



An
Bord
Pleanála

Inspector's Report ABP-302598-18

Development	Redevelopment of GAA sports ground.
Location	Walsh Park/Páirc an Bhreatnaigh, Keane's Road/Slievekeale Road, Waterford.
Planning Authority	Waterford City & County Council
Planning Authority Reg. Ref.	18/448
Applicant(s)	Waterford County GAA Board
Type of Application	Permission
Planning Authority Decision	Grant permission
Type of Appeal	Third Parties
Appellant(s)	Belvedere Manor Resident's Assoc. Colm Dunphy
Observer(s)	None
Date of Site Inspection	5 th December 2018
Inspector	Michael Dillon

1.0 Site Location and Description

- 1.1. The site, with a stated area of 2.753ha, comprises a GAA sports ground (Walsh Park/Páirc an Bhreatnaigh), located within the western suburbs of Waterford City. There is a single playing pitch on the site, flanked by a part-covered stand to the south, and hard-core viewing terraces (2-5m high) on the other three sides. There is a clear view from these terraces into the rear gardens of houses to the north and east of the sports ground. There are some single- and two-storey accommodation buildings in the northwestern, southeastern and southwestern corners of the site. Vehicular and pedestrian access is from both the Slievekeale Road and Keane's Road – via turnstiles and gates. The elevated score board is located in the northeastern corner of the sports ground.
- 1.2. To the south, the site abuts Slievekeale Road – the boundary with which is a 3m high, old stone wall; together with the associated wall of the southern stand. There is a 2.0m wide footpath on Slievekeale Road. There is a primary school, commercial premises and undeveloped land on the opposite side of the road – on which there is one signal-controlled pedestrian crossing. To the west, the site abuts Keane's Road – the boundary with which is a 2.5m high, timber hoarding of recent construction, and a concrete wall. There is a 1.5m wide footpath on Keane's Road. The Tycor Waterworks are located on the opposite side of the road, together with an industrial complex. To the north, the site abuts the side boundary wall of the curtilage of no. 36 Keane's Road and the rear garden curtilages of terraced houses on Griffith Place – all of which are two-storey: the boundary treatment is a mixture of walls and fences of varying height. To the east, the site abuts the rear garden curtilages of terraced houses on Ard na Gréine and the side boundary wall of the curtilage of no. 79 Slievekeale Road – all of which are two-storey: the boundary treatment is a 3m high mass-concrete retaining wall; with a 3m high concrete block wall on the boundary of no. 79.

2.0 Proposed Development

- 2.1. Permission sought on 3rd July 2018, for redevelopment of Walsh Park sports ground as follows-

- Demolition of all buildings on site (700m²) – with the exception of the southern stand.
- Demolition of boundary walls on Keane’s Road and Slievekeale Road.
- New western boundary wall (2.8m high) – complete with turnstile housings, ticket office, disabled access points and exit gates.
- New western terrace – covered.
- New sanitary and concession accommodation at western end.
- New, seated, northern terrace – uncovered.
- New 2m high northern boundary wall.
- New, seated, northeastern terrace – uncovered.
- New sanitary accommodation in northeastern corner of site.
- New two-storey dressing-room/administration building at eastern end of site.
- New sanitary and concession accommodation in southeastern corner of site.
- New southern boundary wall in southeastern corner, with turnstile housing, ticket office and exit gates.
- On-site parking for 2 coaches and 16 cars (access from Slievekeale Road).
- Surface water discharge (via 3 no. attenuation tanks of 160m³, 120m³ and 130m³ respectively), with throttled outfall to public sewers in Slievekeale Road and Keane’s Road.
- Foul drainage discharged to existing public sewers in Slievekeale Road and Keane’s Road.
- Water supply from existing 150mm and 500mm diameter public mains on Slievekeale Road and Keane’s Road.
- Signage on western stand – addressing Keane’s Road.
- Increase in stadium capacity from 11,350 to 16,000.

2.2. The application is accompanied by the following documentation of note-

- Engineering Report: Rev. A – dated 28th May 2018.

- Series of 9 no. coloured, A3-size, axonometric drawings of the proposed development.

3.0 Planning Authority Decision

By Order dated 23rd August 2018, Waterford City & County Council issued Notification of decision to grant planning permission subject to 13 no. conditions – the principal ones of which are summarised as follows-

1. Development to be carried out in accordance with plans and particulars received on 3rd July 2018.
2. All uses hereby permitted shall be ancillary to the principal use of the development site as a sports facility.
3. Relates to submission of a Construction Management Plan.
4. Requires submission of schedule of external finishes; for agreement of the Council.
5. Requires submission of a landscaping plan; to include the embankments to the rear of terraces/stands.
6. Relates to signage.
9. Relates to submission of a Mobility Management Plan.
11. Relates to agreement for surface water discharge to a point 100m to the south, at Manor Lawn.

4.0 Planning History

Ref. 06/500015: Permission granted by Waterford City Council to redevelop grounds in May 2006. The development was never carried out.

