limerick City and County Council (LCCC) at Mulcair Drive, Rivers, Annacotty, County Limerick. LCCC seek to create sustainable communities and acknowledges that this requires the delivery of quality housing in well-managed estates.

The subject site is located in proximity to Annacotty village centre and accesses onto Mulcair Drive (L70001 local road) in proximity to its junction with the Dublin Road (R445). The site 0.3ha in area and is essentially undeveloped with the exception of a small derelict cottage towards the front of the site. The site is bounded by the public road (Mulcair Drive) to the east, by a walled embankment along the Dublin Road to the south, lands immediately to the west are undeveloped and there is an existing residential property to the north. There are existing treeline hedgerows along the west and north site boundaries.

In terms of site suitability, the site is zoned Existing Residential in the Limerick Development Plan 2022-2028 with an objective to provide for residential development, protect and improve existing residential amenity. The provision of residential units on the site is therefore generally acceptable.



In terms of density, as outlined above in response to a submission received, the site is located within Density Zone 2 Intermediate Urban Locations/Transport Corridors as outlined in the Limerick Development Plan 2022-2028 where a density of 45+ dwelling units per hectare may be permitted.

The current proposal relates to 6 no. dwellings on a 0.3ha site which equates to a density of 20 dwellings per hectare. The density as proposed has been arrived at having regard to the residential character of the area, which comprises individual dwellings on large sites, and the site's location in proximity to the Annacotty village centre, which is located within the Limerick Metropolitan Area. In addition, the site is irregularly shaped, rises significant to the west, and is located at the corner of a busy junction, all of which restrict the provision of alternative design solutions on the site. Having regard to the above, the proposed density, although lower than that outlined in the LDP, is generally acceptable.

In terms of design, the style of the housing units is relatively traditional in nature, with single storey pitch roofs finished in slate and walls to be finished in painted roughcast render with contrasting areas of brick to the recessed entrance. It is considered that this will provide a robust, durable and maintenance-friendly finish at the entrance. Space provision and room sizes are in line with requirements of the Quality Housing for Sustainable Communities Guidelines (2007 as updated) for 2 bed/4 person single storey dwellings, including as follows:

- Gross floor area requirement is 73sqm per dwelling and each proposed dwelling has a gross floor area of 76.8sqm,
- The main living area requirement is 13sqm and the proposed main living area (sitting/dining) is c.14.8sqm,
- The aggregate living area requirement is 30sqm and proposed kitchen/living/dining room is 30.1sqm,
- The required aggregate bedroom area is 25sqm and the proposed aggregate bedroom area is 26.2sqm,
- The required storage area is 4sqm and the proposed total proposed storage is 5sqm contained in two areas.
- The required unobstructed living room width is 3.6m and the proposed unobstructed living room width is 3.7m.
- The area of a double bedroom is required to be at least 11.4sqm and a main bedroom is required to be at least 13sqm, each of the two bedrooms proposed are 13.1sqm each.
- The minimum width of single bedrooms is 2.1m and double bedrooms is 2.8m, each of the two bedrooms proposed are a minimum of 3.2m at their narrowest.

In terms of access and car parking, a single access is proposed onto Mulcair Drive, which is a local road, to the north of the existing derelict dwelling on the site. In this regard, a stage 1 road safety audit has been carried out including recommendations to address any potential issues. The proposed internal access road will follow the incline of existing site levels, from the proposed new entrance up to the proposed parking area with a hammerhead provided for the safe turning of vehicles including cars, bin trucks and fire tender. Secure communal bin storage will be provided for residents and accessible for collection by refuse service providers.

In terms of car parking, 6 no. parking spaces are proposed on the site, all in line with accessibility standards to cater for elderly/mobility impaired residents. A number of visitor bicycle parking spaces will also be provided. Table DM 9(a): Car and Bicycle Parking Standards Limerick City and Suburbs (in Limerick) Mungret and Annacotty of the Limerick Development Plan 2022-2028 (LDP) sets out the maximum car parking spaces permitted for 2-bed dwellings in Zone 2, which is 1 space per unit. Proposed car parking on the site is in keeping with this. In terms of bicycle parking, for 2-bed dwellings in Zone 2, 1 space per unit and 1 space per 2 units shall be provided at a minimum i.e. 9 bicycle spaces (6 spaces+3 spaces).

