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**MIONTUAIRISCÍ NA CRUINNITHE SPEISIALTA DE CHEANTAR BARDASACH THRÁ
LÍ A THIONÓLADH AR LINE TRÍ FHOIRNE MS, AR AN DÉARDAOIN, 15ú IÚIL 2021.**

**MINUTES OF THE SPECIAL MEETING OF THE MEMBERS OF THE MUNICIPAL
DISTRICT OF TRALEE HELD VIA MS TEAMS ON THURSDAY, 15TH JULY 2021.**

PRESENT/I LÁTHAIR
Councillors/Comhairleoirí

D. Ferris	J. Finucane	C. Foley
S. Locke	M. Sheehy	T. O' Brien
J. Wall (Mayor)		

IN ATTENDANCE/I LÁTHAIR

Mr. J. Breen	Delegated Acting Executive for of Tralee MD
Mr. C. Nagle	Acting Senior Executive Engineer Tralee MD
Ms. F. Hartnett	Senior Engineer Housing - Technical
Mr. P. Corkery	Meetings Administrator
Ms. A. M. Costelloe	Assistant Planner Housing Capital
Ms. C. Liston	Senior Executive Architect Housing Capital
Mr. O. O' Shea	Press & Communications Officer
Mr. D. O' Connor	Assistant Engineer Operations Health & Safety
Mr. T. Deveraux	Technician Grade I Operations Health & Safety
Ms. M C Sweeney	ASO Corporate Services

The meeting commenced at 9:30am

Cllr. J. Wall, Mayor, took the Chair.

Mayor J. Wall advised the members that this was a Special Meeting called for the Part VIII's for Redevelopment of Traveller-Specific Accommodation and all associated Site Works and the Safety Improvement Works – R551 Banna Cross.

Mr. P. Corkery advised those present at the meeting of the Supplementary Standing Orders regulating the proceedings of the Council in holding of remote Meetings.

21.07.15.01 Business Prescribed by Statute, Standing Orders or Resolutions of the Municipal District Members for transaction at such meeting.

Mr. P. Corkery, Meetings Administrator, advised members of duties under Ethics Legislation as follows: "I wish to remind members of their requirements under Part 15

(Ethics Framework) of the Local Government Act 2001 and the Code of Conduct for Councillors. Councillors should be aware that the onus for complying with the requirement of the Act and the Code of Conduct lies with each individual councillor. Under the beneficial interest provision and should that provision apply, a councillor must

- (1) Disclose the nature of his/her interest or the fact of a connected person's interest at the meeting and before discussion or consideration of the matter commences and
- (2) Withdraw from the meeting for so long as the matter is being discussed, and accordingly, he/ she shall take no part in the discussion of the matter and shall refrain from voting in relation to it.

1. "To consider the Chief Executives Report for the Redevelopment of Traveller-Specific Accommodation and Associated Site works at Rathass, Tralee, Co. Kerry, in accordance with Section 179(4) of the Planning and Development Act 2000, as amended."

Ms. A. Costelloe read the report, which was previously circulated to the members into the record of the meeting, briefed the Cllrs on the contents of the Part VIII for the Redevelopment of Traveller-Specific Accommodation and Associated Site works at Rathass, Tralee, Co. Kerry and made the following points for noting by the members.

- The proposed works consist of replacing existing 2 no. two-bedroom units and 2 no. three-bedroom units with 4 no. two-bedroom demountable units.
- Construction of an additional 2 no. three-bedroom demountable units.
- blockwork sheds, caretaker's facilities, bin storage area and all associated site works,
- the provision of a new vehicular access along Rath Oraig access road,
- the provision of a pedestrian exit only on the Southern boundary, onto the R875,
- Connections to public lighting, existing storm, existing combined foul sewer and public water supply will be facilitated as part of the overall works.

Submissions and observations with respect to the proposed development were invited on or before 5.00 p.m. **25th June 2021.**

It is proposed to provide a pedestrian only exit gate with new block work wall and pier faced with stone on the Southern Boundary to replace the existing vehicle access onto the R875.