5.0 Policy Context

5.1. Development Plan

The relevant document is the Waterford City Development Plan 2013-2019.

- The site is zoned 'Open Space' – "To preserve and provide for recreational uses, open space and amenity facilities". Within this use class the following uses are allowed- "Burial grounds, Club houses and associated facilities, car parks, kiosks, open space, public service installations, allotments, recreational buildings including stands and pavilions, sports clubs, telecommunications structures and equipment".
- There is a proposal to provide cycle lanes along Keane's Road and Slievekeale Road.
- Section 13.24 of the Plan deals with car-parking standards, whilst section 13.27 deals with cycle parking.

5.2. Natural Heritage Designations

The site is located neither within nor immediately abutting any natural heritage designations. The closest European site is the Lower River Suir SAC (Site code 002137) – located some 1.1km to the north (as the crow flies).

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. There are two 3rd Party appeals: from Belvedere Manor Resident's Association, and from Colm Dunphy, 4 Fairfield Close, Belvedere Manor (both received by An Bord Pleanála on 19th September 2018). The relevant planning considerations can be summarised in bullet point format as follows-

- Further increases in spectator capacity are not welcomed. The site is already overdeveloped. The second named appellant was not consulted prior to lodgement of the application. The applicant has not consulted sufficiently with local people and groups. Residents would prefer a new green-field site for inter-county events. The site of the Waterford Crystal factory is located 650m from Walsh Park, and would be a more suitable site for the GAA.
- The parking requirements of the City Development Plan seem to have gone unheeded. There are no traffic management plans in place for large events.

- An environmental impact assessment should have been carried out.
- Road closures are necessary in order for the stadium to function for large games. This facilitates queueing from turnstiles out onto the roads and the parking of mobile broadcasting units.
- 2 coach-parking and 16 car-parking spaces within the grounds is insufficient. Green areas at Manor Lawn & Roanmore Crescent become mud pits on match days, with indiscriminate parking. The applicant could offer to erect a fence around these green areas, to prevent unauthorised parking. Park & Ride facilities should be provided by the GAA for supporters. Roadblocks and road closures have been effective in controlling traffic around the stadium, but have pushed these issues further away and out of sight. Signage is needed by the Council to prevent unauthorised parking. The problem does not occur just with inter-county games, but with local games also. Waterford City Development Plan 2013-2019 requires 1 parking space per 15 seats plus 1 coach parking space per 500 spectators. This would require 32 coach-parking spaces. For a capacity of 16,000 spectators – 1,066 car-parking spaces would be required. For the sports club element of the development (5 car-parking spaces per 100m² are required – resulting in an additional requirement for 293 spaces. Out of every 100 parking spaces, two are required for those with mobility impairment. Parking spaces would be required for 355-453 bicycles. As the site cannot meet these standards – it is clearly developed beyond capacity.
- Indiscriminate parking on match days forces pedestrians and wheelchairs to use the roads, as footpaths are blocked by parked cars.
- The site of the former Waterford Crystal factory could facilitate match parking.
- The Garda does not have the manpower to implement an appropriate traffic management plan – especially on Sundays. There are no concrete plans in place for parking away from the stadium at existing car-parks.
- There is no event or organisational management. Condition 9 of the Notification of decision to grant permission is not worded strongly, and will remain just an aspiration.

- It is difficult to establish just what the capacity of the stadium is – 6,000, 9,000 or 11,500 depending on which document is taken. It would seem that the current capacity is 8,000 – having been revised downwards from 11,350, due to unsafe banks and retaining walls (recently removed at the western side of the grounds – Keane’s Road).
- The pitch on site is not large enough – and should be extended to the size of Croke Park or Páirc Uí Chaoimh.
- The applicant was not required to pay a bond – to ensure that the development is completed in accordance with the conditions of the permission.
- Construction traffic should be required to use the pitch – so as to avoid unnecessary disruption to local residents.
- The GAA has not indicated that it will not use this stadium for concerts and other events. Condition 2 would appear to preclude such activities. Any such condition should explicitly rule out concerts.
- Condition 3 of the Notification of decision to grant planning permission required submission of a Construction Management Plan. No information, as requested, has been seen by the Belvedere Manor Resident’s Association.
- Condition 9 required submission of a Mobility Management Plan, which the Belvedere Manor Resident’s Association has not had sight of.

6.1.2. The second 3rd Party appeal is accompanied by an annotated, coloured, aerial photograph showing the appeal site relative to suggested parking solutions.

6.2. Applicant Response

6.2.1. The response of HWP, agent on behalf of the applicant, Waterford County GAA Board, received by An Bord Pleanála on 18th October 2018, can be summarised in bullet point format as follows-

- The response is accompanied by a Draft Traffic Management/Mobility Management Plan – as required by way of condition 9 of the Notification of

decision to grant planning permission, to meet some of the objections of the appellants. This has been prepared in consultation with An Garda.

