



An
Bord
Pleanála

S. 4(1) of Planning and Development (Housing) and Residential Tenancies Act 2016

Inspector's Report

ABP-303630-19

Strategic Housing Development

324 no. residential units (228 no. houses and 96 no. apartments), crèche and associated site works.

Location

Site adjacent to 'The Paddocks', Williamstown Road, Grantstown, Waterford.

Planning Authority

Waterford City and County Council

Applicant

Kieran Wallace as Receiver over Cone Pine Properties Limited

Prescribed Bodies

Irish Water

Department of Culture, Heritage and the Gaeltacht, Development

Applications

Observer(s)

See Appendix 1

Date of Site Inspection

29th April 2019

Inspector

Erika Casey

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1.0 Introduction

- 1.1 This is an assessment of a proposed strategic housing development submitted to the Board under section 4(1) of the Planning and Development (Housing) and Residential Tenancies Act 2016. The application was received by the Board on the 6th of February 2019 from Kieran Wallace as Receiver over Cone Pine Properties Limited.

2.0 Site Location and Description

- 2.1 The subject site has an area of 10.12ha and is located on the Williamstown Road, in a suburban area approximately 4 km to the south east of Waterford City Centre. The site forms part of an unfinished housing estate that commenced approximately 10 years ago known as 'The Paddocks'. The site comprises a mix of former farmland and construction site compounds and is accessed from the Williamstown Road to the south. The lands can also be accessed by pedestrians/cyclists from the 'Farmleigh' estate to the north.
- 2.2 The site is effectively made up of two land parcels bisected by the internal distributor road serving 'The Paddocks' estate. It comprises the mostly intact farmland to the north west of 'The Paddocks' access road and the large field to the south east of the access road. The subject site also includes some existing roads and the plots of previously permitted dwellings. The defining character of the majority of the site is its sloping nature, downwards from the Williamstown Road to the south, the width of the main access distributor road and a small number of mature trees and hedgerows. There is a significant level difference between the site and the constructed 'Paddocks' residential development to the north.
- 2.3 The eastern portion of the site abuts the existing residential estates of 'Cnoic Caislean' and 'The Village'. The western portion is bound by the existing 'Paddocks' estate to the north, 'Grantstown Village' to the west and 'Williamstown Village' to the south west.

3.0 Proposed Strategic Housing Development

- 3.1 The development provides for the construction of 324 residential units comprising 228 dwellings and 96 apartments. 12 different house types are proposed. A childcare facility of 323 sq. metres is also proposed.

3.2 The proposed apartments are arranged in 11 no. blocks ranging in height between two and four storeys in height. All of the housing is two storey with the exception of 10 of the detached units which are 2.5 storeys.

3.3 The development also provides for:

- 657 no. parking spaces including 551 spaces serving the residential units, 81 visitor spaces dispersed throughout the scheme and 24 spaces to serve the crèche facility. 104 no. bicycle spaces are provided across the site.
- It is proposed to access the development from the existing 'Paddocks' access road off Williamstown Road. The site entrance and access avenue are to be upgraded to include new signage and estate name located at the Williamstown Road junction with new paving, lighting and planting.
- Pedestrian and cycle way improvements to connect with the surrounding area, including the connection of 2 future pedestrian access paths up to the boundary with Cnoic Caisaleann located immediately east of the proposed site and the existing residential development to the north of the site.
- Provision of landscaping, open space, lighting, services and internal access arrangements, provision of all associated surface water and foul drainage services and connections ancillary to the residential development and all associated site development and infrastructure works. The development will also incorporate a new storm water sewer on the Dunmore Road which will discharge into the River Suir at King's Channel which is associated with the Island View pumping station.

Overview of Units

Type	No. of Units
Housing Units	
4 bed detached dwelling house	31
4 bed semi-detached dwelling house	64
3 bed semi-detached dwelling house	96
3 bed terraced house	20
2 bed terraced house	17

Total	228
Apartment Units	
3 bed apartments	4
2 bed apartments	46
1 bed apartments	46
Total	96
Overall Total	324

3.4 In addition to the architectural and engineering drawings, the application was accompanied by the following reports and documentation:

- SHD Form
- Cover Letter
- Copies of letters to prescribed bodies and Waterford City and County Council
- Public Notices
- Planning Statement
- Statement of Consistency
- Statement of Response to ABP Opinion
- Outline Construction and Environmental Waste Management Plan
- Environmental Impact Assessment Report
- Landscape Design Report
- Arboricultural Impact Assessment
- Part V Statement and Costings
- Architects Design Statement
- Schedule of Floor Areas
- Engineering Design Report
- Traffic and Transport Assessment
- Lighting Analysis
- Statement of Compliance Universal Design
- Natura Impact Assessment

- CGI/Photomontages
- Confirmation of Irish Water Approval
- Letter of consent

4.0 **Planning History**

On Site

Planning Authority Reference 00/500517

- 4.1 Permission granted in May 2001 for a development comprising 113 dwellings consisting of 16 no. 2 bed apartments, 16 no. 2 bed houses, 16 no. 3 bed maisonettes, 43 no. 3 bed houses, 22 no. 4 bed houses and all associated site development works.

Planning Authority Reference 05/500117/An Bord Pleanála Reference PL31.214453

- 4.2 Permission granted in May 2006 for a development comprising 96 no. 2 and 3 storey dwellings and 25 no. duplex apartments and associated site works. This was the first phase of 'The Paddocks' development.

Planning Authority Reference 06/500278/An Bord Pleanála Reference PL31.223710

- 4.3 Permission granted in November 2007 for a development comprising 31 no. 3 storey houses with access from the Williamstown Road. This was the second phase of 'The Paddocks' development.

Planning Authority Reference 07/500180

- 4.4 Permission granted in January 2008 for 39 no. 2 and 3 storey dwellings with associated site development works. An extension of duration permission in respect of this development was granted until the 24/02/2018. This was the third phase of 'The Paddocks' development.

Planning Authority Reference 07/500418

- 4.5 Permission granted in October 2008 for a residential development of 68 dwellings with access from the Williamstown Road. This was the fourth phase of 'The Paddocks' development.

Planning Authority Reference 10/500003

- 4.6 Permission granted in May 2010 for modifications to the development approved under 05/50017. An additional 6 units over what was originally approved was granted.
- 4.7 It is detailed in the application documentation that phases 2, 3 and 4 were never implemented. Approximately 70% of Phase 1 of the development (83 of the permitted 120 units) was constructed.

Adjacent Sites

Planning Authority Reference 16/701/An Bord Pleanála Reference PL93.248811

- 4.8 Permission refused in March 2018 for a development of 117 residential units at Knockboy, Waterford. Reasons for refusal related to the lack of permeability for pedestrians and cyclists and the poor quality of the residential layout and design. It was also refused on the basis that the Board were not satisfied that the development would not have a significant effect on the Lower River Suir SAC in view of the site's conservation objectives.

Planning Authority Reference 16/833/An Bord Pleanála Reference PL93.248547

- 4.9 Permission refused in December 2017 for a development comprising 285 dwelling houses/maisonettes, vehicular and pedestrian access. There were four reasons for refusal which related to:
- The Board is not satisfied that the development of these Phase 2 lands is appropriate in the absence of satisfactory evidence that all or a majority of Phase 1 residential lands within the city are not available for development. Furthermore, it is considered that the "core strategy statement" submitted with the application does not demonstrate, to the satisfaction of the Board, that development of the subject site is necessary to ensure continuity of housing supply in the city.
 - Having regard to the scale, density and nature of the proposed development, including the predominance of large three and four bedroomed detached and semi-detached houses, it is considered that the proposed development would result in an inadequate housing density that would give rise to an inefficient use of zoned residential land.

- Having regard to the uncertainties regarding the adequacy of the sewerage and surface water drainage 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.
- The proposed residential development, by reason of inadequate private open space provision for a number of the proposed houses in combination with relatively poor orientations and aspects, would give rise to a substandard form of residential development, which would seriously injure the residential amenities of future occupants, and would constitute an inadequate form of residential amenity, in both quantitative and qualitative terms.

Planning Authority Reference 15/272/An Bord Pleanála Reference PL93.245483

4.10 Permission refused in March 2016 for a change of house types (previously approved residential development 05/60 and PL.31.216423). Reason for refusal related to density which the Board considered was inadequate and would give rise to an inefficient use of zoned residential land.

5.0 Section 5 Pre Application Consultation

5.1. Notice of Pre-Application Consultation Opinion – Ref. ABP-300548-18

5.1.1 A notice of pre-application consultation opinion was issued by the Board on 21st of February 2018 under Section 6(7) of the Planning and Development (Housing) and Residential Tenancies Act 2016 following the submission of the application request on 6th December 2017.

5.1.2 The notice of Pre-Application Consultation Opinion states that the Board 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. The matters included are as follows:

1. Residential Density

Further consideration is required with respect of the documentation relating to the residential density of the site. This consideration and justification should have regard to, inter alia, the minimum densities provided for in the 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (including the associated 'Urban Design Manual') as they refer to Outer Suburban Greenfield sites. Particular regard should be had to the need to develop at a sufficiently high density to provide for an acceptable efficiency in serviceable land usage given the proximity of the site to Waterford City Centre and to established social and community services in the immediate vicinity. The further consideration of this issue may require an amendment to the documents and/or design proposals submitted relating to density, residential mix and layout of the proposed development.