COMHAIRLE CHONTAE CHIARRAI
KERRY COUNTY COUNCIL



Tuairisc an Phríomh-Fheidhmeannaigh a ullmhaíodh de bhun Alt 179(3) Pleanáil agus Forbairt 2000
(leasaithe) maidir le forbairt a leanas/

Chief Executive Report and Recommendations in accordance with Section 179 (3) of the Planning and
Development Act 2000 (as amended) and Part VIII of the Planning and Development Regulations 2001 (as
amended) for the following development: -

Redevelopment of Traveller-Specific Accommodation and all Associated Site Works

AT

Rathass, Tralee,
Co. Kerry.

Date: 30th June 2021

TABLE OF CONTENTS

CHIEF EXECUTIVE REPORT PREPARED PURSUANT TO SECTION 179(3) OF THE PLANNING AND DEVELOPMENT ACT 2000-2021

1. NATURE & EXTENT OF PROPOSED DEVELOPMENT	1
2. PERSONS OR BODIES WHO MADE SUBMISSIONS OR OBSERVATIONS WITHIN THE PRESCRIBED PERIOD	2
3. ISSUES RAISED, WITH RESPECT TO THE PROPER PLANNING AND DEVELOPMENT OF THE AREA, BY PERSONS OR BODIES WHO MADE SUBMISSIONS OR OBSERVATIONS AND THE MANAGERS RESPONSE AND RECOMMENDATIONS	2
4. EVALUATE THE PROPOSED DEVELOPMENT WITH RESPECT TO THE PROPER PLANNING AND SUSTAINABLE DEVELOPMENT OF THE AREA	3
5. RECOMMENDATION.....	7

APPENDIX A
Planning Conditions

APPENDIX B
Environmental Impact Assessment Preliminary Conclusion Statement & Appropriate Assessment Screening Determination Statement.

APPENDIX C
Scheme Drawings

Document title	C.E Report – Rathass, Tralee, Co. Kerry
Document Revision	A
Document Prepared by	Anna-Meria Costelloe - Assistant Planner
Document Approved by	Caroilin Liston – Senior Executive Architect

Prepared by:
Housing Capital,
Kerry County Council,
Ashe Memorial Hall
Tralee,
Co. Kerry.

Submissions and observations with respect to the proposed development were invited on or before 5.00 p.m. 25th June 2021.

Two site notices were erected on the site on 13th May 2021 and inspected regularly hereafter until 25th June 2021.

2. PERSONS OR BODIES WHO MADE SUBMISSIONS OR OBSERVATIONS WITHIN THE PRESCRIBED PERIOD

2.1 PRESCRIBED BODIES

Kerry County Council received two (2) observations from prescribed bodies within the statutory time period. These included:

1. Health Service Executive (HSE), Environmental Health Services, Unit 4, Libre house, Monavalley Business Park, Tralee, Co. Kerry.
2. Chief Fire Officer, Kerry Fire & Rescue Service, Balloonagh, Tralee, Co. Kerry.

2.2 GENERAL PUBLIC

Kerry County Council received nil / none (0) submission from the general public within the statutory time period.

3. ISSUES RAISED, WITH RESPECT TO THE PROPER PLANNING AND DEVELOPMENT OF THE AREA, BY PERSONS OR BODIES WHO MADE SUBMISSIONS OR OBSERVATIONS AND THE MANAGERS RESPONSE AND RECOMMENDATIONS

- 1. Health Service Executive (HSE), Environmental Health Services, Unit 4, Libre house, Monavalley Business Park, Tralee, Co. Kerry.**

Observation / Submission

The HSE make no objection to the proposed development provided it is carried out in accordance with best practice standards and the treatment systems are designed to current EPA standards.

Chief Executives Response

The observations are noted. The proposed development will be constructed in accordance with best practice standards and comply with all current EPA standards.

Chief Executives Recommendation

It is recommended that no amendments be made on foot of this submission to the proposed development which went on public display Thursday 13th May 2021.

- 2. Chief Fire Officer, Kerry Fire & Rescue Service, Balloonagh, Tralee, Co. Kerry.**

Observation / Submission

The 45m distance from a fire appliance to a dwelling's front door is exceeded in dwelling number 1. One possibility would be to retain a pedestrian exit door/gate in the space where it is proposed to block up the main entrance onto Rathass.

This would give the fire service access for hoses and fire-fighting personnel from that side, together with allowing residents an alternative means of escape in the event of a fire on the site.