- There has been considerable positive engagement with Waterford City South Combined Residents.
- The development will increase capacity from 9,000 to 16,000 spectators.
- Permission to redevelop the grounds in 2006 was never carried out, due to shortage of funds. The GAA looked at the possibility of developing a new stadium beside Waterford Institute of Technology in 2008/2009, but cost constraints prevented the project going forward.
- Neither of Waterford's GAA grounds (in the city or in Dungarvan) has the capacity to host a Munster senior inter-county championship game.
- The National Planning Framework supports the development and growth of cities like Waterford.
- The Board will note the national debate which took place approximately ten years ago in relation to relocating of stadia outside cities to 'greenfield' locations. The redevelopment of Walsh Park for housing would not be sufficient to fund a relocation to a 'greenfield' site. Such relocation would not be in the interest of the viability and vibrancy of the city. An Bord Pleanála has granted planning permission for the redevelopment of Lansdowne Road in Dublin, noting- "The Board was not satisfied that a more suitable site for a stadium can currently be provided, having regard to considerations of transportation, access and availability. The Board had particular regard to the long-established use of the Lansdowne Road site and its accessibility by public transport...". The Board, in granting planning permission, had regard to a wide number of factors including- existing use; access; proximity to public transport; zoning; need for a modern stadium; design; arrangements for access/egress; and planned mitigation measures. The Board will further note a more recent precedent in the redevelopment of Páirc Uí Chaoimh in Cork – regard being had to similar calculations as in the case of Lansdowne Road. Whilst these cases relate to much larger proposals, the fundamentals remain the same in relation to redevelopment of existing stadia.

- Walsh Park has been on this site for over 100 years.
- There is good-quality public transport in this area.
- The grounds are within walking distance of the city centre (train station and bus station).
- Waterford GAA Board will put in place a series of agreements to provide off-street, match-day parking at a number of appropriate locations within easy walking distance of Walsh Park.
- The Traffic Management Plan will be regularly updated.
- The need for EIA was screened out by Waterford City & County Council. The proposed development falls within the class – ‘Infrastructure Projects’. While the site is located within the built-up area of Waterford city, it is not located within the central business district. Therefore, the threshold is 10ha. The area of the site is 2.75ha.
- Waterford GAA Board currently has no plans to hold extra events, and has no objection to condition no. 2 of the Notification of decision to grant permission. Any events which are not considered ancillary to the principal use will require permission or consent through the licensing system.
- The current situation, whereby Waterford’s ‘home’ Munster hurling championship games have to be played outside the county, is unsustainable.

6.2.2. The response is accompanied by a Traffic Management/Mobility Management Plan, prepared by MHL & Associates – dated 17th October 2018, which can be summarised in bullet point format as follows-

- The Council required traffic/mobility management for attendances of <5,000; 5,000-10,000; and >10,000.
- The maximum capacity of the stadium is 15,438.
- The stadium is served by bus routes 605 and 4C. The 3C bus route is located in close proximity to the stadium.
- The City is served by a number of inter-city routes from Cork (Dungarvan) and Dublin. The train station and bus station are a 20-minute walk from Walsh Park.

- The majority of games in Walsh Park have an attendance of between 100 and 1,000, and would be self-managing.
- GAA has agreements in place for parking at the following private car-parks (depending on the estimated attendance)-
 - Mount Sion GAA Club – 900 spaces.
 - Waterford Institute of Technology – 1,000 spaces.
 - Waterford RSC – 300 spaces.
 - Health Centre – 95 spaces (coach set-down).
 - Old Waterford Crystal site – 500 spaces now available.
 - Shopping Centre – 100 spaces.
 - City Centre car-parks.
- Whilst the majority of trips at present are by private car (approximately 75%), it is expected that improvements in public transport will increase usage of this means of getting to matches.
- A total of up of 450 bicycle parking spaces will be provided on the old Musgrave's site on Keane's Road, as demand requires.
- Car-parking for disabled drivers (minimum 40 spaces) will be available on the old Musgrave's site.
- Road closures at Keane's Road and Slievekeale Road will continue to be necessary. Barriers will be placed on other roads to ensure access for residents only – Skibbereen Road (Belvedere Manor), Leamy Street, Morrisson's Avenue, Tycor Avenue, Sexton Street, Griffin Place, Vincent White Road (Lisbuddan & Manor Lawn Estates).
- Volunteers will assist An Garda in implementing the Plan on match days.
- VMS on the M9 and M25 roads will be used to direct drivers to car-parks.

6.3. Planning Authority Response

None received.

6.4. Observations

6.4.1. An Bord Pleanála circulated the appeal to the following Prescribed Bodies for comment – on or before 26th November 2018-

- The Heritage Council.
- An Taisce.
- Development Applications Unit of Department of Culture, Heritage and the Gaeltacht.

6.4.2. There were no responses received.

6.5. Further Responses

6.5.1. The Traffic Management/Mobility Management Plan, submitted by the applicant, by way of response to the 3rd Party appeals, was circulated for comment by An Bord Pleanála to the other parties to the appeal; requesting comment on or before 26th November 2018.