2. Surface Water Network

Further consideration/clarification of the documents as they relate to the surface water drainage infrastructure network serving the proposed development and any proposed upgrades. The documentation at application stage should clearly indicate the nature of the existing constraints, the proposals to address the constraints and the timelines involved in addressing these constraints relative to the construction and completion of the proposed development. Specific clarification of any off-site infrastructure proposals as they relate to surface water management should be addressed. In addition, regard should be had to the design and use of Sustainable Drainage Systems (SuDS) within the site in the context of the advice provided by The Planning System and Flood Risk Management Guidelines for Planning Authorities 2009 and its appendices. The further consideration of these issues may require an amendment to the documents and/or design proposals submitted relating to the surface water management of the proposed development.

3. Appropriate Assessment

Further consideration/clarification of the documents as they relate to the potential effects on nearby Natura 2000 sites with regard to their conservation objectives, in particular potential effects associated with any surface water proposals to serve the proposed development. The further consideration of this issue may require an amendment to the documents and/or design proposals submitted relating to the

proposed development.

4. Road Layout

Further consideration of documents as they relate to the proposed street hierarchy of the overall lands and the provision of pedestrian/cyclist connections to the wider neighbourhood, specifically to the south east and south west. Particular attention should be given to the design considerations and width of local streets and street hierarchy generally. In addition, greater consideration of the design approach to retaining walls and appropriateness of the road alignment in the northern portion of the site and illustrated by section B-B, drawing number PP-06 entitled 'site sections'. All works required in the public realm to facilitate the upgrade to the junctions on the Williamstown Road should be clearly indicated in the documents and the prospective applicant should indicate how these works are to be delivered. The further consideration of these issues may require an amendment to the documents and/or design proposals.

Specified Information

5.1.3 The following specific information was also requested:

1. Additional photomontage images and a series of drawings, specifically cross sections at appropriate intervals to illustrate the topography of the site, showing proposed and existing dwellings and interactions with landscape elements. Attention should be drawn to the impact of retaining walls and road profiles. Drawings should be appropriately scaled and rendered in colour. Site sections should be clearly labelled and located on a layout 'key' plan.
2. A site layout plan indicating pedestrian and cycle connections through the adjoining residential developments to transport modes (bus stops) and community facilities (schools) in the vicinity and practical design proposals to ensure and facilitate future access.
3. Childcare demand analysis and the likely demand for childcare places resulting from the proposed development. In the event that a crèche facility is not proposed, a detailed assessment of the existing and likely future provision of childcare facilities in the area and how these would meet demand.
4. A parking layout that reflects the most appropriate quantum of car parking

provision for a suburban site and include the details of convenient locations and facilities for bicycle parking.

5. A phasing plan for the proposed development.

6. A site layout that details areas to be taken in charge by the local authority.

5.2 **Applicant's Statement**

5.2.1 Article 297(3) of the Regulations provides that where, under section 6(7) of the Act of 2016, the Board issued a notice to the prospective applicant of its opinion that the documents enclosed with the request for pre-application consultations required further consideration and amendment in order to constitute a reasonable basis for an application for permission, the application shall be accompanied by a statement of the proposals included in the application to address the issues set out in the notice.

5.2.2 In report titled "Statement of Response to An Bord Pleanála Opinion" submitted with the application, the applicant's agent outlines a response to the matters specifically required by the Board which is summarised as follows:

Item 1: Residential Density

- The scheme now provides for 324 no. residential units on a site of 90.85 ha (net developable area) achieving a residential density of 35.6 units per ha. The increase in density is achieved through a redesign of the scheme which now includes the provision of apartment blocks and a reduction in the number of semi-detached dwellings.
- The density is appropriate for this suburban location and is compliant with National guidance where a density range of 35-50 dwellings per hectare is encouraged for outer suburban/greenfield sites.

Item 2: Surface Water Network

- Surface water from the development will be collected in a new surface water sewer which will be built as part of the proposed development. The existing storm water drain located in the existing access road will not be used for discharging storm water. Surface water from Site A will combine with the surface water from Site B at the north eastern corner of the site and discharge to an underground attenuation tank. From the attenuation tank, the water will

discharge at a controlled flow through a petrol interceptor before discharging to the existing 225mm diameter section of drainage in the existing 'Farmleigh' housing development which has sufficient capacity to service the development.

- The existing storm line serving the new development will be intercepted and diverted to a new storm line planned for the Dunmore Road and 'Island View' housing estate. The planned storm line will discharge directly to the River Suir. The separation of proposed storm water from the existing combined sewer network and discharging directly to a water course was requested by Irish Water and the storm and foul network design has been agreed with both Irish Water and Waterford City and County Council. WCCC have confirmed that the necessary wayleaves are in place to carry out these works.

Item 3: Appropriate Assessment

- A Natura Impact Statement has been prepared. The report concludes that with regard to potential effects associated with any surface water proposals, the surface water management proposals incorporated into the development compliments the 2013-2019 Waterford City Development Plan policies through the inclusion of attenuated storm water and separation of surface and foul water. The NIS concludes that no significant effects arising from the proposed development are likely to occur in relation to a Natura 2000 site.

Item 4: Road Layout

- The scheme has been redesigned with respect to adherence to DMURS principles and further consideration has been given to the overall street hierarchy. The scheme seeks to maximise pedestrian permeability and provide a safe pedestrian and cycling environment.
- All footpaths are at a standard of 2m across the development in accordance with DMURS. A cycle path runs along the distributor road and local streets are appropriately traffic calmed to reduce travel speeds. Long streets have been reduced to maintain lower speeds over shorter distances.
- A number of pedestrian connections are provided to existing development lands to the north and north west. A connection point to the development lands to the north east is identified for potential future connectivity.

- Native hedgerows and trees are to be retained to avoid retaining walls where possible. Mature trees will also be retained within the designated public open space areas. The proposed development includes works to the existing entrance of the estate providing for an enhanced, more welcoming access to the estate.

Specified Information

5.2.3 In response to the specified additional information requested by the Board the following is provided:

Photomontage/Site Sections

- A number of photomontages have been prepared in support of the development. Cross section drawings have also been submitted demonstrating the topography of the site and highlighting the relationship between the existing completed dwellings and the proposed scheme. It is considered that development successfully and seamlessly integrates vertically and horizontally with the surrounding built form.

Pedestrian and Cycle Connections

- A site layout plan identifying the pedestrian/cycle connections through the site to the adjoining lands has been prepared and accompanies the application.

Childcare Demand Analysis

- A childcare facility is now proposed and will accommodate up to 86 children. Waterford Childcare Committee have provided a provisions report which notes inadequate childcare provision for the 0-3 age group, age 4 and primary school age. It is envisaged that the crèche will serve residents of the existing 'Paddocks' development as well as the wider community.

Parking Layout

- Parking is provided at a rate of 2 spaces per dwelling, 1 space per apartment and 1 no. visitor space per 4 residential units. In total 657 spaces are provided including 552 spaces serving the residential units, 81 visitor spaces and 24 spaces to serve the crèche. The development is compliant with bicycle and parking standards.

Phasing Plan

- A phasing plan has been prepared and accompanies the application. It is proposed to construct the development over 4 phases.

Taken in Charge

- A site layout plan detailing the areas to be taken in charge has been prepared and submitted with the application.

6.0 Relevant Planning Policy

6.1. Project Ireland 2040 - National Planning Framework

- 6.1.1. The recently published National Planning Framework includes a specific Chapter, No. 6, entitled 'People Homes and Communities'. It includes 12 objectives among which Objective 27 seeks to ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments, and integrating physical activity facilities for all ages. Objective 33 seeks to prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location. Objective 35 seeks to increase densities in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.

6.2. Section 28 Ministerial Guidelines

- 6.2.1. Having considered the nature of the proposal, the receiving environment, the documentation on file, including the submissions from the planning authority, I am of the opinion that the directly relevant S.28 Ministerial Guidelines are:
- 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (including the associated 'Urban Design Manual').
 - 'Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities' (March 2018).
 - 'Design Manual for Urban Roads and Streets' (DMURS).
 - 'Childcare Facilities – Guidelines for Planning Authorities'.

6.3 Waterford City Development Plan 2013

6.3.1 The Waterford City Development Plan 2013-2019 (as extended) is the operative development plan for the area. The subject site is located on lands zoned 'Undeveloped Residential (Subject to Phasing)' and 'Undeveloped Low Density Residential (Subject to Phasing)'. All the lands are identified as Phase 1 lands. Phase 1 lands are those which the Council consider suitable for development under the current plan in that they are serviced and represent an appropriate location for short term or immediate residential development.

6.3.2 With regard to the lands zoned for low density residential development to the east of the access road, the plan states:

"It is incumbent upon the Planning Authority to ensure that adequate and suitably zoned lands are available for all sectors of the market and that leakage of the middle to upper range of the market is stemmed where feasible. To this end, it is proposed to zone lands in strategic locations within the City for lower density residential development, which will in turn improve the level of housing choice within the City, stemming leakage and car based commutes to work."

