



Planning and Development Acts 2000 to 2022

Planning Authority: Waterford City and County Council

Planning Register Reference Number: 22/80

APPEAL by Bart Zdrojowy, Chairman of The Drive, Kill Saint Lawrence Residents Association, 101 The Drive, Kill Saint Lawrence, Waterford and by Johnjoe and Angela Hodgers of 115 The Drive, Kill Saint Lawrence, Airport Road, Waterford and by Others against the decision made on the 20th day of September, 2023 by Waterford City and County Council to grant subject to conditions a permission to S & K Carey Limited care of Peter Thomson Planning Solutions of 4 Priory Grove, Kells, County Kilkenny.

Proposed Development: Construction of 99 number dwellings comprising of: (i) six number two-storey, three-bedroom semi-detached units with optional sunroom and attic conversion (House Type A1); (ii) six number two-storey, three-bedroom semi-detached units with optional sunroom and attic conversion (House Type A2); (iii) six number two-storey, three-bedroom end of terrace units with optional sunroom and attic conversion (House Type B1); (iv) three number two-storey, four-bedroom mid-terrace units with optional sunroom and attic conversion (House Type B2); (v) four number single-storey, three-bedroom detached units (House Type C1); (vi) eight number two-storey, three-bedroom end of terrace units with optional sunroom and attic conversion (House Type D1); (vii) 12 number two-storey, two-bedroom mid-terrace units

(House Type D2); (viii) two number two-storey, three-bedroom semi-detached units with optional sunroom and attic conversion (House Type E1); (ix) two number two-storey, three-bedroom semi-detached units with optional sunroom and attic conversion (House Type E2); (x) 28 number two-storey, three-bedroom terraced units with optional sunroom and attic conversion (House Type F1); (xi) three number two-storey, three-bedroom end of terrace units (House Type G1); (xii) three number two-storey, two-bedroom mid-terrace units (House Type G2); (xiii) six number two-storey, two-bedroom mid-terrace units (House Type G3); (xiv) three number two-storey, three-bedroom end of terrace units (House Type G4); (xv) two number two-storey, three-bedroom semi-detached units with optional sunroom and attic conversion (House Type H1); (xvi) two number two-storey, three-bedroom semi-detached units with optional sunroom and attic conversion (House Type H2); (xvii) one number two-storey, three-bedroom end of terrace unit with optional sunroom and attic conversion (House Type I1); (xviii) one number two-storey, four-bedroom mid-terrace unit with optional sunroom and attic conversion (House Type I2); (xix) one number two-storey, three-bedroom end of terrace unit with optional sunroom and attic conversion (House Type I3). The proposed development will include pedestrian access, vehicular entrance and alterations to public footpath from public road; carparking spaces; bicycle parking area; public open space; foul and surface drainage; street lighting; landscaping; boundary treatments; alterations of site levels and all ancillary site development works necessary to facilitate the development all at R708 Killure Road, Kilcohan, Waterford as revised by the further public notices received by the planning authority on the 14th day of June, 2022.

Decision

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



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Reasons and Considerations

Having regard to the residential zoning objective for the site, the current provisions of the Waterford City and County Development Plan 2022-2028, in particular policy H 02 and Section 3.2 of Volume 2, and the provisions of the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009) issued to planning authorities under section 28 of the Planning and Development Act, 2000, as amended which are referenced in aforementioned Policy H 02 and Section 3.2, it is considered that the proposed development would not be developed at a sufficiently high density to provide for acceptable efficiency in land usage given the proximity of the site to established social and community facilities in the vicinity and connectivity to the City centre and would not conform to the minimum densities of 35-50 units per hectare on outer suburban/greenfield sites in Cities and Larger Towns as recommended in the Guidelines. The proposed development would, therefore, be contrary to policy H 02 of the Waterford City and County Development Plan 2022-2028, would set an undesirable precedent for residential development in the area and would be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board noted the concerns raised by the Inspector in respect of the density which the Inspector considered could be overcome by the density likely to arise from the overall development of the wider lands. The Board considered that the proposed development should not rely on future development to comply with minimum residential density provisions, and at just under 30 units per hectare, the Board considered that the development as proposed would not provide a sufficiently sustainable density for this serviced site and could set an inappropriate precedent in the area. The Board considered in particular that the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009) state that densities of less than 30 dwellings per hectare are generally discouraged in the interest of land efficiency particularly on sites in excess of 0.5 hectares.

The Board had further reservations in respect of the layout and design of the proposed development, which it considered incorporates an unsatisfactory configuration of parallel roads and cul-de-sacs. Furthermore, notwithstanding that the proposal was stated to be phase 1 of a larger development area, the Board had concerns as to the extent of development proposed within the current application which provides for parts of open spaces and parts of terraces of dwelling units. However, given the substantive reason for refusal outlined above, it was decided not to pursue these matters in the current application.



Una Crosse

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board

Dated this *8th* day of *December* 2023