

An
Bord
Pleanála

Record of Meeting ABP-302493-18

Case Description	318 no. residential units (170 no. houses, 148 apartments/maisonettes) and all associated site works. Knockboy, Waterford, Co. Waterford.		
Case Type	Section 5 Pre-Application Consultation Request		
1st/2nd/3rd Meeting	1 st Meeting		
Date:	12 th October, 2018	Start Time	10.30 am
Location	Offices of Waterford City and County Council	End Time	12.10 pm
Chairperson	Tom Rabbette	Senior Executive Officer	Kieran Doherty

Representing An Bord Pleanála:

Tom Rabbette, Assistant Director of Planning
Lorraine Dockery, Senior Planning Inspector
Kieran Doherty, Senior Executive Officer

Representing Prospective Applicant:

Niall Harrington, Fewer, Harrington & Partners
Eamonn Power, Fewer, Harrington & Partners
Patricio Harte, Fewer, Harrington & Partners
Noel Green, Jackie Green Construction
Seamus O'Rourke, Muir Associates
Michelle O'Neill, Cluain Ecology

Representing Planning Authority

Hazel O'Shea, Senior Executive Planner
Brendan Cullinan, Executive Planner
Pat McCarthy, Senior Engineer Water Services
Jim Lenane, Water Services
Barbara Stosic, Roads & Transportation
Bernadette Guest, Heritage Officer

Introduction

The representatives of An Bord Pleanála welcomed the prospective applicant and introductions were made. The procedural matters relating to the meeting were as follows:

- The written record will be placed on the pre-application consultation file and will be made public, along with that file, should an application arise following the conclusion of this consultation process,
- ABP received a submission from the PA on 8th October 2018 providing the records of consultations held pursuant to section 247 and its written opinion of considerations related to proper planning and sustainable development that may have a bearing on the Board's decision,
- The consultation meeting will not involve a merits-based assessment of the proposed development,
- The meeting will focus on key site-specific issues at strategic overview level. Key considerations will be the proposed development in the context of the statutory development plan for the area and section 28 Ministerial Guidelines where relevant,
- Neither the holding of a consultation or the forming of an opinion shall prejudice the Board or the PA concerned in relation to any other of their respective functions under the Planning Acts or any other enactments and cannot be relied upon in the formal planning process or in legal proceedings.
- The Inspector dealing with the Pre-Application Consultation Request will be different from the one dealing with the application when submitted.

Agenda

1. Core Strategy and release of Phase 2 Order of Priority lands
2. Development strategy to include density, layout in the context of DMURS, open space, connectivity, crèche provision
3. Foul and Surface Water drainage, including flood risk assessment
4. Appropriate Assessment
5. Archaeology
6. Any other matters

1. Core Strategy and release of Phase 2 Order of Priority lands

ABP Issues:

- Previous refusal by ABP on the same site, Ref. No. PL93.248547, whereby ABP was not satisfied that the development of Phase 2 lands was appropriate in the absence of satisfactory evidence that all or majority of Phase 1 residential lands in the city were not available for development- advised submission of accurate, up-to-date Core Strategy Justification Statement which clearly addresses this issue- also advised showing consistency with provisions of City and County Development Plan in this regard

Prospective Applicant's Comments:

- A Core Strategy Justification Statement has been prepared
- Population of Waterford set to increase, in accordance with the National Spatial Strategy and National Planning Framework
- Adjacent lands were given a phase 1 designation due to an existing planning permission

Planning Authority's Comments:

- The current Development Plan will run to 2019 but is of its time
- The National Planning Framework predicts a 50-60% increase in the population of Waterford City and the surrounding area-projected population increases make Phase 2 lands now acceptable for consideration

ABP Comments:

- Full justification for the development of Phase 2 lands required
- Address issues raised in the refusal reason

2. Development strategy to include density

ABP Comments:

- The second refusal reason for Reg. Ref. PL93.248547 on this site concerns density and predominance of three and four bed detached and semi-detached properties
- Previous density was approximately 30 units/ha; current proposal is 35.7 units/ha
- Given location of site, 35-50 units may be considered an appropriate density for this site
- Any revisions to layout on foot of ABP Opinion may result in further increases in density

Prospective Applicant's Comments:

- Changes have been made to the development since the previous application
- Undulating topography is a challenge
- A wedge of green open space is required by the PA zoning

Planning Authority's Comments:

- There is competition from hinterland towns delivering low density housing

- High density sites may find it difficult to compete in the market

ABP Comments:

- Information on density in the local context can be submitted at application stage. However, the Board will also have regard to National Planning Policy as was the case in the previous refusal. Clearly indicated level of density required in previous reason for refusal.