6.5.2. The response of Belvedere Manor Residents Association and Colm Dunphy, both received by An Bord Pleanála on 26th November 2018, can be summarised in bullet point format as follows-

- City bus routes do not operate on Sundays. Bus 605 can only carry approximately 50 passengers.
- There is no formal agreement with regard to the Park & Ride proposal.
- There are no details given of taxi facilities.
- The Health Centre parking might facilitate up to ten coaches only. There is no turning space within this area. There is no written agreement.
- The Mount Sion GAA parking only amounts to approximately 100 spaces. If they intend to use the playing pitch for parking (for which there is no planning permission), this could affect the elderly living in the area. The access to the Mount Sion pitch is narrow and would become quickly congested. The pitch would not be suitable for parking in inclement weather. Local residents were not made aware that the area would be used as a car-park.

- There is no written confirmation that the GAA can use the parking areas listed. Waterford FC is busy at weekends. The potential for car-parking is greatly exaggerated – any with potential redevelopment, many of the areas could only be considered as temporary.
- The old Musgrave's site on Keane's Road is advertised for sale/lease/let. There is no guarantee that it will be available for disabled and bicycle parking.
- Table 4.1 indicates that there may be 11,360 cars attending matches with more than 10,000 spectators. The applicant has not even indicated 2,000 parking spaces. Most cars will have only one occupant.
- Smaller crowds of between 100 and 1,000 are not self-managing – with cars frequently abandoned on footpaths and on kerbs.
- An Garda does not have the personnel to manage large events.
- Late arrivals to matches abandon cars in dangerous places.
- There is no event manager in place for Walsh Park.
- Páirc Uí Chaoimh and Lansdowne Road are not similar-type developments – both located in larger cities. Waterford lacks the infrastructure of these cities.
- Closed roads on match days just forces traffic onto surrounding roads. Diverting traffic onto narrow roads is not the solution.
- There is no mention made of a Construction Traffic Report.
- The indication of parking spaces is incorrect, and no agreements/leases have been submitted. As parking is inadequate, Waterford City & County Council should have refused planning permission.
- The submission of a Draft Traffic Management / Mobility Management Plan is welcomed. Residents have not had sufficient time to study the document. The Plan directly impacts on a number of housing estates. Residents of these estates need to be informed of the proposals. However, this is only a 'Draft'. It appears to be for 'large' games only.
- The zoning of the site at Walsh Park is incorrect. It should be zoned Active Open Space (G4).

- There is a better site for the GAA at Carriganore.
- Only 68% of the capacity of the proposed development is seated.
- There is no rain cover for 32% of attendees.
- The character of the Walsh Park area is predominantly residential.
- The Waterford Crystal site does not have permanent planning permission for its training field to be used as a car-park: temporary permission only being granted for WIT staff and students. There are only 382 spaces at the Waterford Crystal site, and not 500, as claimed by the applicant.
- If car-parks are included, the area of the site exceeds 10ha, for EIA purposes.
- Future events at this stadium need to be excluded by way of legal covenant.
- No Park & Ride facilities have been proposed.
- Parking requirements of the Development Plan are minimum standards. It may be necessary to require a financial contribution in lieu of provision of parking spaces.
- WIT parking spaces are not available mid-week.
- The maximum capacity of the stadium at 15,438 is at odds with capacity stated elsewhere in the application to be 16,000.
- Only one 'Draft' plan has been submitted – and not three, as required by the PA for attendances of different scales.
- It would take 24 minutes to walk from the bus station to Walsh Park; and 26 minutes from the railway station.
- The Traffic Management Plan should be run by a competent event management company, and should not require the regular input of residents.

6.5.3. The response of Colm Dunphy is accompanied by a number of appendices-

- E-mail from applicant to GAA in relation to a recently-held meeting of Waterford City South Combined Residents, the GAA and An Garda.
- Highlighted extracts from the Waterford City Development Plan 2013-2019.
- Newspaper articles in relation to GAA grounds in Waterford.

7.0 Assessment

The principal issues of this appeal relate to traffic, parking, and impact on residential amenity.

7.1. Development Plan & Other Guidance

- 7.1.1. The Waterford City Development Plan 2013-2019, indicates that the site is zoned for open space use. Within this use class, sports grounds, club houses and associated facilities, car-parks, kiosks, recreational buildings including stands and pavilions, sports clubs are permitted. The proposed development involves the redevelopment of an existing sports ground, and is entirely in accordance with the zoning provisions of the Plan.
- 7.1.2. There is an objective in the Plan to provide cycle lanes along Keane's Road and Slievekeale Road. The proposed development will neither hinder nor promote such an objective.
- 7.1.3. Development Plan standards in relation to car-parking and bicycle-parking are addressed under the Access & Parking section of this Inspector's Report.