In terms of private open space, the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (January 2024) requires that a minimum of 30sqm is provided for 2-bed dwellings. In this regard, an area of private open space of c.55sqm, is proposed to the rear of each housing unit. In addition, a secure private area is proposed to the front of each dwelling. In terms of public open space, a minimum of 15% of the site area will be provided as public open space. This is in keeping with the requirements of the LDP and the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (January 2024).

In terms of landscaping, the development will be appropriately greened by way of maintained landscaped public open space to the front of the site, by a planting strip constructed between the parking area and the housing units to act as a 'buffer', by planted areas to the front of each unit, and by general planting along edges and boundaries as per the proposed site layout drawing. In addition, the existing trees and hedgerow boundaries will be retained, with the exception of the Mulcair Drive boundary, which will be replaced with the proposed new entrance.

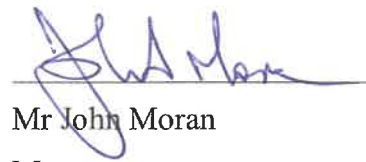
In terms of the potential impacts on the environment, the subject site is not located within an environmentally designated site i.e. Special Area of Conservation, Special Protection, Natural Heritage Area or proposed Natural Heritage Area. As outlined in Sections 4.0 and 5.0 above, an AA Screening and Environmental Impact Assessment Screening have been carried out for the proposed development. In addition a bat survey, bird survey, tree survey plan and arboriculture impact assessment were carried out for the proposed developed. All recommended mitigation measures and standard practices will be employed throughout the construction phase of the development to ensure that the proposed development will not create any significant impacts on the quality of the surrounding environment.

In relation to built and archaeological heritage, there are no Protected Structures or National Monuments located within or immediately adjacent to the site. The nearest Protected Structure is RPS1608, Commercial structure, c.50m to the south across the R445 Regional road. The closest recorded monument is LI00178, a ringfort/rath, which is located 25m northwest of the northwest corner. The Council's Archaeologist has advised that 25m is a sufficient distance between the subject site and the ringfort perimeter, with a recommendation to retain the existing hedgerows at this corner. In this regard, it is proposed to retain the treeline hedgerows along both the western and northern boundaries.

It is proposed to demolish an existing derelict dormer dwelling house/cottage at the front of the site on Mulcair Drive. The Council's Housing Construction Section will submit an Asbestos Demolition Survey of the existing cottage as well as a waste management plan, to the Council's Environmental Section for approval prior to the commencement of any works on site including the proposed demolition.

## 9.0 Conclusion

Having regard to the foregoing evaluation and the reason and considerations as set out, the Mayor is satisfied that the proposal is in accordance with the objectives of the Limerick Development Plan, 2022 - 2028 and the proper planning and sustainable development of the area. Pursuant to Section 179(3)(a) of the Planning and Development Act 2000 (as amended) the proposed development is recommended to the Elected Members of Limerick City & County Council for their approval.



Mr John Moran

Mayor,

Limerick City & County Council

Date: 5<sup>th</sup> November 2024



## **Limerick City & County Council**

Re: Part 8 Proposal for the Southside Connectivity Project, Reference PT8LL132 – Development at Mulcair Drive, Rivers, Annacotty, Co. Limerick. The proposed development will consist of:

- 6 no. Housing Units

---

### **Appropriate Assessment (AA) Screening Determination**

Pursuant to the requirements of the above Limerick City & County Council is proposing the development as described above at Mulcair Drive, Rivers, Annacotty, Co. Limerick.

The plans and particulars for the proposed development were placed on public display from 6<sup>th</sup> August 2024 up to and including 3<sup>rd</sup> September 2024 in accordance with the requirements of the Part XI of the Planning and Development Act, 2000 (as amended) and Part 8 of the Planning and Development Regulations, 2001 (as amended).

