



An  
Bord  
Pleanála

**Board Order  
PL 93.248811**

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## **Planning and Development Acts 2000 to 2017**

**Planning Authority: Waterford City and County Council**

**Planning Register Reference Number: 16/701**

**Appeal** by James O'Sullivan care of Tomás O'Donoghue of 12 Booterstown, Dunmore Road, Waterford against the decision made on the 8<sup>th</sup> day of June, 2017 by Waterford City and County Council to grant subject to conditions a permission to J and B Neville Construction Limited care of Patrick Halley and Associates of Burchall House, Parnell Street, Waterford.

**Proposed Development:** Construction of three number two-storey four bedroom detached houses, four number two-storey four bedroom semi-detached units, 50 number two-storey three bedroom semi-detached units, 32 number two-storey two bedroom terraced/end terrace units, one number terraced block containing two number three bedroom units and two number two bedroom units, three number three-storey blocks containing eight number one bedroom units, 12 number two bedroom units and four number three bedroom units (total: 117 number units) together with all associated site works at Knockboy, Waterford.

## **Decision**

**REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.**

## **Matters Considered**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## **Reasons and Considerations**

1. Having regard to the lack of permeability for pedestrians and cyclists and to the poor quality of the residential layout and design, which is in conflict with the Design Manual for Urban Roads and Streets and the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas issued by the Department of the Environment, Heritage and Local Government in May, 2009, it is considered that the proposed development would seriously injure the residential amenities of the area and the residential amenities of future occupants, would contravene these Ministerial Guidelines and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. On the basis of the information provided with the planning application and the appeal, and in particular having regard to the uncertainties regarding the adequacy of the sewerage proposals for the development, and the in-combination effects of sewage overflows from this and other residential developments in the area, and in the absence of a Natura impact statement, the Board cannot be satisfied that the proposed development individually, or in combination with other plans or projects, would not be likely to have a significant effect on the Lower River Suir Special Area of Conservation (Site Code: 002137) in view of the site's conservation objectives. In such circumstances, the Board is precluded from granting permission.

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**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this      day of      2018**