6.3.3 The Development Plan contains general policies and objectives in relation to walking and cycling, the principles of development, residential amenity standards and urban design.

6.3.4 Section 7.3 of the Development Plan relates to Neighbourhoods, and includes the following in relation to the subject site:

7.3.5 Dunmore Road / Knockboy / Blenheim

"A Local Area Plan for the Knockboy area was made in 2003. The Plan set out a design framework for the village and contained a number of objectives to provide for a sustainable neighbourhood/village structure. Road improvements have been carried out at the Knockboy junction, and the Knockboy road improvement scheme has been continued from St. Mary's Church to St. Mary's National School. The Williamstown Road has been realigned. It is an objective to ensure that the design and layout of new development provides for ease of movement and facilitates pedestrian and cycle access and the use of public transport. It is also an objective of this Plan to facilitate the creation of a village green, incorporating a public open space within the neighbourhood on a site zoned for open space adjacent to the

Gaelscoil and to protect the view of the River Suir from the Knockboy Road from obstruction and inappropriate intrusion by new development.

The neighbourhood is linear in form and thus it is an objective to strengthen the neighbourhood by developing nodal points such as a neighbourhood centre, a village green and a focal point for community facilities. Lands zoned for general business adjacent to St. Mary's Scout Hall will continue to be zoned for such uses providing for local retail / commercial services / public services and facilities as appropriate. It is proposed to consolidate the neighbourhood centre by continuing to zone a limited area of land north and east of St. Mary's cemetery for residential development and open space and the lands adjoining St. Mary's National School leading to the Williamstown Road junction for residential purposes. Access to the lands adjoining the cemetery will be from the Knockboy Road and developers will be required to provide for such access in a co-ordinated manner.

6.3.5 The following policies are of particular relevance:

- *To ensure that the growth of the city takes place in an orderly manner that is sustainable in terms of integrated land use, transportation and provision of infrastructure. (POL 7.2.1).*
- *To implement the Neighbourhood Strategy in order to provide for the development of sustainable neighbourhoods, focused on neighbourhood/district centres with a mix of uses, densities, community facilities and neighbourhood centre uses. (POL 7.2.2).*
- *To retain, protect and improve the environmental qualities of the existing suburban areas; to reinforce their neighbourhood/district centres and to provide for additional community youth and public services, amenities and facilities as identified in this Plan. (POL 7.2.3).*

7.0 Third Party Submissions

7.1 49 no. third party observations were made. A list of the observers is set out in Appendix 1. The issues raised overlap and can be summarised as follows:

Procedural

- Note inaccuracies in the application drawings. Consider that incorrect boundary has been indicated between the development and the 'Boosterstown' estate.

- State that elected members were not properly notified of the application by Waterford City and County Council.
- State that the existing 'Paddocks' estate has been left in an unfinished state and that these matters should be rectified prior to any further development taking place.
- Consider there has been a lack of consultation with the residents.
- State that site notices were not in place for 5 week period and that newspaper notice was not published in a local newspaper.
- Question the validity of the SHD process.

Density and Scale

- Height, scale and density of development is considered inappropriate in the context of the prevailing character of development.

Layout and Design

- Consider that the layout of the development should be similar to the 'Paddocks' as previously permitted.
- Consider housing mix inadequate with no dwellings suitable for those with a disability or mobility issues.
- State that unit sizes and garden areas barely meet minimum requirements.
- Submit that recreational space within the scheme is inadequate and that many of the spaces are on steep gradients. State that the needs of the existing residents of 'The Paddocks' has been ignored in the consideration of the layout and provision of recreational amenities.
- Concern regarding loss of green area originally proposed in 'The Paddocks' scheme and the development of apartments in this area. Consider there is no demand for apartments.
- Consider that social housing units should be dispersed through the development.
- Concern regarding the steep embankments and retaining walls around the apartments.

- State that the design of the apartments is visually overbearing.
- Housing numbering is the same as the existing houses constructed in the estate.
- Open space to serve crèche is inadequate.

Residential Amenity

- Concerns regarding impact on residential amenity and loss of privacy.
- Consider apartments will cause overshadowing and overlooking to surrounding dwellings. Particular concerns regarding potential overlooking from balconies.
- State that dwellings will have an overbearing impact on adjoining properties due to different finished floor levels and that there was written agreement that dwellings along the boundary with the houses in 'Boosterstown' would be dormer dwellings.
- State that there is inadequate separation distance between the proposed development particularly dwellings in the 'Boosterstown' estate.
- Concern that future development rights of adjacent dwellings will be constrained.
- The development will impact negatively on the property values of adjacent properties.
- Concern regarding light intrusion from cars.

Traffic, Access and Parking

- Concern regarding potential wayleave extending to the 'Garranmore' estate. There should be no vehicular access between the proposed development and 'Garranmore' / 'Farmleigh' estates. A road connecting the Williamstown and Dunmore Roads would create a rat run.
- Consider pedestrian routes from new development into existing estates will lead to anti-social behaviour.
- Parking provision is considered inadequate.
- State that the provision of cycle lanes and parking in the development will have no integration with the wider area due to the lack of cyclist facilities on the

surrounding road network.

- The development will result in significant additional traffic on the local road network which already suffers congestion.
- Consider traffic modelling undertaken to support the application is inadequate and flawed. Note that TIA only assessed the site access junction and has not accounted for existing major junctions in the vicinity.
- Public transport serving the area is inadequate.
- Concern regarding internal road network within 'The Paddocks' estate and that the development will exacerbate problems of congestion, overspill parking and service and emergency vehicle access.
- State that the junction with the Williamstown Road should be traffic light controlled and speed cushions should be installed.

Foul and Surface Water

- Object to potential impacts on foul and surface water infrastructure.
- Note that there have been problems with sewage overflow onto the roads and paths of the 'Island View' estate. Consider that existing pumping station and associated sewers have inadequate capacity to cater for the development.
- Concern that development will exacerbate flooding. There have been historical problems with land drainage.
- Consider that the provision of SuDS is inadequate.

Trees and Biodiversity

- Concerns regarding potential loss of trees and hedgerow particularly along the boundary with 'Boosterstown' and 'Farmleigh'.
- Object to potential adverse impacts to ecology of the area, particularly in relation to Otter and Bat species.
- Concern regarding potential impacts to the Lower River Suir SAC.

Management

- Concerns regarding management of apartments and Part V housing,

particularly communal open space.

- Concern regarding maintenance of the surface water attenuation tank and petrol interceptors.

Social Infrastructure

- Consider that there is a lack of schools and amenities to serve the development.

Construction Stage Impacts

- Concern regarding impacts during the construction phase, particularly from construction traffic and machinery, noise, dust etc.

8.0 Planning Authority Submission

8.1. Overview

8.1.1 The Planning Authority, Waterford City and County Council has made a submission in accordance with the requirements of section 8(5)(a) of the Act of 2016 which was received by the Board on 2nd of April 2019. It summarises the observer comments as per section 8(5)(a)(i) and the views of the Elected Members of the Metropolitan Council as per section 8(5)(a)(iii). The planning and technical analysis in accordance with the requirements of section 8(5)(a)(ii) and 8(5)(b)(i) may be summarised as follows.

8.2. Views of Elected Members

8.2.1 The views of the elected members can be summarised as follows:

- The density of the development is too high and will have adverse overlooking impacts. Development contravenes the development plan. Density should be consistent with surrounding development.
- Apartments will cause overshadowing and are not in keeping with surrounding developments. There is inadequate separation between apartments and adjacent properties.
- Additional traffic generated will have an adverse impact on existing infrastructure. There is already significant congestion on the Dunmore Road and Williamstown Road and development will exacerbate this. Adequacy of Traffic Management Report questioned. Area is poorly served by public

transport. Development is premature pending the delivery of the Waterford PLUTS.

- Consider pedestrian links inappropriate and that they will result in antisocial behaviour.
- Concern that there is inadequate capacity in the waste water network to serve the development.
- Procedural issues including location of site notices, no publication of a notice in a local paper and Councillors inadequately informed.
- Note that other apartment developments in the City have been the subject of antisocial behaviour.
- Consider development contrary to National Planning Guidelines. The development does not deliver sustainable communities.
- The original proposal for 220 dwellings on the site should be retained.
- Existing hedgerows should be retained.
- Concerns regarding accuracy of photomontages submitted with the application.
- Schools in the area are at capacity. Concern regarding lack of community facilities.
- Views to the river should be preserved.
- Consider the quality of the finish to buildings is poor.

8.3. **Planning Assessment**

- States that low density is considered to be 12 to 20 units per ha and medium density is 25 to 40 units per ha with the upper range of 50 units per ha. The current proposal provides a density of 35.6 units/ha. Whilst acknowledging the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, May 2009, recommends densities between 35-50 units per ha, considers that the proposed density to be acceptable given the existing surrounding pattern of development, the density of the existing residential development, 'The Paddocks', to which this forms a part and the zoning of these particular lands.