Chief Executives Response

The existing vehicle entrance, identified as exit only in the drawing H-18-38-101 on public display, will be amended to provide a pedestrian exit gate only as per the request from the Chief Fire Officer. The existing stone wall on the Southern boundary will be retained at its existing height, a new block wall and pier faced in stone to match existing shall be constructed and a pedestrian exit gate provided in lieu of the existing vehicle access.

Revisions are incorporated into revised dwg no. H-18-38-101 REV B (24.05.2021) in Appendix C.

Chief Executives Recommendation

It is proposed to provide a pedestrian only exit gate with new block work wall and pier faced with stone on the Southern Boundary to replace the existing vehicle access onto the R875.

4. EVALUATE THE PROPOSED DEVELOPMENT WITH RESPECT TO THE PROPER PLANNING AND SUSTAINABLE DEVELOPMENT OF THE AREA

The site of the existing traveller specific accommodation and the proposed redevelopment works at Rathass, Tralee is identified within the town development boundary, as set out in the Tralee Town Development plan 2009-2015 (extended and varied). These lands are identified for existing residential use.

It is an objective of this Plan 'to cater for the accommodation needs of Travellers by implementing the recommendations of the Traveller Accommodation programme'.

In Kerry, there are a total of 8 applicants who have expressed an interest in Traveller Specific Accommodation on their social housing application form.

The development of 2 additional units at this site would meet the needs of both housing applicants expressing an interest in Traveller Specific Accommodation along with addressing the needs of Traveller families accommodated in Homeless Emergency Accommodation. The need to refurbish the 4 existing units, and address safety concerns regarding the entrance to the existing site, have been identified through the existing working relationships between Kerry County Council and the Traveller representatives and agreed at the Local Traveller Accommodation Consultative Committee (LTACC).

Following consultation with the LTACC dwg no. H-18-38-200 was amended to include an additional door on the right-hand gable of the 3-bedroom demountable unit. The proposed layout and design will ensure that the redevelopment will integrate into the existing urban environment, will not result in overlooking or impact on existing residential amenity in Rath Oraig and will not be contrary to the proper planning and sustainable development of the area.

All construction and operational traffic will be via the new entrance on the Eastern boundary off Rath Oraig access road. Following consultation with the Fire Department of Kerry County Council the existing vehicle entrance, identified as existing only in the drawing H-18-38-101 on public display, will be amended to pedestrian exit only.

The existing stone wall on the Southern boundary will be retained at its existing height, a new block wall and pier, faced in stone to match existing, shall be constructed and a pedestrian exit gate provided in lieu of the existing vehicle access. Revisions are incorporated into revised dwg no. H-18-38-101 REV B (24.05.2021) in Appendix C.

Services such as public lighting, connection to the public water supply and combined sewer will form part of this development as per dwg no. H-18-038-114. & H-18-038-113. Attenuation is proposed to facilitate storm water entering the public network via 225mm diameter, equivalent to greenfield run-off rate.

An Appropriate Assessment Screening Report and determination was prepared for the development. It determined that the works, individually and in combination with other plans and projects, are not likely to have significant effects on the conservation objectives of any area designated as a Natura 2000 site, and as such, a Stage 2 Appropriate Assessment / Natura Impact Assessment is not required. Refer to Appendix B.

An Environmental Impact Preliminary Report and conclusion were prepared for the proposed development. It determined that the works, individually or/and in combination with other plans and projects, are not likely to have significant effect on the environment and as such a full EIA is not required. Refer to Appendix B.

Pursuant to Article 120(3) (ca) of the Planning and Development Regulations 2018, no written confirmation was issued by An Bord Pleanála to the Local Authority regarding a request for a screening determination.

The proposed development relates to the construction of social housing and as such is exempt from the application of Kerry County Council's Development Contribution Scheme 2017.

Finally, the proposed redevelopment of the existing traveller accommodation would not seriously injure the amenities of the area or of property in the vicinity, would be acceptable in terms of traffic safety and would therefore be considered in accordance with the proper planning and sustainable development of the area.

5. RECOMMENDATIONS

Having considered the proposed development pursuant to section 179 of the Planning and Development Act 2000 (as amended) the proposal is considered to be in accordance with the proper planning and sustainable development of the area.