7.2. Principle of Development

- 7.2.1. The applicant makes reference to the recent redevelopment of Lansdowne Road and Páirc Uí Chaoimh sports grounds, in the context of retaining historical sports grounds within cities. The redevelopment of Walsh Park is in the best interests of the viability and vibrancy of the city. It is contended by a 3rd Party, that the developments are not comparable in terms of the availability of public transport. I would be satisfied that the situations are similar. Waterford may not have such a developed public transport system as Dublin and Cork; but Walsh Park is accessible on foot from the main train station and the bus station on the city quays. The capacity of Walsh Park is considerably below the capacity of Páirc Uí Chaoimh at 45,000, and Lansdowne Road at 51,000. I would note that the planning applications for the redevelopment of these two sports grounds did not involve significant increases in capacity.
- 7.2.2. Whilst the redevelopment of Croke Park/Páirc an Chrócaigh in Dublin is not referenced, I would be satisfied that the appropriate location for such county/national

sporting facilities is within urban areas, which have historical and associational connections with particular sports; are accessible by public transport; and are well-placed to utilise the amenities and facilities which only a city/large town can supply, in terms of pre-match and post-match needs, for those attending such sporting events. Whilst this may result in some nuisance and inconvenience for those who reside/work in the immediate area, the period of such inconvenience is limited, and relates to larger sporting fixtures only – which generally take place at weekends.

7.3. Layout & Design

- 7.3.1. The redevelopment of the site is constrained by its shape, and the proximity of houses to the north and east. The single pitch on the site will remain as is. The stand on the southern side of the pitch is to be retained. All other structures on the site are to be removed or remodelled. Access from both Slievekeale Road and Keane's Road will remain – with the principal vehicular access being in the southeastern corner, from Slievekeale Road.
- 7.3.2. The northern terrace is to be remodelled; and will provide seating capacity for 4,084. The eastern terrace to be remodelled; and will provide seating capacity for 384. The terrace is to be severely reduced in size, to facilitate the construction of the new, two-storey dressing-room/administration building. This building will have aluminium cladding roof. Walls will be of aluminium cladding and cement render. This building will replace the existing two-storey clubhouse in the northwestern corner of the sports ground. Toilet blocks will have cement render walls and profiled, aluminium roofs. A back wall, 2.0m high, is to be provided for the northern terrace; which will eliminate overlooking of back gardens of houses in Griffith Place, which abut the sports ground. The terrace at the western end is to be remodelled and provided with a covering – with standing capacity for 5,770. This stand will have fair-faced concrete block finish to the sides and aluminium cladding to the rear, with profiled, aluminium roof sheeting. The matter of standing versus seating for viewers, is one for the applicant to decide. The proposed development will see a substantial increase in the seated capacity of Walsh Park. A new 2.0m high concrete boundary wall is to be constructed along the northern boundary of the site – where it abuts the rear gardens of houses on Griffith Place.

- 7.3.3. Access for the disabled is to be provided off Keane's Road, with dedicated seating areas to the front of the new stand at the western end. The fate of the scoreboard in the northeastern corner of the grounds is not clear, as it is not shown on drawings. It does not have any impact of the amenities of adjoining property. Low-level landscaping is to be provided on the embankments to the rear of the northern terrace and the western stand. Condition 5 of the Notification of decision to grant planning permission required submission of a landscaping plan (to include embankments to rear of terraces). A limited number of trees are to be planted to the east of the new changing-room/administration building.
- 7.3.4. I would be satisfied that the new buildings, terraces and stand are of limited height, and will not have any impact on the residential or visual amenities of the area.

7.4. **Access & Parking**

- 7.4.1. The proposal before the Board is for the redevelopment of an existing sports ground – with a stated capacity of 11,350 (although this would appear to have been recently reduced to 9,000; following alterations to the western terrace). It is proposed to increase the capacity of Walsh Park to 16,000 (elsewhere 15,438). There are currently no on-site parking spaces provided. The starting position is, therefore, an historical land-use which precedes the coming into effect of the Planning Act or Development Plans, and the standards contained therein. The application submitted indicated that the limited parking proposed on the site is to be used for the two team buses/coaches, County Board officials and Outside Broadcasting Units. Coaches will be able to reverse and turn within the site. On big match days, both Slievekeale Road and Keane's Road are closed to vehicular traffic by An Garda. The development will be used as the HQ for Waterford GAA. On non-match days, the on-site parking will be adequate to meet the needs of HQ staff and volunteers. The grounds may be used for training purposes, and on-site parking will be used – with overflow to surrounding roads. The provision of limited parking on this site is a minor improvement on the situation as it exists at present, where there is very limited on-site parking.
- 7.4.2. The Waterford City Development Plan 2013-2019, states at section 1.5.6 – “The development of alternative means of transport to the use of the private car is a major element of PLUTS [Planning Land Use Transport Study] and national transportation