- The topography of the site has been considered in the assessment of the appropriateness of the development.
- The proposed open space on the main is centrally located with direct surveillance from adjoining residential development. The mix of house types is considered acceptable.
- With regard the proposed Apartment Block A which directly overlooks House no. 105 'The Paddocks', given the level difference between the proposed site and existing residential development and the resulting overlooking of private amenity space, it is recommended that the proposed Apartment Block A be omitted from the development and replaced by 8 no. dwellings comprising of House Types F1 and G1 similar to terrace of house no.s 179 to 182.
- It is considered that the proposed development is broadly consistent with the relevant objectives of the Waterford City Development Plan 2013-2019.

8.4 Other Technical Reports

Heritage Officer 01.04.2019

- The site of the proposed development comprises dry grassland. An area of scrub and wetland occurs to the west adjacent to the 'Riverview' estate which is of local ecological value.
- There is a healthy population of Otter known from the River Suir with frequent sightings recorded between Sallybrook and Little Island. Notes that NIS states that the development site does not support habitats of ecological value for mobile faunal interest species. Concurs that the grassland habitat does not provide a feeding, nesting or breeding habitat for Otter and agrees with the conclusion of the NIS. Considers that the development will not have adverse impacts on the integrity of the River Suir SAC for this qualifying interest species.
- Considers there will be no bat roosts impacted by the development and that impacts on foraging bats can be mitigated by appropriate specifications of lighting design.
- A condition should be included that the development is carried out in accordance with the mitigation measures set out in the NIS.

8.5 Recommendation and Conditions

8.5.1 Recommends a grant of permission subject to a number of conditions. It is stated that having regard to the nature of the development proposed, the zoning provisions governing the area, and the type of development in the vicinity of the site, it is considered that, subject to compliance with the conditions set out that the proposed development would be in accordance with the proper planning and sustainable development of the area.

8.5.2 The Planning Authority recommend 26 no. conditions. Conditions are generally standard in nature. Of note are the following:

Condition 1(b): Revised site layout plan to be submitted indicating the omission of Apartment Block A and its replacement with 8 no. units consisting of two terraces of House Types F1 and G1.

Condition 3 (b): Prior to commencement of development lighting proposals to be submitted and agreed indicating lighting to be installed in accordance with best practice for wildlife appropriate lighting i.e. downward directed lighting and use of red/orange spectrum lighting.

Condition 4: Prior to the commencement of development details of all retaining walls proposed as part of the development permitted herein and detailed sections clearly indicating same and all corresponding sloped areas with gradient of same clearly indicated shall be submitted for the written agreement of the Planning Authority.

Condition 15: Surface water drainage network.

Condition 16: Phasing.

9.0 Prescribed Bodies

9.1 Submissions were received from the following prescribed bodies with a summary of the response outlined under each:

Irish Water: 11th March 2019

Confirms that subject to a valid connection agreement being put in place between Irish Water and the developers, the proposed connection(s) to the Irish Water network(s) can be facilitated.

**Department of Culture, Heritage and the Gaeltacht, Development Applications
Unit: 12th March 2019**

Recommends that an archaeological impact assessment involving geophysical survey followed by a programme of pre-development testing should be prepared in advance of any site preparation and/or construction works. Recommends a number of conditions to be attached to any grant of permission.

10.0 Oral Hearing Request

10.1. Section 18 of the Act provides that, before deciding if an oral hearing for a strategic housing development application should be held, the Board:

- (i) Shall have regard to the exceptional circumstances requiring the urgent delivery of housing as set out in the Action Plan for Housing and Homelessness, and
- (ii) Shall only hold an oral hearing if it decides, having regard to the particular circumstances of the application, that there is a compelling case for such a hearing.

10.2. While an oral hearing was requested it was decided that having regard to the information on file, to the nature of the proposed development and to the location of the development site, that there was not a compelling case for an oral hearing in this instance.

11.0 Planning Assessment

11.1. The following are the principal issues to be considered in this case:

- Procedural Matters
- Principle of Development
- Urban Design and Layout
- Residential Amenity
- Traffic and Transport
- Drainage, Site Services and Flood Risk
- Social Infrastructure

- Other Issues

11.2 Procedural Matters

- 11.2.1 A number of procedural issues are raised by the third parties. It is contended that the property boundary along the north eastern boundary with the 'Boosterstown' estate is incorrectly shown on the application drawings. Reference is also made to a previous legal agreement that was in place stating that dwellings along this boundary should be dormer in design.
- 11.2.2 In considering this matter, the Board should have regard to section 34(13) of the Planning and Development Act 2000 (as amended) which states '*A person shall not be entitled solely by reason of a permission under section 37(g) to carry out any development*'. This subsection makes it clear that the grant of permission does not relieve the applicant of the necessity of obtaining other permits or licences which statutes or regulations or common law may necessitate.
- 11.2.3 In this regard, I am satisfied that any disagreement regarding the legal boundary or previous agreements that may have been in place regarding development along this common boundary is a legal matter between the applicant and third parties and it outside the scope of this assessment. Accordingly, I do not consider that these matters are reasonable and substantive grounds for refusal of the proposed development.
- 11.2.4 With regard to the notification of the elected members, I note that Waterford City and County Council has made a submission in accordance with the requirements of section 8(5)(a) of the Act of 2016 which was received by the Board on 2nd of April 2019. It summarises the views of the Elected Members of the Metropolitan Council as per section 8(5)(a)(iii) of the Act. These views are detailed in section 8 of my report above and have been fully considered in this assessment.
- 11.2.5 Concerns have been raised by some of the observers regarding the SHD process generally, that there was a lack of consultation with the residents and that the newspaper notice was not published in a local newspaper. I note that there is no obligation for the applicant to consult with third parties. As required, the planning application has been made publicly available through a web site and adequate time has been afforded to third parties to make submissions. I am satisfied that no third party rights have been prejudiced in this regard. With regard to more general concerns regarding the SHD process, the applicant has fulfilled their statutory

requirements with regard to the SHD legislation and regulations. In terms of the newspaper notice, I note that the proposed development was advertised in the Irish Examiner which is a newspaper that circulates in the area and is approved by Waterford City and County Council in their list of approved newspapers for the publication of notice of intention to make a planning application.

11.3 Principle of Development

Compliance with Zoning

- 11.3.1 Under the statutory plan, the Waterford City Development Plan 2013-2019, the site is subject to two different zoning objectives namely 'Undeveloped Residential (Subject to Phasing)' and 'Undeveloped Low Density Residential (Subject to Phasing)'.
- 11.3.2 All the application lands are identified as Phase 1 lands. Phase 1 lands are those which the Council consider suitable for development under the current plan in that they are serviced and represent an appropriate location for short term or immediate residential development.
- 11.3.3 Having regard to the zoning objective pertaining to the site and the fact that they are identified as Phase 1 development lands within the overall settlement strategy for the City, the principle of development is considered acceptable. It is also noted that the development will complete an unfinished housing estate that commenced over 10 years ago and would consolidate an established residential area.
- 11.3.4 The Planning and Development (Housing) and Residential Tenancies Act of 2016 provides that other uses on the land, the zoning of which facilitates such use, can be included but only if the cumulative gross floor area of the houses comprises not less than 85% of the gross floor space of the proposed development. The applicant is also proposing a crèche facility with a floor area of approximately 323 sq. m. The crèche proposal is, therefore, consistent with the land use zoning objective and the provisions of the Planning and Development Act of 2016 in respect of strategic housing applications.

Density

- 11.3.5 The density of the development proposed is 35.6 units per ha. This has been calculated on the basis of 324 units on a site of 9.0856 ha as the net developable area. The net area has excluded the main internal distributor road. The area of the

site utilised to calculate the density is shown on drawing no. PP07. The calculation of the density is considered acceptable and is in accordance with the definition of net density set out in Appendix A of the 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas'. The guidelines advocate a net density in the range of 35 to 50 units per hectare on outer suburban greenfield lands. Having regard to the prevailing character of the site and the pattern of development in the vicinity, the proposed density of 35.6 units per ha is considered acceptable.

11.3.6 I note that part of the subject lands are zoned for lower density residential development. No density range is provided in the Development Plan for this zoning objective. It is stated that the objective of such zoning is to "*Improve the level of housing choice stemming leakage and car based commutes to work*". The proposed development provides a density of 29 units per hectare on this portion of the site and 41 units per hectare on the western portion of the site which results in an overall density of 35.6 units per hectare. This approach is generally considered acceptable. The Board should be aware however, that I have some concerns regarding the overall layout of the development and how the scheme has been designed to achieve the required density ranges. This is discussed further in section 11.4 below.

11.3.7 As detailed in section 5 above, the notice of pre-application consultation opinion issued by the Board specifically required the applicant to review the site layout plan in order to achieve a higher density of development across the site. I note the concerns raised by a number of the observers, that the density is too high and that the development should be of lower density, akin to the character of the development previously permitted on the site, detailed in the planning history section above. It is considered however, that to develop the lands at a lower density would represent an inefficient use of zoned serviced land within the metropolitan area of Waterford City. A lower density would be contrary to national guidance and would not be in accordance with the proper planning and sustainable development of the area.