Consequently, it is recommended to proceed with the proposed development as set out in the plans and particulars in Appendix C below.

Signed: _____
John Breen – (Acting) Municipal District Manager
Tralee Municipal District

APPENDIX A

Planning Conditions

FIRST SCHEDULE

Having regard to the location of the site within the development boundary of Tralee town on lands zoned Residential, and to the availability of services, it is considered that, subject to compliance with the conditions set out in the Second schedule, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would be acceptable in terms of traffic safety and convenience and would not therefore be contrary to the proper planning and sustainable development of the area.

SECOND SCHEDULE

1. The development shall be carried out in accordance with the plans and particulars dated 16.02.2021, March 2021, 08.03.2021, 22.06.2021 and 24.06.2021 except for any alterations or modifications specified in this decision.

Reason: To regulate and control the layout of the development.

2. The use of the proposed demountable units shall be as a primary all year-round private residences.
(b) The proposed units shall not be used as a holiday home or second home.

Reason: In the interest of the proper planning and sustainable development of the area.

3. The proposed demountable units shall be of design and construction in accordance with the plans and particulars dated 22.06.2021.

Reason: In the interest of architectural harmony and in order to integrate the structure into the

surrounding area.

4. All site boundaries fronting onto public areas shall be permanent, durable, maintenance free, and consist of native stone walls or blockwork, plastered and capped.

Reason: In the interest of orderly development and residential amenity.

5. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no development falling within Class 1 of Schedule 2, Part 1 of those Regulations shall take place within the curtilage of each house, without a prior grant of planning permission.

Reason: In the interest of the amenities of the area.

6. Notwithstanding the provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no part of any dwelling unit on site shall be used for the purpose of provision of overnight commercial guest accommodation without a prior grant of permission for such development.

Reason: To ensure the preservation of a good standard of amenity.

7. The development shall be connected to the public water supply and the public foul sewerage system to the satisfaction of Irish Water.
No development shall commence until such time as the developer has obtained and signed a Connection Agreement with Irish Water for the provision of water and sewerage services necessary to enable the proposed development.
(b) The developer shall adhere to the standards and conditions set out in that agreement.

Reason: In the interest of public health.

8. Public Lighting shall be in accordance with ISO EN 13201 and shall be designed and certified by a competent lighting engineer.
 - Lamps shall be LED type.
 - All fittings shall be Irish WEEE complaint.
 - Lamp fittings to have mm. I.P. 67 rating.
 - Lighting columns shall be steel columns to EN 40 standard.
 - All electrical installations shall comply with the National Rules for Electrical Installations "ETCI regulations" and shall be tested, verified and certified by RECI or ECSSA registered contractors.As part of the 'As-Built' drawing submissions on completion of the development, the development shall show and certify compliance with the above.

Reason: In the interests of orderly development.

9. A detailed landscaped plan (hard and soft) shall be submitted to the Local authority prior to the commencement of development.
All new (soft) landscaping shall be planted during the first growing season prior to the first occupation of any dwelling unit.

Reason: In order to integrate the structure into the surrounding area.

10. All excavations and building works shall be carried out between the hours of 0800 and 1800 Monday to Friday inclusive, and between the hours of 0800 and 1300 on Saturdays only. No work shall be carried out on Sundays or Bank Holidays.

Reason: In the interest of residential amenity.

11. Good site management practices shall be employed by the developer during the site construction and development to prevent discharge of contaminated waters. Silt traps and/or interceptors shall be maintained at regular intervals during the course of construction work.

Reason: In order to protect the existing environment.

12. The proposed development relates to the construction of Social Housing and as such is exempt from application of the Kerry County Council Development Contribution Scheme 2017.

Reason: In the interest of proper planning and sustainable development.

APPENDIX B

Environmental Impact Assessment Screening determination & Appropriate Assessment Screening Determination Statement.

**Planning Authority
Preliminary Environmental Impact Assessment Screening Report
Conclusion Statement**

**for the proposed Redevelopment of Traveller Specific Accommodation,
Rathass, Tralee, Co Kerry**

Environmental Impact Assessment Preliminary Screening Conclusion Statement

Kerry County Council concludes that this project is not one which requires EIA Screening or EIA. The Preliminary EIA Screening Examination prepared by the Environmental Assessment Unit contains a fair and reasonable assessment. That assessment is adopted as the assessment of Kerry County Council.