3. Layout in the context of DMURS, open space, connectivity, crèche provision

ABP Issues:

- Village location and proximity to Waterford city centre arguably merits consideration of a stronger urban edge to the development, the open space at the front of the site may be considered more suburban in nature
- Contours of the site could be embraced in the layout and design; reference made to other SHD applications have been on sloping ground
- Hierarchy of roads should be addressed
- Provision of usable open space; some areas of open space dissected by roads and surrounded by parking; interface between private/communal and public open space; high walls; waste bin locations- all issues that advised to re-examine
- Cross-sections will be required and CGIs to show how the gradients will work
- Connectivity to adjoining lands important- advised to allow for connectivity through to adjoining zones lands and public open space- connecting roads should go to the site boundary, without ransom strips- reference to previous refusal on lands opposite PL93.248811
- Advised to examine possibility of providing double frontage duplex buildings- have been successful in other schemes

Prospective Applicant's Comments:

- There is a steep topography at the north-east boundary
- Existing hedgerows within the site boundary will remain
- The design will include a road to the boundary of the former McInerney lands

Planning Authority's Comments:

- Residents of the existing housing development to the north-west have requested a stronger boundary with the proposed development which adjoins their back gardens
- Retention of hedgerows
- Current parking standards are as a result of the amalgamation of authorities and should be relaxed

ABP Comments:

- Adhere to DMURS and the Urban Design Manual and associated 12 criteria
- Pathways should be overlooked for security
- Consider the nature of the area to the rear of duplex units
- Justification required to why there is no childcare facility proposed on site- advised to submit a Childcare Demand Report at application stage
- Demonstrate connectivity with the wider area with regard to regularity of buses serving the local bus stop and proximity of the local shops, school, creche, etc

4. Foul and Surface Water drainage, including flood risk assessment

ABP Comments:

- Previous refusal reason on this development site (PL93.248547) and on-site close by (PL93.248811)
- ABP have intrinsically linked this issue (drainage) with that of Appropriate Assessment and likely significant effects on Lower River Suir SAC
- Environmental report, SWO Discharge Report and Natura Impact Statement submitted and advised to submit at application stage
- Address previous reason for refusal; outline what infrastructural changes, if any, have occurred in the interim
- Clarification required that proposed drainage is acceptable in light of previous refusal on the site and on site in vicinity
- AA has been a basis for refusal in other Board decisions

Prospective Applicant's Comments:

- Irish Water's capacity has been confirmed
- Remedial works were done to the outfall at the time of the previous application
- Particular storm events caused previous overflows
- Combined systems are common

Planning Authority's Comments:

- Sewerage and surface water drainage is no longer an issue
- The use of a combined system can result in overflows if there are mechanical issues
- Storm water will be dealt with separately

ABP Comments:

- Application requires clarity and detail with regard to the adequacy of the sewerage and surface water drainage proposals
- Third party submissions may be received again
- All data and surveys must be submitted as there is no provision for FI.
- A site-specific flood risk assessment is also required given site sensitivity, site contours and history

5. Appropriate Assessment

ABP Comments:

- Applications have been refused on the issue of AA
- Clarity required in NIS, clearly set out steps followed; clear and concise;
- Follow Department guidelines in relation to AA
- Clarification required that proposed development is acceptable in light of previous refusal on site- demonstrate that proposal would not be likely to have a significant effect on Lower River Suir SAC, in view of the site's conservation objectives
- Include any supporting data or surveys
- Use of correct language
- Have regard to the refusal reasons for two decisions previously referred to

Prospective Applicant's Comments:

- Data and survey results are available

Planning Authority's Comments:

- The draft NIS appears to be robust

6. Archaeology

ABP Comments:

- Report received from Dept. of Culture, Heritage and the Gaeltacht suggesting submission of Archaeological Impact Assessment, with conditions attached

Prospective Applicant's Comments:

- An Architectural Impact Assessment has been completed

7. Any other matters

ABP Comments:

Advised to address the following issues at application stage:

- Taking in charge
- Landscaping
- Whether bats are present; submission of Ecological Survey
- School capacity study as proposal is for greater than 200 units
- Part V

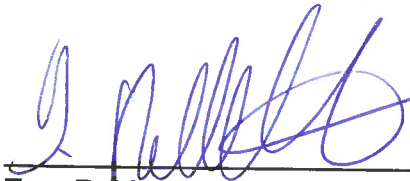
EIA Regulations 2018

- Site area is only just under the 10 hectares threshold
- Screening report required under Schedule 7A accordance with article 299B
- Board to carry out a preliminary examination
- Board makes a screening determination
- Board can refuse permission if an EIA is required but no EIAR submitted

8. Conclusion

The representatives of ABP emphasised the following:

- There should be no delay in making the planning application once the public notice has been published
- Sample notices, application form and procedures are available on the ABP website
- Irish Water would like prospective applicants to contact Irish Water at cdsdesignqa@water.ie **between the Pre-Application Consultation and Application stages**, to confirm details of their proposed development and their proposed design.
- The email address to which applicants should send their **applications** to Irish Water as a prescribed body is spatialplanning@water.ie



Tom Rabbette
Assistant Director of Planning
31st October 2018