guidance. This requires continuing commitment to the provision of infrastructure to facilitate such modal change, with consequent impacts on access by private transport. In curtailing private transport there are inherent conflicts between policy objectives for growth/regeneration of the City economy on the one hand and traffic restraint/demand management on the other. The challenge lies in striking an appropriate balance between parking provision and public transport". Section 6.2.4 states- "While every effort will be made to minimise congestion, it is inevitable that new developments will impact on traffic levels and congestion will increase. Some occasional saturation of critical junctions in the City Centre during peak periods is considered unavoidable if the City is to grow to its full economic potential". The Development Plan sets out parking standards at section 13.28. For sports grounds and clubs, the standard is 1 space per 50m² of public area. These standards relate to new developments. Whilst the proposed development involves an increase in the capacity at this sports ground, it is not a new development; but rather a redevelopment of an existing facility. The Plan states at section 13.24- "Parking is an integral element of overall land use and transportation policy within the city, and the purpose of the parking standards set out in the Plan is to ensure that an appropriate level of parking is provided to serve new development. Where a developer cannot provide the specified number of car-parking spaces within the site, a financial contribution in lieu may be required towards the cost of providing such spaces off site, including the provision of Park and Ride facilities". The important words within this section are "appropriate" and "may": the PA considered that the limited level of parking proposed was appropriate for this redevelopment; and chose not to impose a condition requiring payment of a "financial contribution in lieu": and it was entitled to come to these conclusions.

- 7.4.3. The closure of roads on match days is a matter for An Garda. Similarly, the decision to restrict and control access to certain roads on match days is a matter for An Garda. This is not something which can be controlled by way of condition attached to any planning permission. Just how the decision is arrived at to close roads or restrict access is not a relevant planning consideration – but obviously something done in consultation between An Garda, the local authority and residents/businesses in the area. Big matches will generally be confined to off-peak times – particularly at weekends. 3rd Party appellants argue that there should be an Event Manager or

Company in charge of traffic and parking on match days. Again, this is a matter for the applicant, An Garda and the Local Authority. It would be possible to attach a condition to any grant of planning permission requiring the appointment of such person(s).

- 7.4.4. The applicant did submit a Traffic Management/Mobility Management Plan by way of response to the 3rd Party appeals. This was prompted by condition 9 of the Notification of decision to grant planning permission. This condition required a Plan for matches of less than 5,000, between 5,000 and 10,000, and greater than 10,000. The document submitted dealt primarily with the larger matches. It set out the situation in relation to public transport in Waterford, potential availability of car-parking in the vicinity of Walsh Park, and details of likely road closures. The document was submitted to An Bord Pleanála, and was obviously subject to time constraints in relation to receipt of submissions. It would be possible to require submission of a detailed Plan for written agreement of the PA, by way of condition attached to any grant of permission to issue from the Board.
- 7.4.5. The applicant has indicated areas within the city which may be available for car-parking and coach-parking on match days. The 3rd Party appellants have disputed both the quantum of parking indicated and whether or not the spaces would or could be used on particular days. This is a matter for the applicant, An Garda and the Local Authority. It is clearly in the interest of the applicant to facilitate patrons attending matches. 3rd Parties complain of indiscriminate parking within residential areas and on green open spaces. Regulation of illegal parking is a matter for An Garda. The public car-parks within the city centre would be available for use on match days. If there is free, on-street parking in the vicinity of Walsh Park on any particular day, then there is no reason why match patrons should not avail of it.
- 7.4.6. Section 13.27 of the Plan requires the provision of 1 bicycle-parking rack per 200m² for sports grounds and clubs. Just how many bicycles fit on a rack is nowhere defined. The applicant proposes to provide temporary parking for bicycles on match days for 450 bicycles. As with the situation for car-parking, the sports ground pre-dates the coming into effect of the Planning and Development Act and Regulations. I would be satisfied that the applicant has addressed the issue of bicycle parking.

7.4.7. Waterford City & County Council circulated the application to Transport Infrastructure Ireland (TII) – which organisation had no concerns in relation to the impact of the development on transport networks in the area.

7.5. **Water**

The application is accompanied by an Engineering Report.

7.5.1. Water Supply

The existing supply of water to Walsh Park is from the public mains. Water supply is to be from a 150mm diameter supply on Keane's Road and a 125mm diameter supply on Slievekeale Road. Irish Water indicated that it had no objection to the proposal.

7.5.2. Foul Waste

Foul waste is currently discharged to the public foul sewer network. A number of new toilet blocks are proposed to replace existing facilities. Sewage is discharged by gravity to existing sewers in both Slievekeale Road and Keane's Road. The sewer in the former road is a combined sewer. Irish Water indicated that it had no objection to the proposal.

7.5.3. Surface Water

The site is not subject to flooding – as indicated in Flood Zone map for the city – included as part of the Development Plan. Surface water from the site is currently discharged to the existing public sewer network. It is proposed to discharge to public sewers in both Slievekeale Road and Keane's Road – both of which appear to be combined sewers. Surface water attenuation is to be provided (via 3 no. attenuation tanks of 160m³, 120m³ and 130m³ respectively), with throttled outfall of 2 litres per second. The report of the Water Services Department of Waterford City & County Council, indicated that permission would not be given to discharge to combined sewers, but instead would require discharge to a public surface water sewer 100m to the south at Manor Lawn estate. This requirement was reflected in condition no. 11 of the Notification of decision to grant planning permission. A similarly-worded condition should be attached to any grant of planning permission to issue from the Board.