Reasons for Conclusion

- There are no potential cumulative or in combination effects likely to arise.
- There is no real likelihood of significant effects on the environment arising from the proposed development.

Signed:



Michael Scannell

**Director of Services / Stúirthóir Seirbhísí, Economic & Community
Development / Forbairt Eacnamaíochta & Pobail**

Date:

3/2/2021

**Planning Authority Habitats Directive
Appropriate Assessment
Screening Determination Statement**

**for the proposed Redevelopment of Traveller Specific Accommodation,
Rathass, Tralee, Co Kerry**

Stage 1 Appropriate Assessment Screening Statement

Kerry County Council as Competent Authority determines that the proposed works, individually, and in combination with other plans and projects, are not likely to have a significant effect on a European site (Natura 2000 Site), and as such, a Stage 2 Appropriate Assessment / Natura Impact Statement is not required.

It is considered that the AA Screening Report prepared by the Environmental Assessment Unit, contains a fair and reasonable assessment of the likelihood of significant effects of the development on European sites. That assessment is adopted as the assessment of Kerry County Council. It is noted that the exclusion of likely significant effects is based wholly on objective information and that there is no reliance on any measures intended to reduce or avoid impacts on European Sites.

Reasons for Determination

- The proposal is a relatively small-scale construction project, short in duration, with no large scale or deep excavation requirements and with all works located over 1Km away from Natura 2000 sites.
- The proposed works would not encroach on a Natura 2000 site and there would be no loss or degradation of Natura 2000 habitat or functionally linked habitat.
- There would be no significant direct or indirect impact on qualifying species associated with Natura 2000 sites as a result of the proposal.

Signed:


Michael Scannell

**Director of Services / Stiúrthóir Seirbhísí, Economic & Community
Development / Forbairt Eacnamaíochta & Pobail**

Date:

3/2/2021

**APPENDIX C
Scheme Drawings**

Cllr. S. Locke proposed the Redevelopment of Traveller-Specific Accommodation and Associated Site works at Rathass, Tralee, Co. Kerry and stated that this was long overdue, and the restructure of the entrance and the 2 additional units of accommodation were welcomed.

Cllr. C. Foley seconded this and stated that it was a very welcome development and will make it a much safer entrance.

Mayor J. Wall stated that this was a welcomed development and especially closing the old entrance due to previous safety concerns and creating a new one.

On the **PROPOSAL of Cllr. S. Locke and SECONDED by Cllr. C. Foley** it was agreed to approve the Chief Executives Report for the Redevelopment of Traveller-Specific Accommodation and Associated Site works at Rathass, Tralee, Co. Kerry, in accordance with Section 179(4) of the Planning and Development Act 2000, as amended.

(For) – Cllrs. Ferris, Finucane, Foley, Locke, O’Brien, Sheehy, Wall, (7)

(Against) – (0)

(Absent) – (0)

The Mayor declared the vote CARRIED.

2. To consider the Chief Executive’s Report and Recommendations in accordance with Section 179 (3) of the Planning and Development Acts 2000 – 2020 and Part 8 of the Planning and Development Regulations 2001-2021 for Safety Improvement Works on the R551 at Banna Cross

C. Nagle briefed the Elected Members on the Part VIII for the Safety Improvement Works on the R551 at Banna Cross and made the following points for noting by the members.

The proposed works will include the following

- Minor realignment of the local road approach in the immediate vicinity of junction
- Sight distance improvements for vehicles exiting the local road
- Provision of a right turn lane on the regional road
- Associated enabling and accommodation works

Submissions or observations with respect to the proposed development dealing with proper planning and sustainable development of the area were invited before 5.00 p.m. **on Wednesday, 7th July 2021.**

COMHAIRLE CHONTAE CHIARRAI
KERRY COUNTY COUNCIL



Oibreacha Feabhsúcháin Sábháilteachta – R551 Cros an Bheannach

Safety Improvement Works - R551 Banna Cross

Moltaí agus Tuairisc Príomhfheidhmeannach Comhairle Contae Chiarraí ar an gComhairliúchán Phoiblí a ullmhaíodh de bhun Alt 179 (3) den Acht um Pleanáil agus Forbairt 2000 – 2020 agus Cuid 8 de na Rialacháin um Pleanáil agus Forbairt 2001 -2021.