Having regard to Article 6 of the Habitats Directive 92/43/EEC and (inter alia) the Department of Housing, Planning, Community and Local Government's Appropriate Assessment of Plans and Projects in Ireland Guidance for Planning Authorities (2010), screening of the development for Appropriate Assessment was carried out by ASH Ecology & Environmental and dated June 2024.

An AA of the proposed development is not required as it can be excluded, on the basis of objective information provided in the Screening Report, that the proposed development, individually or in combination with other plans or projects, will not have a significant effect on any European sites. Therefore, this proposed project does not need to proceed to Stage II of the Appropriate Assessment Process. The Screening has determined that there is no potential for likely significant effects on any European sites.

For the reasons outlined above, it is considered that the application for consent for the proposed development does not require an Appropriate Assessment or the preparation of a Natura Impact Statement (NIS).

**Order:** That Limerick City & County Council as the Competent Authority having considered the AA Screening Report prepared by ASH Ecology & Environmental and dated June 2024, makes a determination that, when considered either alone or in combination with other plans or projects, a Stage 2 Appropriate Assessment will not be required to accompany the development of 6 No. housing units at Mulcair Drive, Rivers, Annacotty, Co. Limerick.



**Mr John Moran**

**Mayor,**

**Date:** 5<sup>th</sup> November 2024.



## **Limerick City & County Council**

Re: Part 8 Proposal, Reference PT8LL132 – Development at Mulcair Drive, Rivers, Annacotty, Co. Limerick. The proposed development will consist of:

- 6 no. Housing Units
- 

### **Environmental Impact Assessment (EIA) Screening Determination**

Pursuant to the requirements of the above Limerick City & County Council is proposing development as described above at Mulcair Drive, Rivers, Annacotty, Co. Limerick.

The plans and particulars for the proposed development were placed on public display from 6<sup>th</sup> August 2024 up to and including 3<sup>rd</sup> September 2024 in accordance with the requirements of the Part XI of the Planning and Development Act, 2000 (as amended) and Part 8 of the Planning and Development Regulations, 2001 (as amended).

Having regard to EIA Directive 2011/92/EU as amended by Directive 2014/52/EU (the EIA Directive), the guidance contained in the Department of Housing, Planning, Community and Local Government's "Impact Assessment Guidance for Consent Authorities regarding Sub-Threshold Development" (2003), Screening of the development for Environmental Impact was carried out by ASH Ecology & Environmental and dated June 2024

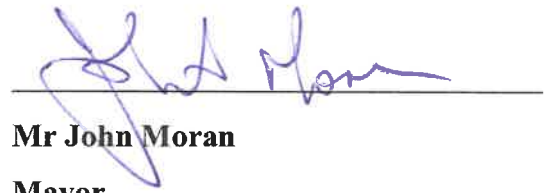
The Screening has been carried out in accordance with the EIA Directive and to Annex I, II and III of that Directive, which sets out requirements for mandatory and sub-threshold EIA. The proposal has been assessed in accordance with the criteria for mandatory and sub-threshold development to determine the potential impact on the environment of the project.

The subsequent EIA Screening Report concludes that the development has been assessed under the environmental criteria outlined in Schedule 5 of the Planning and Development Regulations 2001, as amended, and an EIAR is not required. In conclusion, it is considered that the proposed development will not have any significant impacts on the environment given the scale of development, located within a modified environment. All recommended mitigation measures and standard practices will be employed throughout the construction phase of the development to ensure that the proposed development will not create any significant impacts on the quality of the surrounding environment.

For the reasons outlined above, it is considered that the proposal will not present a risk to the environment. As such this screening exercise concludes that an Environmental Impact Assessment is not required for this project.

**Order:** That Limerick City & County Council as the Competent Authority having considered the EIA Screening Report prepared by ASH Ecology & Environmental and dated June 2024 for Limerick City & County Council, makes a determination that an Environmental Impact Assessment will not be

required to inform the development of 6 No. housing units at Mulcair Drive,  
Rivers, Annacotty, Co. Limerick.



**Mr John Moran**

**Mayor,**

**Date:** 5<sup>th</sup> November 2024.