11.4 Urban Design and Layout

Overall Development Strategy

- 11.4.1 The development proposes 324 units including 228 dwellings and 96 no. apartments. 12 different house types are proposed. The materiality and style of the dwellings is traditional with minor variations in elevational treatment and roof profile. A number of the house types proposed have the potential for adaption, extension and conversion of the attic space. Materials and finishes are of an acceptable standard. In general, the house design and typology is somewhat generic in nature. This leads to a somewhat monotonous appearance, and the scheme lacks any identifiable character areas.
- 11.4.2 To achieve the prerequisite standard of 35 dwelling per hectare as required under national guidance, the development includes 2 no. large 4 storey apartment blocks at the centre of the scheme. The design of the apartments is contemporary and materials comprise selected brickwork and zinc cladding. It is detailed in the application documentation that the apartment buildings are accommodated in a cutting into the natural contours of the site and this assists in integrating the development.
- 11.4.3 The siting of the apartments and the extent of cut and fill is clearly shown on drawings reference PP10 and 16504-2-201. It is evident that a significant extent of cut is proposed, particularly to facilitate apartment Block A. To the rear of Block A, it is proposed to provide a communal open spaced area on a podium level. This will be separated from the housing units to the south by a retaining block wall with a landscaped embankment. It is stated in the documentation that this landscaping buffer zone will provide adequate privacy to the communal amenity space for the residents and create a separation between the apartment block and the housing units to the south.
- 11.4.4 I have significant concerns regarding the design approach for the two apartment blocks, particularly Block A. I do not consider that the topography of the site has been considered appropriately and the resultant over engineered approach of high embankments (with 45° slope) and retaining walls will in my view, have a negative visual impact and detract from the overall quality and amenity of the development. The proposed podium level communal open space is located at the base of a steep

embankment and its amenity value is questionable. I note that no analysis has been carried out to determine if the open space and the ground floor apartment units will achieve adequate sunlight or daylight levels.

- 11.4.5 The development also proposes a series of smaller apartment blocks dispersed throughout the development. These have been designed to assimilate with the proposed dwellings and their elevational appearance is similar. The location of some of these blocks is ill-considered, particularly where they interface with the boundaries of established residential development including the isolated block to the north east adjacent to 'Boosterstown' and the two blocks to the south west of the site adjacent to 'Meadow Well'. Notwithstanding the separation distances proposed, the rear balconies have the potential to cause overlooking to adjacent properties.
- 11.4.6 In general, whilst the applicant has achieved a density of 35 units per hectare, I do not consider that the approach to achieving this density is particularly coherent. It is evident that the two apartment blocks and 9 smaller blocks have been included to achieve the density standard with little regard to their appropriate siting or relationship to the existing context. This in my view has resulted in a substandard layout and there is a complete absence of innovation in respect of the layout and the design of the housing units to achieve a higher density. Density can also be achieved through the more effective utilisation of land and a greater typology of housing types. Whilst apartments in my view would be acceptable and appropriate on the subject site, careful consideration is required regarding their siting. The significant cutting and filling proposed and the resulting level differences between existing and proposed dwellings with steep 45 degree angled slopes is however, unacceptable.
- 11.4.7 I also have concerns regarding the treatment of the public realm at a number of locations throughout the scheme. In a number of instances a 2 metre high block wall is proposed along the roadside edge creating a black and uninviting streetscape. This is particularly evident to the north west of units 61 and 87. Similar boundary treatments are proposed to the rear/side of dwellings 32, 42, 60, 115, 247, 242, 221, 205 and 189. It would be preferable to have a more active frontage at some of these locations.

Open Space and Pedestrian Connections

- 11.4.8 Open space is provided in a series of kick about spaces throughout the development. The functionality and usability of a number of these spaces is problematic. The space to the north west of the site effectively comprises a steep embankment and has no function as an amenity space. The gradient across this recreational area is clearly shown on drawing 16504-2-021 Section A-A. This open space area also has a very narrow configuration and its usability is further eroded by the presence of a large turning circle and parking space. The eastern end of this open space has poor passive surveillance due to the blank 2 metre side wall of dwelling no. 206. There are also a number of smaller spaces including those to the east of dwellings 133-137, to the west of dwellings 210 to 216 and to the west of dwelling 106 that have limited amenity due to their size. Some of these more peripheral spaces also have poor passive surveillance due to the presence of blank boundary walls including side boundary walls of dwellings no. 132 and 106. In the main central open space, the proposed apartment blocks poorly interface with amenity area. Generally, I consider the open spaces to have poor enclosure.
- 11.4.9 There is also a paucity of detail provide regarding children's play with the landscape drawing indicating that each proposed play areas will be subject to detail. Having regard to the extent of housing proposed it would be desirable to provide play and recreational facilities to suit a wide range of age groups including facilities and amenities for active play and sport.
- 11.4.10 In terms of pedestrian connections and permeability, the applicant has indicated a future potential pedestrian link through the open space area to the adjacent Cnoic Casileann. This is shown as a dotted line on the landscape plan rather than a meaningful connection. Connection to this estate however, is unlikely due to the presence of a high boundary wall separating the two areas of open space and I acknowledge that such a connection cannot be implemented without the consent of the adjoining landowner. In this context, the appropriateness of this open space area that cannot effectively link with the Cnoic Caisleann estate is questionable. A pedestrian link is also proposed between the development and the existing houses in 'The Paddocks' located between dwelling no.s 111 and 112. This route is proposed through a passage between these two dwellings with a 2 metre high wall on either side. There will be no passive surveillance and I consider this route completely

unsatisfactory in this regard. I note that a number of the observers object to such potential pedestrian connections. I consider however, that these routes are desirable and they would improve pedestrian and permeability between existing estates and the proposed development.

Housing Mix

11.4.11 In terms of housing mix, the breakdown of units is as follows:

No.	Type	Percentage
31	4 bed detached	10
64	4 bed semi detached	20
96	3 bed semi detached	30
20	3 bed terraced	6
17	2 bed terraced	5
4	3 bed apartments	1
46	2 bed apartments	14
46	1 bed apartments	14

11.4.12 There is clearly a dominance of 3 and 4 bed units in the scheme. Overall however, I consider the proposed housing mix acceptable.

Road Hierarchy

11.4.13 In terms of the road hierarchy, the applicant was advised in the notice of pre-application consultation opinion that further consideration of the documents as they relate to the proposed street hierarchy was required and that particular attention should be given to the design considerations and width of local streets and street hierarchy generally.

11.4.14 In their response, the applicant have stated that the scheme has been designed with adherence to DMURS principles, that pedestrian permeability has been maximised and that a safe pedestrian and cycling environment is created. A cycle path runs along the distributor road and local streets are traffic calmed to reduce travel speeds. Street widths comprise 2m wide footpaths on either side where necessary with a 5.5

metre wide road. The hierarchy of roads and traffic calming are shown on drawing 16504-2-104. It is stated that adequate pedestrian crossings with contrasting paving material have been provided throughout the development and suitable corner radii are provided on road edges to main roads and road edges to estate roads. Materials and finishes of the streetscape will be kept as concrete paving, asphalt for roadways and brick paving for car parking spaces and street trees will be planted.

11.4.15 The development complies with certain aspects of the principles of DMURS. It is however, deficient in a number of regards. The scheme has generally been designed with good connectivity with limited use of cul de sacs. Adequate pedestrian and cyclist facilities are provided, although the Board will note my previous concerns regarding the lack of appropriate pedestrian connectivity to adjoining estates. A greater enclosure of streets could be achieved in the scheme, and as previously noted, the presence of a number of boundary walls along the street edge detracts from the animation of the streetscape.

11.4.16 There is a general lack of active street edges due to the set back of the majority of the housing from the roadside edge with off street parking. On street parking through the development is limited. As noted in section 4.2.3 of DMURS *“The inclusion of in curtilage parking within front gardens (i.e. to the front of the building line) may result in large building set backs that substantially reduce the sense of enclosure. In addition to the above, designers should avoid a scenario where parking dominates the interface between the building and the footway”*. This however, is the design approach that has been adopted in the proposed development. A layout whereby communal parking is provided perpendicular to the street would achieve a greater sense of enclosure and would allow for a better quality public realm. The proposed roads layout is not satisfactory with regard to these issues.

Conclusion

11.4.17 In conclusion, I am not satisfied that a satisfactory standard of design has been achieved in the proposed development. The scheme is dominated by three and four bed housing units and other than providing minor changes in house type proposed, there is no creation of neighbourhoods or character areas within development. There is a high degree of monotony in the design approach, and whilst the materials and finishes proposed are generally acceptable, the overall lack of variation fails to

create a sense of place or character. The houses in the majority all have set back front elevations with parking within the curtilage to the front. No streets have been created with no attempt to create street enclosure.

11.4.18 Whilst a density of 35.6 units per hectare has been achieved on the site, this has been achieved through the imposition of two large apartment blocks and a number of smaller blocks scattered through the development. I am not satisfied that a coherent approach has been taken to achieving an appropriate density of development. The apartments are inappropriately sited and incongruous. The extent of cut to facilitate their construction (particularly Block A) is significant resulting in steep embankments and retaining walls which negatively impact on the overall amenity and quality of the development.