Chief Executive's Report and Recommendations in accordance with Section 179 (3) of the Planning and Development Acts 2000 – 2020 and Part 8 of the Planning and Development Regulations 2001-2021.

Dáta/Date: 9th July 2021

TABLE OF CONTENTS

1. Introduction	
1.1 Location, nature & extent of proposed development	3
1.2 Public Consultation	3
1.3 Relevant Development Plan Policies / Objectives / Strategies	4
2. Persons or Bodies Who Made Submissions Or Observations Within The Prescribed Period	4
3. Issues raised, with respect to the proper planning and development of the area, by persons or bodies who made submissions or observations and Manager's response and recommendations	5
4. Evaluate the proposed development with respect to the proper planning and sustainable development of the area	7
5. Recommendations	7

APPENDICES

APPENDIX A	9
Conclusion Statements (Appropriate Assessment Screening Statement and Environmental Impact Assessment Screening Statement)	
APPENDIX B	10
<i>Part 8 – Drawings</i>	

**Chief Executive's Report and Recommendations in accordance with Section 179 (3) of the
Planning and Development Acts 2000 – 2020 and
Part 8 of the Planning and Development Regulations 2001-2021**

2. INTRODUCTION

2.1 LOCATION, NATURE & EXTENT OF PROPOSED DEVELOPMENT:-

Location: Banna Cross, Ardfert

Townland(s): Banna Mountain

The proposed works will include the following:

- Minor realignment of the local road approach in the immediate vicinity of junction
- Sight distance improvements for vehicles exiting the local road
- Provision of a right turn lane on the regional road
- Associated enabling and accommodation works

2.2 PUBLIC CONSULTATION

A Public Notice was advertised in the Kerryman on Wednesday, 26th May 2021. Site Notices were erected along the routes and these were inspected regularly.

Having regard to the COVID-19 restrictions, Kerry County Council Offices were closed to the public. Therefore, Plans and Particulars of the proposed development were only available for inspection on the Kerry County Council website from **Wednesday, 26th May 2021 to Wednesday, 23rd June 2021.**

- ◆ Kerry County Council Website www.kerrycoco.ie

An advisor was available to explain the plans by contacting the Roads Department on (066) 7183588.

Plans and particulars of the proposed development were available for purchase, on payment of a specified fee not exceeding the reasonable cost of making such as copy.

Submissions or observations with respect to the proposed development dealing with proper planning and sustainable development of the area were invited before **5.00 p.m. on Wednesday, 7th July 2021.**

2.3 RELEVANT DEVELOPMENT PLAN POLICIES / OBJECTIVES / STRATEGIES

Kerry County Development Plan 2015-2021

The R551 is a regional road linking Tralee, Ardfert, Ballyheigue, Ballybunion and Tarbert. The Kerry County Development Plan affirms the importance of these route and other regional roads in the county.

These routes are of vital importance, linking the national roads with the towns and villages and remaining rural areas within the county. It is the policy of the plan to continue the ongoing upgrading, strengthening and improvement works on all regional & local roads in a sustainable manner in accordance with the objectives of this plan and in compliance with the annual roads programmes.

Kerry County Council Tourism Strategy 2016-2022

The County Kerry Tourism Strategy states that continued growth is dependent on adequate investment in infrastructure. Banna Cross is on the main route to Banna Beach, one of the leading family holiday destination in Kerry and is itself a Wild Atlantic Way Discovery Point.