7.6. Other Issues

7.6.1. Development Contribution

The Notification of decision to grant planning permission did not include a requirement to pay a development contribution. The Waterford City & County Council Development Contribution Scheme 2015-2021, indicates at Section 7, a general exemption for “Developments by voluntary not for profit clubs, non-statutory groups/organizations for non-commercial community related developments”. Applications, such as this one, are, therefore, exempt from the requirement to pay a development contribution.

7.6.2. Bond

The Notification of decision to grant planning permission did not require the developer to lodge a bond with the Council. This is entirely a matter for Waterford City & County Council. The proposed development is entirely private: none of it will be taken-in-charge by the Council.

7.6.3. Archaeology

The proposed development involves extensive redevelopment of the site. The site is located well outside of the area of archaeological potential associated with mediaeval Waterford. The application was circulated to the Development Applications Unit of the Department of Culture, Heritage and the Gaeltacht, by An Bord Pleanála. There was no response received. The site has already been extensively modified to create the sports ground in the first instance. Much of the works on the site will involve alterations to the terraces – man-made structures. However, having regard to the extent of the development proposed, it would be prudent to attach an archaeological monitoring condition to any grant of planning permission to issue from the Board.

7.6.4. Appropriate Assessment

Waterford City & County Council screened the development for appropriate assessment purposes. A screening assessment of the Waterford City Development Plan 2013-2019 was carried out. The site is located neither within, nor immediately abutting, any European site. The development is connected to public sewers. There is no expansion of the site proposed. The closest European site is the Lower River

Suir SAC (Site code 002137), some 1.1km to the north, as the crow flies. There is no direct watercourse link with this European site. The closest open watercourse is John's River – some 0.8km to the south-southeast of the site. Having regard to the nature and scale of the proposed development and to the proximity of the nearest European site, no appropriate assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect, individually or in combination with other plans or projects, on an European site.

7.6.5. Environmental Impact Assessment

The application was screened for EIA by Waterford City & County Council, and it was concluded that EIA was not required. Strategic Environmental Assessment of the Waterford City Development Plan 2013-2019 was carried out. The Planning and Development Regulations, 2001, as amended, indicates, at Part 2 of Schedule 5, the following-

10. Infrastructure projects

(b) (iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area, and 20 hectares elsewhere. (In this paragraph, "business district" means a district within a city or town in which the predominant land use is retail or commercial use).

The site is not located within the business district of Waterford city. The site is located within the built-up area of the city – where the threshold for EIA is 10ha. The appeal site is 2.75ha in area – just over one quarter of the threshold. The appellants argue that if the car-parks indicated for use on match days are included, the site would be in excess of the 10ha threshold. I would distinguish the use of car-parks and the actual development of such. The proposed development does not involve the creation of any new car-parks or bicycle-parks. The fact that areas, which are currently vacant, or in other use, might temporarily be used to park cars/bicycles does not amount to development for the purposes of EIA. I would be satisfied that EIA would not be required – particularly as the development involves the redevelopment of an existing sports ground, and is not a new use. Having regard to the nature and scale of the proposed development and to the nature of the receiving environment, there is no real likelihood of significant effects on the environment

arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination stage, and a screening determination is not required.

7.6.6. Signage

There is limited external signage on the sports ground at present. A new sign reading ‘Páirc an Bhreathnaigh’ is to be erected on the external face of the new stand on Keane’s Road, in letters approximately one metre high. I would see no difficulty with this arrangement. A mural sign/crest on the southern elevation of the changing-room/administration building is to be executed: this sign will only be visible from inside the grounds. Other limited signage is to be erected on ticket booths and concessions (shops) within the grounds – as well as directional/emergency signage for spectators. Such a level of signage is acceptable within a sports ground of this size. Condition 6 of the Notification of decision to grant planning permission related to signage. A similarly-worded condition should be attached to any grant of planning permission from the Board – taking account of the signage indicated on drawings.

7.6.7. Construction Management

The location of the site compound/construction parking within the site is a matter for construction management by the contractor(s). There is no indication given of the extent of the construction period, or in what order construction will proceed. It may be that the GAA has plans to keep the grounds open, whilst elements of the construction proceed: this is a matter for the applicant/developer. The suggestion by 3rd Parties that the pitch should be used during construction, is a matter for the applicant/developer, and not something which needs to be addressed in any condition attached to a planning permission. There is good vehicular access to the site from both Keane’s Road and Slievekeale Road. In the context of a built-up area of the city, there is no reason why construction traffic should result in any significant impact on traffic or amenity. The site is located in a mixed-use area, with a considerable amount of commercial/industrial land-use.

7.6.8. Use of Sports Ground for Other Purposes

Condition 2 of the Notification of decision to grant planning permission stated- “All uses hereby permitted shall be ancillary to the principal use of the development site as a sports facility”. The applicant has indicated that there is no objection to this

condition. The 3rd Party argues that the facility may be used for other events – such as concerts. The applicant points out that such usage would require appropriate permission/licensing. Appellants seek to have a condition imposed, such that events at this stadium be excluded by way of legal covenant. This is unnecessary, in light of condition 2. Part XVI of the Planning and Development Act, 2000 (as amended), and Part 16 of the Planning and Development Regulations, 2001 (as amended), set out clear legislative requirements for the licensing of public events.