11.4.19 The provision of open space within the development is often poor. Several of the spaces have limited amenity due to their size and topography. Many have poor passive surveillance, surrounded by roads and in some instances blank walls. Pedestrian connectivity is limited and the primary link through to the 'Paddocks' to the north is via a narrow laneway between the gables of two dwellings.

11.4.20 In this regard, I consider that the development is a substandard form of development and contrary to the proper planning and sustainable development of the area.

11.5 Residential Amenity

Amenity for the Future Occupants

Apartments

11.5.1 The proposed development has been designed in accordance with the standards set down in the Sustainable Housing Design Standards for New Apartments. In excess of 50% of the apartments are dual aspect and the ground floor of both blocks have a floor to ceiling height of 2.7 metres. The majority of the units are larger than the minimum required floor areas and meet all the standards with respect to private amenity space, storage and aggregate areas. The application is not accompanied by a sunlight and daylight report and as noted above, I have concerns regarding the amenity of the ground floor apartments, particularly Block A.

11.5.2 A Building Lifecycle Report as required in the Guidelines has not been submitted with the application. No details are provided regarding the management of the

apartments. A condition requiring the constitution of an owners' management company should be attached to any grant of permission should the Board be minded to grant permission.

Houses

- 11.5.3 All of the houses are in excess of the minimum size units set out in the Quality Housing for Sustainable Communities 2007. Sufficient private open space is afforded to each unit. In a number of instances however, the rear garden depth of some of the dwellings is very shallow and less than the generally recommended 11 metres. Notable examples of where this may impact on the amenity of adjacent dwellings include no. 169, 173 to 176, 187 and 188. A number of the houses in the terrace 89 to 106 also have gardens with a depth less than 11 metres. I note however, that the properties to the north adjacent to this boundary are further set back reducing potential impacts.

Impact on the Amenities of Other Property

- 11.5.4 Significant concerns have been raised by a number of the third parties regarding the impact of the development on the residential amenities of adjacent properties. As noted above, I would concur that in a number of instances the depth of the rear garden of some of the proposed dwellings is deficient to afford the necessary protection of amenities. I also consider the siting of two apartment blocks to the south west and the singular block to the north east adjacent to 'Boosterstown' to be inappropriate having regard to the overall height of these blocks and the potential for overlooking from the rear balconies.
- 11.5.5 With regard to Apartment Block A, the submission by Waterford City and County Council raised concerns regarding the potential overbearing impact of this block on the semi-detached dwellings to the north, particularly no. 105 'The Paddocks'. A condition is recommended to omit this block and replace it with housing. I would concur with the views of the Council and some of the observers that the location and siting of Block A is likely to have overbearing and overlooking impacts on these properties. I do not recommend however, that the Board omit this block by condition as this would reduce the density of the scheme to an unacceptable level.

11.6 Roads and Traffic / Transport Impacts

- 11.6.1 Concerns have been raised by a number of parties regarding the potential traffic impact of the development. A Traffic and Transport Assessment accompanies the application. It is stated that the assessment is based on recently measured traffic count information at the main junction in the vicinity of the development. Future trips generated by the development are estimated using the TRICS database. Table 4.6 sets out the proposed development trips during the AM and PM peak hour. In 2019, the year of opening, it is estimated that the scheme will generate 61 arrivals and 69 departures. This seems low in the context of the quantum of housing proposed.
- 11.6.2 The impact of the development on the existing junction from 'The Paddocks' to the Williamstown Road is set out in tables 4.8 and 4.9 for the base and future years. This indicates that in 2019 the ratio to flow capacity is well below the threshold figure of 0.85% to which the performance of the junction would begin to suffer and that the junction will operate well within capacity. It is also stated that by 2034, the junction will continue to operate within capacity with the proposed development in place.
- 11.6.3 With regard the construction phase it is stated that estimated construction labour on site could peak at 30 persons. It is detailed that all suitable excavated material will be reused for construction and fill activities and surplus material will be sent off site for recycling and disposal. It states that there will be a maximum of 25 to 30 truck movements in and out of the site per day during the earthworks phase of the works.
- 11.6.4 Whilst the conclusions of the Traffic Report are noted, I consider there are a number of deficiencies in the assessment. Firstly, whilst the principal junction between the development site and the Williamstown Road has been assessed, no assessment of the wider junctions in the vicinity has been carried out, notably at the junction of the Williamstown Road and the R710 to the north west and the junction of the Williamstown Road and the R684 to the south. This is considered a significant deficit in the analysis.
- 11.6.5 In relation to construction traffic, it is unclear how the estimate of 25 to 30 truck movements per day has been estimated. As noted above, substantial cut is required to facilitate the development, particularly the apartments and no estimate of the quantity of soil to be removed from the site has been provided.

- 11.6.6 I note that the subject site is zoned and serviced land in the Metropolitan Area and that it is likely that the development can be accommodated in the local road network. However, in the absence of sufficient information on the file including the Traffic and Transport Assessment, it is not possible to fully evaluate the potential traffic and transport impacts of the development.
- 11.6.7 I note the concerns of many parties regarding the paucity of public transport serving this area. This is noted however, the critical mass of the development is likely to ensure the viability of existing and future public transport routes.
- 11.6.8 In terms of parking, the development provides 2 car parking spaces per house amounting to 456 spaces and 1 space per apartment. A total of 81 visitor spaces are provided throughout the development. A total of 24 spaces are provided for the crèche facility on the basis of 1 space per employee and 1 space per 4 children.
- 11.6.9 Car parking standards set out in the Waterford City Development Plan 2013 (page 216) is 1 space per unit for dwellings, apartments and flats in Zone 2 within which the site is located. Under the Waterford County Plan 2011 (Table 10.9), the parking standard is 2 spaces per dwelling. The Traffic and Transport Assessment states that it is proposed to provide 2 spaces per house. Whilst the provision of parking is high, having regard to the location of the site and the limited public transport accessibility available, I consider the quantum of parking generally acceptable. In addition, 81 visitor parking spaces are proposed. This is based on a ratio of 1 visitor space per 4 dwellings. Having regard to the extent of parking proposed to serve each dwelling, this is considered excessive and no adequate justification has been provided for the extent of visitor parking proposed.
- 11.6.10 The Traffic Impact Assessment is silent on the extent of cycle parking to be provided. It is indicated on the site layout plan however, that 104 bicycle spaces will be provided throughout the development to serve the apartments. 8 additional bicycle parking also appear to have been provided, presumably for visitors. This is considered deficient. A cycle path has been created within the development along the access road and is considered acceptable.
- 11.6.11 I note the concerns by some observers that the development will create a vehicular access between the proposed development and the 'Farmleigh' estate. At present

there is a pedestrian/cyclist link between the two sites. There is no proposal in the application to create a vehicular link.

11.7 Drainage, Flood Risk and Site Services

Surface Water Drainage

- 11.7.1 Surface water from the development will be collected in a new surface water sewer which will be built as part of the development. The existing storm drain located in the existing access road will not be utilised. It is detailed that surface water will discharge into an underground attenuation tank. From the attenuation tank, the water will discharge at control flow (maximum 31l/s through a petrol interceptor before discharging to the existing 225mm storm sewer in the 'Farmleigh' housing estate. At the entrance of the Farmleigh housing estate, the existing storm line serving the new development will be intercepted and diverted to a new storm line planned for the Dunmore Road and 'Island View' housing estate. This planned storm line will discharge directly to the River Suir. It is understood that the proposed drainage arrangements were agreed with both Irish Water and Waterford City and County Council. Neither party have raised any objection to the proposal in their submissions in relation to the application.
- 11.7.2 I note that concerns have been raised by a number of parties regarding the existing Island View pumping station and the occurrence of raw sewage discharge from the combined outfall. It is detailed in the application documentation however, that the new storm sewer will intercept the existing public sewer network to direct storm water associated with the development as well as approximately 55% of the existing storm water associated with the adjoining 'Farmleigh' housing estate into an existing 900mm combined outfall that discharges into the River Suir at King's Channel. The proposed storm sewer interception will have the effect of reducing the existing hydraulic loading at the Island View pumping station such that the occurrence of the loading thresholds that triggers combined overflow discharges from the Island View Pumping Station into the River Suir at Kings Channel will be reduced. The proposed development will, therefore, be beneficial to the wider area and is likely to reduce the raw sewage overflow events currently experienced at the Island View pumping station.

11.7.3 Notwithstanding the proposal to address surface water drainage, I note that the application and Engineering Design Report is silent on whether SuDS could be incorporated into the scheme as a method of attenuation. The applicant was specifically requested to consider and address SuDS within the development in the notice of Pre-Application Consultation Opinion. The subject development has large areas of green open space that have the capacity to accommodate green infrastructure measures such as swales etc. No detail is provided on the use of other measures such as permeable paving, green roofs etc. I consider the absence of any assessment or evaluation of SuDS a significant deficit in the application.

Foul Drainage

11.7.4 Foul drainage from the development will be collected in a new foul sewer which will be built as part of the development. It will discharge to an existing foul sewer in the 'Farmleigh' housing development. All sewers will be designed and constructed in accordance with Irish Water requirements.