Kerry Local Economic & Community Plan 2016-2021

The Kerry Local Economic & Community Plan 2016-2021 seeks to develop and implement an annual roads works programme for the county and invest available resources to maximise the impact on the road network links

3. PERSONS OR BODIES WHO MADE SUBMISSIONS OR OBSERVATIONS WITHIN THE PRESCRIBED PERIOD

1. Garda Síochána, Ardfert Garda Station
2. Geological Survey Ireland
3. Irish Water
4. Anne Lawlor

3. ISSUES RAISED, WITH RESPECT TO THE PROPER PLANNING AND DEVELOPMENT OF THE AREA, BY PERSONS OR BODIES WHO MADE SUBMISSIONS OR OBSERVATIONS AND MANAGER'S RESPONSE AND RECOMMENDATIONS

Submission No. 1: An Garda Síochána, Ardfert Garda Station

Summary of Issues:

I have viewed the drawings attached to this correspondence and do not have any observations or recommendations other than these road improvement works are welcome and necessary. Sight distance is poor coming from the local road onto the regional road which necessitates edging out onto the regional road and this is not ideal. I have dealt with accidents at this location in the past and hope that these works reduce the number of them and increase road safety.

Manager's Response:

- Noted

Submission No. 2: Geological Survey Ireland

Summary of Issues:

Geological Survey Ireland would encourage use of and reference to their datasets. They provided a list of their publicly available datasets that may be useful to the environmental assessment and planning process.

They recommend that Kerry County Council review this list and refer to any datasets it considers relevant to its assessment.

Manager's Response:

Noted and will be taken into account

Kerry County Council will carry out the design and construction of the proposed road to best practice standards and will consult all available databases throughout the design and construction processes.

Submission No. 3: Irish Water:

1. Irish Water does not permit any build over of its assets and separation distances as per Irish Waters Standards Codes and Practices must be achieved. Prior to commencement the applicant must engage with Irish Waters Diversion section to ensure appropriate protection of our assets during and post construction.
2. Where the applicant proposes to connect to public water/wastewater mains operated by Irish Water, the applicant shall sign a connection agreement with Irish Water prior to the commencement of the development and adhere to the standards and conditions set out in that agreement.
3. All development shall be carried out in compliance with Irish Water Standards codes and practices.
4. Any proposals by the applicant to divert or build over existing water or wastewater services shall be submitted to Irish Water for written approval prior to works commencing.
5. Separation distances between the existing Irish Water assets and proposed structures, other services, trees, etc. have to be in accordance with the Irish Water Codes of Practice and Standard Details.

Manager's Response:

Noted and will be taken into account

A connection to the public water/wastewater mains is not required.

Kerry County Council will continue to engage with Water Services as may be required throughout the scheme.

Submission No. 4: Anne Lawlor

Concernes raised that the speed of the traffic coming from Ballyheigue will impact on one's ability to exit private driveway. Queried if Traffic Calming measures were being included as a part of the scheme.

Manager's Response:

The scheme is located within an 80 km/h speed limit. An increase in the speed of traffic travelling from Ballyheigue is not anticipated and the scheme will significantly improve sight distance when exiting from the property referred.

While the scheme is not a Traffic Calming Scheme, improved advanced signage will be included on all approaches to the junction as a part of the scheme.

4 EVALUATE THE PROPOSED DEVELOPMENT WITH RESPECT TO THE PROPER PLANNING AND SUSTAINABLE DEVELOPMENT OF THE AREA

- Determination Statements (Attached in Appendix A) have been made by the Planning and Sustainable Development Section of the Council. It concludes that the project does not require an Environmental Impact Assessment. It also concludes that a screening report was prepared which confirms that this project will not have any significant effects on a Natura 2000 Site and as such, a Stage 2 Appropriate Assessment /Natura Impact Statement is not required.
- It is considered that the proposed development is substantially below the (mandatory) thresholds for EIA and is in accordance with the provisions of the Kerry County Development Plan 2015-2021 and is in accordance with the proper planning and sustainable development of the County.

5. RECOMMENDATIONS/AMENDMENTS

Having considered the proposed development regarding Section 179 of the Planning and Development Act 2000-2020, the proposal is considered to be in accordance with the proper planning and sustainable development of the county.

It is considered that the proposed development is in accordance with the provisions of the Kerry County Development Plan 2015-2021 and is in accordance with the proper planning and sustainable development of the area.

The Local Authority has concluded that an EIA (Environmental Impact Assessment) is not required. The Local Authority has concluded that an AA (Appropriate Assessment) is not required.

It is recommended to proceed with the proposed development without modifications.

