



An  
Bord  
Pleanála

**Case Reference:  
ABP-308915-20**

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## **Planning and Development (Housing) and Residential Tenancies Act 2016**

### **Notice of Pre-Application Consultation Opinion**

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**Proposed Development: 218 no. residential units (176 no. houses, 42 no. apartments), creche and associated site works.**

**Duckspool, Dungarvan, Co. Waterford.**

An Bord Pleanála has considered the issues raised in the pre-application consultation process and, having regard to the consultation meeting and the submission of the planning authority, is of the opinion that the documents submitted with the request to enter into consultations require further consideration and amendment to constitute a reasonable basis for an application for strategic housing development.

An Bord Pleanála considers that the following issues need to be addressed in the documents submitted that could result in them constituting a reasonable basis for an application for strategic housing development:

#### **1. Surface Water Drainage and Flood Risk**

Further consideration / justification of the documents as they relate to the issue of surface water drainage and flood risk, with regard to:

- A Site Specific Flood Risk Assessment (FRA) in accordance with the requirements of the Planning System and Flood Risk Management Guidelines for

Planning Authorities, to address in particular any potential downstream impacts or impacts on lands outside the development site.

- The applicant is advised to take any previous flood risk assessments or modelling for these lands carried out by Waterford City and Council Council into consideration in the preparation of the FRA.
- A Justification Test (if required) for any residential development within Flood Zones A and B at the development site, as per The Planning System and Flood Risk Management Guidelines for Planning Authorities.
- Detailed treatment of the wetland on the eastern side of the site and of adjoining watercourses, including riparian zones, such that there is no increase in flood risk, with regard to relevant guidance provided in the Inland Fisheries Ireland document 'Planning for Watercourses in the Urban Environment'.
- Detailed surface water drainage proposals for the development, to include SUDS measures where possible, and attenuation proposals with full details of proposed outfall rates, to be integrated where possible with the proposed roads design and landscaping scheme. The surface water management proposals should be considered in tandem with the FRA and specifically relate to an appropriate flood risk assessment that demonstrates that the development proposed will not increase flood risk elsewhere and, if practicable, will reduce overall flood risk
- Landscaping scheme to provide details of the treatment of riparian zones and wetland areas within the site, along with biodiversity corridors.
- Detailed site layout and cross sections of the development, to indicate any flood zones present at the development site based on the modelling in the SSFRA.
- The applicant is advised to consult further with Waterford City and County Council Drainage Section in relation to these matters in advance of lodging an application.

The further consideration of this issue may require an amendment to the documents and/or design proposals submitted relating to the design and layout of the proposed development.

## **2. Land Use Zoning**

Further consideration and justification of the proposed development of lands zoned 'R2 Residential Low' and 'R3 Residential Phased' at the development site with regard to the core strategy and the phasing provisions of the development plan. The submitted documentation in this regard should address higher level planning policy, including the adopted RSES for the region. Any references to the circumstances of Dungarvan, including those relating to the availability or otherwise in the town of housing and development land, employment, commercial or social services, should be based on verifiable facts. The prospective applicant should satisfy itself that any application complies with section 8(1)(iv)(II) of the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended, regarding the material contravention of the provisions of the development plan other than zoning.

In addition, the prospective applicant is advised to consider incorporating the 'R1 Residential' zoned lands to the east of the site into the proposed development, within the redline boundary, and / or the inclusion of an indicative masterplan within the documentation at application stage, which provides for the future development of the R1 zoned lands. There should be no preclusion of future developments or undue impacts at adjoining R1 zoned lands.

Furthermore, Pursuant to article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is hereby notified that, in addition to the requirements as specified in articles 297 and 298 of the Planning and Development (Strategic Housing Development) Regulations 2017, the following specific information should be submitted with any application for permission:

1. Where the applicant considers that the proposed strategic housing development would materially contravene the relevant Development Plan or Local Area Plan, other than in relation to the zoning of the land, a statement indicating the plan objective(s) concerned and why permission should, nonetheless, be granted for the proposed development, having regard to a consideration specified in section 37(2)(b) of the Planning and Development Act 2000. Notices published pursuant

to Section 8(1)(a) of the Act of 2016 and Article 292 (1) of the Regulations of 2017, shall refer to any such statement in the prescribed format.