11.7.5 The concerns of some of the observers regarding the capacity of the existing foul drainage network are noted. However, I note that Irish Water have raised no objection to the proposal. I am satisfied that the proposed foul drainage proposal is acceptable.

Water Supply

11.7.6 The local authority water main is located in the existing access road. Two connections will be made to the watermain. Watermain details will be in accordance with Irish Water standards. It is anticipated that the water requirement for the development will be in the region of 253.4 m³ per day and that this consumption can be adequately serviced by the existing water main. The water supply proposals are considered acceptable.

Flood Risk

11.7.7 It is detailed in the Planning Report that according to the Waterford City Flood Maps, the site is not located in a flood zone. No further detail is provided in the Engineering Design Report regarding flooding.

11.8 Social Infrastructure

Crèche

11.8.1 The proposed development provides a crèche facility with capacity for 86 children. The proposed capacity is based on a report prepared by Waterford Childcare Committee who advised that there is inadequate provision for children in the 0-3 age and the age 4 to primary school age groups. It has been designed in accordance with the Childcare Facilities Guidelines 2001 and provides 20 childcare spaces per 75 dwellings. A report from WCCC is included in the application documentation. It is detailed in the application that the location of the crèche was selected as its situation on the main distributor road provides ease of access for residents of the estate and the wider 'Paddocks' development and the location provides a visual profile for the crèche operator. The scale of the crèche proposal and its location is considered acceptable.

Other Infrastructure

11.8.2 Concerns have been raised by a number of the observers regarding the lack of social infrastructure, particularly schools in the vicinity to serve the development. I would concur that there is a general paucity of facilities and amenities in proximity of the site.

11.8.3 Details of social infrastructure in the vicinity are set out in the Statement of Consistency. It details that the site has pedestrian connectivity to Woodlands Hotel and the Ballinakill Downs Shopping Centre. There are also a number of crèches in the vicinity as well as a youth centre, scout hall and GAA club. Sporting amenities are provided at Williamstown opposite the Municipal Golf Club.

11.8.4 In relation to schools, it is detailed that there are two primary schools in the vicinity of the site. It is contended by a number of the observers that these schools are over capacity. The applicant cites that County Plan which notes that there are 23 primary schools in the city and most are sufficiently well developed and equipped to deliver quality education and that any deficiencies can be catered through extensions and small works. There are a number of post primary schools in the wider area including Gael Scoil Secondary School, De La Salle College, St. Angela's and the Abbey. The application lacks details however, as to the actual capacity of primary educational

facilities and their adequacy to serve the development. I accept however, in the wider Waterford City area, there is likely to be capacity in primary schools.

11.8.5 Whilst the observers concerns are noted, I consider there is a basic level of social infrastructure serving the existing site. This area is an established residential zone and I note that the Development Plan includes an objective to develop a neighbourhood centre adjacent to St. Mary's Scout Hall for local retail / commercial services / public services and facilities as appropriate. The development will in time hopefully provide the critical mass of population to enable these facilities to come to fruition. On this basis a refusal on the basis of inadequate social infrastructure, is in my view not warranted.

11.9 Other Issues

Part V

11.9.1 It is detailed that the applicant has been in discussion with the Housing Section of the Council and that the full complement of 32 units will be provided on site. The units proposed to be transferred include 34-41, 63-64, 83-86, 121-122, 173-176, 217-220 and 257-264. The units are dispersed throughout the development and are indicated on drawing PP04. A letter from Waterford City and Council is submitted which agrees to the proposal in principle. I have no objections to the Part V proposals.

Ecology

11.9.2 I note the concerns by some parties regarding the impact of the development on the biodiversity of the site and potential impacts to the River Suir SAC. This matter is discussed further below in the Appropriate Assessment section. I note that to inform the Natura Impact Study a number of surveys were undertaken across the site. The site is not considered to be of any particular importance for flora and fauna. Whilst inevitably the development of such a large greenfield site will result in some disturbance, I am satisfied that no material adverse impacts will arise and fauna are likely to relocate to adjacent undeveloped lands. There are no potential roosting sites for bats on the site. The NIS notes that the site may have some function for foraging and feeding but that any potential impact to bats can be addressed through mitigation measures including appropriate lighting etc. In this regard, I am satisfied

that no significant material adverse ecological or biodiversity impacts are likely to arise.

Construction Phase Impacts

- 11.9.3 I note the concerns raised by some parties regarding construction stage impacts. An outline construction management plan has been submitted by the applicant. Potential construction impacts will be short term and temporary in nature and I am satisfied that they can be appropriately mitigated through good construction management and practice.

12.0 Environmental Impact Assessment

12.1 Introduction

- 12.1.1 This section sets out an Environmental Impact Assessment (EIA) of the proposed project. The subject application comprises a housing development on a site of 10.1225 ha. Under Section 172 of the Planning and Development Act 2000, as amended, a planning application which comes within a class of development specified under Schedule 2 of Part 5 of the Planning and Development Regulations 2001, as amended, requires that an Environmental Impact Assessment is carried out for the project type proposed. The relevant class of development is under Part 2 (10) (b) (iv) of the Schedule relating to *“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.”* The site area of the proposed development exceeds 10 hectares and is located in the built up area of Waterford City and is, therefore, subject to EIA.

- 12.1.2 This application was received by the Board on the 6th of February 2019 and, therefore, having regard to the provisions of Circular Letter PL1/2017, the subject application falls within the scope of the amending 2014 EIA Directive (Directive 2014/52/EU) on the basis that the application was lodged after the last date for transposition in May 2017. The application also falls within the scope of the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018, as the application was lodged after these regulations coming into effect on the 1st of September 2018.

12.1.3 I have carried out an examination of the information presented by the applicant, including the EIAR, and the submissions made during the course of the application. A summary of the results of the submissions made by the planning authority, prescribed bodies and observers, has been set out at Sections 7, 8 and 9 of this report. The main issues raised specific to EIA can be summarised as follows:

- Impacts to biodiversity including designated nature conservation sites.
- Impacts to soil.
- Impacts to human beings including socio economic impacts and noise.
- Impacts to air quality.
- Landscape and visual impact.

These issues are addressed below under the relevant headings, and as appropriate in the reasoned conclusion and recommendation including conditions.

12.1.4 I am satisfied that the EIAR has been prepared by competent experts to ensure its completeness and quality. I note the qualifications and expertise demonstrated by the experts involved in the preparation of the EIAR which are set out in detail in Appendix 1.1 of the EIAR. The information contained in the EIAR generally complies with article 94 of the Planning and Development Regulations 2000, as amended. There are however, deficiencies in the data presented in the soil, traffic, noise and landscape and visual impact chapters of the EIAR. This is discussed in further detail below.

12.2 **Content and Structure of EIAR**

12.2.1 The EIAR consists of two volumes. Volume 1 includes 19 chapters. Chapters 1 and 2 provide an introduction to the project and the non technical summary. Although not provided as a separate document, the NTS is concise and written in a language that can be easily understood by a lay member of the public. Chapter 3 provides a detailed description of the development. Chapter 4 sets out the alternatives examined and chapters 5 and 6 address specified information and forecasting methods and methodology. Chapter 7 addresses population and human health. Chapters 8 and 9 address soils and geology, water and services. Chapter 10, addresses air quality and climate and chapter 11, noise and vibration. Chapter 12 addresses biodiversity and chapter 13 addresses traffic, transportation and parking.

Chapter 14 relates to archaeology, chapter 15, waste and chapter 16, material assets. Chapter 17 addresses visual impact and Chapters 18 and 19 relate to interactions and the schedule of mitigation measures. Volume 2 includes a number of appendices including evidence of competency and expertise, dust management plan, biodiversity surveys and archaeology field walking images.

12.2.2 The EIAR provides a description of the project comprising information on the site, design of the development and other relevant features of the project. No specific difficulties are stated to have been encountered in compiling the required information or in carrying out the assessment. No likely significant adverse impacts are identified in the EIAR. I am satisfied that the participation of the public has been effective and the application has been made accessible to the public by electronic and hard copy means with adequate timelines afforded for submissions.

12.3 **Vulnerability of Project to Major Accidents and/or Disaster**

12.3.1 The requirements of Article 3(2) of the Directive include the expected effect deriving from the vulnerability of the project to risks of major accidents and/or disaster that are relevant to the project concerned. The EIAR addresses this issue in section 7.28. The development site is not regulated or connected to or close to any site regulated under the Control of Major Accident Hazards Involving Dangerous Substances Regulations i.e. SEVESO and so there is no potential for impacts from this source.

12.3.2 The proposed development is not located within an area at risk of fluvial flooding nor is any risk from surface water flooding anticipated. There are no significant sources of pollution in the development with the potential to cause environmental or health effects. It is considered that having regard to the nature and scale of the development itself, it is unlikely that any major accident will arise. There are unlikely to be any effects deriving from major accidents and or disasters and I am satisfied that this issue has been addressed satisfactorily in the EIAR.