John Breen
A/Municipal District Manager
Tralee Municipal District

APPENDICES

APPENDIX A

Conclusion Statement

APPENDIX B

Part 8 Drawings

Cllr. J. Finucane proposed the approval of the Safety Improvement Works on the R551 at Banna Cross and stated that this will make the junction much safer and was welcomed.

Cllr. C. Foley seconded this and stated that it was long overdue.

Cllr. D. Ferris stated that this was going to make a huge difference, especially with the improved sightlines.

Mayor J. Wall stated that this will make a huge difference to the safety of the junction.

Cllr. T. O' Brien stated that this is a very dangerous junction and he concurred with the sentiments of the previous speakers. It is long overdue and welcome news.

Cllr. S. Locke stated it was long overdue and welcomed the works.

On the **PROPOSAL of Cllr. J. Finucane and SECONDED by Cllr. C. Foley** it was agreed to approve the Chief Executive's Report and Recommendations in accordance with Section 179 (3) of the Planning and Development Acts 2000 – 2020 and Part 8 of the Planning and Development Regulations 2001-2021 for Safety Improvement Works on the R551 at Banna Cross as circulated.

(For) – Cllrs. Ferris, Finucane, Foley, Locke, O'Brien, Sheehy, Wall, (7)

(Against) – (0)

(Absent) – (0)

The Mayor declared the vote CARRIED.

Any Other Business

The Elected Members were given an update from Mr. F. Hartnett on the Ardfert Housing development and advised that water connections were now completed, and keys should be available by the final week in July.

The Elected Members were advised that Kerry County Council were in the process of purchasing Locke's Shop on Mitchels Road and a Part VIII would be presented to the Members in due course.

The Elected Members were advised that works would commence next Monday on the replacement of 800m of cast iron pipework in the Oakpark Rd area. The proposed start time for bringing in materials is 9.30am. At the weekend all traffic management will be removed. During the August Bank holiday weekend there will be restrictions on the Friday. The contractor cannot commence works prior to 7am.

Cllr. J. Finucane stated that this was welcome news and added that there had been confirmation from the Minister regarding the allocation of funding for the Oakfield

Square works and requested that a program be put in place to complete these works.

Cllr. J. Finucane added that the inertia around a decision on the Courthouse could not be tolerated any more and needs to be brought to a swift conclusion. All parties now have to go to the courthouse in Limerick and this is not a sustainable solution. Cllr. Finucane suggested that the Court Service in conjunction with Kerry County Council need to make a final decision and advise the Elected Members on a timeframe for same.

Cllr. T. O' Brien stated that he concurred with Cllr. Finucane on the situation with the Courthouse. Someone needs to make a decision so that this can be moved forward.

Cllr. T. O' Brien stated that it was important to have a strong presence of signage coming down into the roadworks on the Oakpark Road and asked Mr. C. Nagle when were the works in the Canal area due to start as it was his understanding that they were to have already started.

In reply Mr. C. Nagle stated that at this time no contract had been signed but that he was hopeful of a start date of mid-August.

Cllr. T. O' Brien asked if the Rowing Club could be advised of this information as they had stopped using the area. They could possibly have the use of it for another 3 weeks.

Cllr. D. Ferris stated that it was great to see the issue surrounding the houses in Ardfert was drawing to a conclusion and thanked Kerry County Council for their continued contact with Irish Water to get this resolved.

Cllr. S. Locke stated that he welcomed the works in Oakpark, added that these works were long overdue and requested that contact be made with Irish Water regarding and emergency supply of water for those houses affected by the works.

Cllr. S. Locke stated that the issue of the Courthouse needed some form of conclusion as it was going on for far too long. Cllr. Locke welcomed the update on the Housing in Ardfert.

Mayor J. Wall stated that there had been a lot of positive news from today's meeting.

Mr. J. Breen thanked the Cllrs for their consideration and approval of the Part VIII's as presented and advised that he would bring back the concerns raised by the Cllrs to the Chief Executive, Ms. Murrell.

Mr. Breen advised that there was a meeting scheduled for today with Irish Water and he would bring back any concerns raised at the meeting with regard to Irish Water matters as they do not now fall under the remit of Kerry County Council.

The meeting concluded at 10.00a.m.

Mr. P. Corkery
Meetings Administrator

Cllr. T. O' Brien
Mayor of the Municipal District of Tralee