7.6.9. Size of the Pitch

Arguments relating to the advisability of increasing the width of the pitch, are not relevant planning considerations.

7.6.10. Waste Management

A condition should be attached to any grant of planning permission from the Board, relating to management and disposal of Construction & Demolition waste, and for the ongoing handling, storage and disposal of waste within the site.

7.6.11. Alternative Site

It has been argued in the grounds of appeal that there is a better, alternative location for the GAA at Carriganore. This is not a relevant consideration for the Board. The Board is not required to carry out an assessment for the optimum location/option for Waterford GAA. The application is for the redevelopment of Walsh Park. The applicant is not obliged to submit any justification for the decision to redevelop Walsh Park. The application for redevelopment must be dealt with on its merits, in the absence of consideration of whether there may or may not be a better location for the GAA county grounds.

8.0 **Recommendation**

I recommend that permission be granted for the Reasons and Considerations set out below, and subject to the attached Conditions.

9.0 **Reasons and Considerations**

Having regard to-

- (a) the zoning provisions for the site, as set out in the Waterford City Development Plan 2013-2019;
- (b) the existing, long-established, stadium use on the site;
- (c) the location of the site close to the city centre and the need for a modern stadium to host inter-county matches;
- (d) the separation distances between the proposed development and residential uses;
- (e) the measures to be put in place to manage traffic and parking on match days;

it is considered that the proposed development, subject to compliance with the conditions set out below, would be acceptable in terms of traffic safety and convenience, would not seriously injure the amenity of residential property in the vicinity, would not be prejudicial to public health, and would, otherwise, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars submitted on the 3rd day of July 2018, as amended by the further plans and particulars submitted to An Bord Pleanála on the 18th day of October 2018, except as may be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development, and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. All uses hereby permitted shall be ancillary to the principal use of the development site as a sports facility.

Reason: In the interest of clarity.

3. Prior to commencement of development, the developer shall submit to, and agree in writing with, the planning authority full details, including selected

sample boards, of all external finishes, materials, textures and colours.

Reason: In the interest of visual amenity.

4. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with details submitted with the application and the requirements of the planning authority for such works and services. In particular no surface water shall be discharged to any public combined sewer. Instead, surface water shall be discharged to an existing public surface water sewer located 100m to the south of the site, at Manor Lawn. Full details of the of the works necessary to achieve this, shall be submitted to the planning authority, and written agreement obtained, prior to commencement of any redevelopment of the site.

Reason: In the interest of public health.

5. All services and cables associated with the proposed development (such as electrical, television, telephone, and broadband) shall be run underground within the site.

Reason: In the interest of visual amenity.

6. Notwithstanding the provisions of the Planning and Development Regulations, 2001, or any statutory provision amending or replacing them, no advertisement signs, other than the signage indicated in the plans and particulars, (including any signs installed to be visible through the windows), advertisement structures, banners, canopies, flags, or other projecting elements shall be displayed or erected on the buildings or within the curtilage of the site, unless authorised by a further grant of planning permission.

Reason: To protect the visual amenities of the area.

7. A plan containing details for the management of waste (and recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and recyclable materials and for the ongoing operation of these facilities shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with

the agreed plan.

Reason: To provide for the appropriate management of waste and recyclable materials, in the interest of protecting the environment.

8. No additional development shall take place above parapet level of stands or any other buildings within the site; including lift motor enclosures, air-handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

Reason: To protect the residential amenities of property in the vicinity and the visual amenities of the area.

9. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site and in the water courses within the site. In this regard, the developer shall –
 - (a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development,
 - (b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and
 - (c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

10. Prior to commencement of any redevelopment, the developer shall submit to, and agree in writing with, the planning authority, a detailed Mobility Management Plan for the operational phase of the development. The plan shall provide detailed arrangements for vehicular movement and parking

(including bicycle parking), and for pedestrian movement arrangements, as set out in the documentation submitted with the application and appeal; and shall provide for the employment of a mobility/events manager for the proposed development.

Reason: In the interest of traffic and pedestrian safety and to avoid traffic congestion.

11. The construction period of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority, prior to commencement of development. This plan shall provide details of intended construction practice for the development, including: -

(a) location of the site and materials compound(s) including areas identified for the storage of construction refuse,

(b) location of areas for construction site offices and staff facilities,

(c) details of site security fencing and hoardings,

(d) details of on-site car-parking facilities for site workers during the course of construction,

(e) details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site,

(f) measures to obviate queuing of construction traffic on the adjoining road network,

(g) measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network,

(h) alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works,

(i) details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels,

(j) containment of all construction-related fuel and oil within specially

constructed bunds, to ensure that fuel spillages are fully contained,

(k) off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil, and

(l) means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.

Reason: In the interest of residential amenity, public health and safety.

**Michael Dillon,
Planning Inspectorate.**

19th December 2018.