2. A site plan showing the layout of the proposed development in relation to the various zonings that apply to the site.
3. Housing Quality Assessment with regard to the standards set out in the Sustainable Urban Housing Design Standards for New Apartments Guidelines for Planning Authorities.
4. Building Lifecycle Report.
5. Existing and proposed ground levels across the site. Detailed cross sections indicating proposed FFL's, boundary treatments, road levels, open space levels, SUDS measures, etc. relative to each other and relative to adjacent lands and structures. Also topographical details and cross sections to indicate the relationship between the development and adjacent watercourses and wetlands with regard to the protection of riparian zones as required by development plan policy.
6. A site layout plan showing which, if any, areas are to be taken in charge by the planning authority.
7. Traffic and Transport Impact Assessment, to be prepared in consultation with Waterford City and County Council and to include consideration of (i) mobility management and public transport currently available in the area; (ii) potential impacts on relevant local road junctions; (iii) cumulative impacts with traffic associated with nearby schools and residential areas.
8. Rationale for proposed parking provision with regard to development plan parking standards and to the 'Sustainable Urban Housing Design Standards for New Apartments – Guidelines for Planning Authorities' (2018). The proposed car and cycle parking provision should include areas designated for parking or drop off purposes associated with the childcare facility.
9. Stage I Road Safety Audit
10. Landscape and Visual Impact Assessment with photomontages and CGIs of the proposed development, to include, inter alia, consideration of visual impacts on the Waterford Greenway, on adjacent residential areas and on any sensitive or designated views / prospects in the vicinity, with regard to relevant development plan landscape designations
11. Comprehensive landscaping scheme for the entire site to include (i) tree Survey, Arboricultural Report and Impact Assessment, to provide a detailed survey of trees

and hedgerows at the development site and assessment of the quality and quantity of the specimens to be removed, along with measures to protect trees and hedgerows to be retained during construction; (ii) rationale for proposed public open space provision for the housing development, to include an open space hierarchy, details of play areas and detailed layouts for the public open spaces; (iii) detailed proposals for the treatment of wetlands within the site and/or any interface with adjacent wetlands or watercourses, to include ongoing maintenance and management, ecological impacts and consideration of biodiversity enhancement measures and (iv) additional landscaping details including details of hard and soft landscaping, play equipment (if provided), boundary treatments, delineation of public and communal open space provision, pedestrian and cycle facilities, public lighting, car and cycle parking areas and refuse storage areas.

**12.**A draft Construction Waste Management Plan, draft Construction and Environmental Management Plan and a draft Operational Waste Management Plan.

**13.** Ecological Impact Statement.

**14.** AA screening report or Natura Impact Statement, as per the guidance provided by WCCC Heritage Officer.

**15.** The information referred to in article 299B(1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2018 should be submitted as a standalone document.

Also, pursuant to article 285(5)(a) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is informed that the following authorities should be notified in the event of the making of an application arising from this notification in accordance with section 8(1)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016:

1. Irish Water
2. National Transport Authority
3. Transport Infrastructure Ireland
4. The Minister for Housing, Local Government & Heritage
5. An Taisce – the National Trust for Ireland

6. An Chomhairle Ealaíon
7. Fáilte Ireland
8. The Heritage Council
9. Inland Fisheries Ireland
10. Waterford County Childcare Committees

**PLEASE NOTE:**

Under section 6(9) of the Planning and Development (Housing) and Residential Tenancies Act 2016, neither the holding of a consultation under section 6, nor the forming of an opinion under that section, shall prejudice the performance by the Board, or the planning authority or authorities in whose area the proposed strategic housing development would be situated, of any other of their respective functions under the Planning and Development Acts 2000 to 2016 or any other enactment and cannot be relied upon in the formal planning process or in legal proceedings.

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Tom Rabbette  
Assistant Director of Planning  
April, 2021