12.4 **Alternatives**

12.4.1 Article 5 (1) (d) of the 2014 EIA Directive requires:

“(d) a description of the reasonable alternatives studied by the developer, which are relevant to the project and its specific characteristics, and an indication of the main

reasons for the option chosen, taking into account the effects of the project on the environment;”

12.4.2 Annex (iv) (Information for the EIAR) provides more detail on ‘reasonable alternatives’:

“2. A description of the reasonable alternatives (for example in terms of project design, technology, location, size and scale) studied by the developer, which are relevant to the proposed project and its specific characteristics, and an indication of the main reasons for electing the chosen option, including a comparison of the environmental effects.”

12.4.3 The matter of alternatives is addressed in Chapter 4 of the EIAR ‘Alternatives Examined’. Section 4.12 of the EIAR states that, having regard to the zoning objective of the lands in question, it was not considered necessary to consider alternative sites or locations for the proposed development.

12.4.4 The ‘do nothing approach’ is set out in section 4.14 and was considered to represent an inappropriate, undesirable and unsustainable use of strategically located zoned lands. It is set out that during the design process for the proposed development three iterations of the layout and design proposals were considered. These included schemes of lower density and with less housing variety. The description of the consideration of alternatives in the EIAR is reasonable. I am satisfied that the EIAR has provided a description of the reasonable alternatives studied by the applicant which are relevant to the proposed project.

12.5 **Likely Direct/Indirect Significant Effects**

12.5.1 Article 3 of the EIA Directive 2014/52/EU requires the consideration of the following in the EIAR:

- Population and human health.
- Biodiversity, with particular attention to the species and habitats protected under Directive 92/43/EEC and Directive 2009/147/EC.
- Land, soil, water, air and climate.
- Material assets, cultural heritage and the landscape.
- The interaction between the factors referred to in points (a) to (d).

12.5.2 The likely significant direct and indirect effects of the proposed development are considered under the following headings:

- Population and Human Health
- Biodiversity
- Land and Soil
- Water, Air and Climate
- Noise
- Cultural Heritage
- Material Assets including Traffic and Transportation
- Visual Impact
- Interactions

12.6 **Population and Human Health**

12.6.1 The assessment indicates that Waterford has experienced modest population increase over the last intercensal period. It is considered that in this context, the development will have a positive effect and will facilitate housing to a wide range of the population and will complete an unfinished housing estate. The development is likely to have a positive effect on local employment and economic activity, particularly in the construction sector and it is expected that it will provide for up to 30 construction jobs. I note however, no detail is provided as to how this figure has been derived. Although not quantified, it is further detailed that there will also be positive economic spin offs to the economy in terms of direct, indirect and induced spending effects. Whilst I consider the assessment of the potential economic impacts of the development to be lacking in detail, I am generally satisfied that the development due to its nature will have positive impacts on the local economy.

12.6.2 It is considered that there will be no significant negative human health impacts associated with the development. The development will give rise to some short term construction stage impacts, particularly from traffic, noise, dust etc. The potential impacts of noise and air quality are specifically set out in chapters 10 and 11 of the EIAR. A range of mitigation measures to minimise disturbance are set out including a dust management plan, restrictions on noise limits and selection of plant with low noise emissions.

12.6.3 During the operational stage, there is potential for impacts from building plant, car parking and traffic. Proprietary noise control measures will be employed to ensure noise emissions from plant does not exceed appropriate limits. The predicted noise level from additional vehicular traffic will be less than 1dB and as such, the noise impact will not be significant. No residual impacts are anticipated either during the construction or operational phase. No significant cumulative impacts are envisaged.

12.6.4 I have considered all of the written submissions made in relation to population and human health. I am satisfied that the impacts identified would be avoided, managed or mitigated by measures forming part of the proposed scheme, proposed mitigation measures and measures within suitable conditions. I am, therefore, satisfied that the proposed development would not have any unacceptable direct, indirect or cumulative impacts in terms of population and human health.

12.7 **Biodiversity**

12.7.1 A series of baseline surveys were undertaken to inform the biodiversity chapter of the EIAR including habitat, flora, bird, mammal, bat and other taxa. Having regard to the nature and character of the site, I am satisfied with the extent and methodology of the surveys undertaken. The site is not located within any designated nature conservation area. The nearest designated conservation areas to the study area are the King's Channel pNHA and the Lower River Suir SAC. A full assessment of potential impacts on the SAC and other Natura 2000 sites which have a potential hydrological link to the development site are set out in the Appropriate Assessment in Section 13 below.

12.7.2 No Annex 1 habitats are present within the application site and no botanical species protected under the Flora (Protection) Order 2015, listed in Annex II or IV of the EU Habitats Directive (92/43/EEC), or Red listed in Ireland were recorded. No invasive species were recorded. A total of 19 bird species were recorded within 50m of the observer during the transect surveys undertaken. No species that are listed on Annex 1 of the EU Bird Directive or Red listed in Ireland of high conservation concern were recorded. The site is considered to be of lower local importance for birds. There was evidence of one non Volant mammal species and numerous sightings of fox. No badger setts or signs were noted. The EIAR states that while the residential area of the application site currently provides commuting, resting,

breeding and feeding opportunities for non Volant mammals through the presence of woody habitat, the extent of the habitat in question is relatively limited within the context of the suburban location. The application site is considered to be of lower importance for mammals overall. Ten other taxa species were recorded in the overall site, however, none are of conservation interest and the site is considered to be of lower local importance in this regard.

- 12.7.3 A total of 5 bat species were confirmed during the surveys undertaken. Recorded bat activity confirmed feeding and social behaviour in association with linear woody vegetation. While there are no structures present at site that could provide permanent roosting opportunities for bats, some mature trees present may provide transient roosting opportunities for bats during the summer period. The EIAR states that the application site currently provides commuting, feeding and potentially transient roosting opportunities for bats, however, the extent of habitat is limited within the context of the suburban location.
- 12.7.4 There will be no direct impacts to any designated conservation site. There are however, potential indirect impacts to several sites including King's Channel pNHA, Lower River Suir SAC, River Barrow and River Nore SAC, Barrow River Estuary pNHA and Waterford pNHA from surface water run off. It is stated in the EIAR that the implementation of construction and operational phase soils and water management proposals will adequately reduce potential risks arising from site associated hydrological or water quality impacts on the River Suir via the public storm sewer network.
- 12.7.5 There is also potential for impacts from the input of freshwater arising from development via an existing outfall in terms of freshwater influence on Atlantic Salt Meadow habitats, a qualifying interest of the Lower River Suir SAC. Such impacts are however, considered neutral. In terms of indirect impacts from waste water/foul effluent, the frequency of raw sewage discharge through the existing combined outfall at King's Channel will be reduced from that currently in operation due to the new storm sewer interception proposed as part of the development. Impacts are considered neutral. With regard to impacts from treated sewage, it is noted that the Waterford WWTP is compliant with regard its licenced emissions where its discharge does not have an observable negative impact on water quality or the WFD status of the receiving waters of the River Suir. The WWTP has significant capacity to accept

additional organic PE loading.

- 12.7.6 Potential effects on habitats and flora at the site arising from the construction of the development are considered slight negative due to the direct loss and fragmentation of some habitats of higher local importance. Potential construction phase effects on habitats and flora associated with aquatic habitats in the wider area are considered imperceptible neutral with the implementation of soils and water management proposals. The permanent loss of woody and grassy habitats will negatively affect fauna through reduced commuting, resting/roosting, breeding and feeding opportunities. It is noted however, that the extent of habitat loss in question is relatively limited within the context of its suburban location and the landscape plan will retain some internal hedgerows and tree lines and promotes native planting as well as new parkland and garden habitat that fauna can use. No significant impacts on roosting bat habitats are anticipated. The development will lead to a disturbance of fauna through displacement. It is stated in the EIAR however, that as the construction phase is temporary and short term in duration, this will allow fauna to move back to the site and adjoining area when works have ceased.
- 12.7.7 During the operational phase, there will be an ongoing level of disturbance potentially affecting fauna. However, affected fauna will be able to move into the surrounding landscape where woody and grassy habitats are available. There is also potential for disturbance to bats from artificial lighting. Specific mitigation measures are set out in this regard.
- 12.7.8 Potential cumulative impacts are assessed in section 12.122 of the EIAR. It notes that the potential operational effects on biodiversity at the site overall will be imperceptible neutral and in this regard, potential cumulative impacts in respect of loss/change in habitat and associated flora and fauna is not a particular concern.
- 12.7.9 A range of mitigation measures are set out in the EIAR including soil and water management proposals, restrictions on habitat removal, hours of operation, felling of trees, restrictions on flood lighting, operational phase lighting scheme etc.
- 12.7.10 In terms of residual effects, potential construction stage impacts arising from the general loss and fragmentation of some habitats and reduction of associated opportunities for biodiversity are considered slight negative, while potential operational stage impacts are considered imperceptible neutral as new

planting/landscaping matures.

12.7.11 I have considered all of the written submissions made in relation to biodiversity. I am satisfied that the impacts identified would be avoided, managed or mitigated by measures forming part of the proposed scheme, proposed mitigation measures and measures within suitable conditions. I am, therefore, satisfied that the proposed development would not have any unacceptable direct, indirect or cumulative impacts in terms of biodiversity.

12.8 Land and Soil

12.8.1 The site is greenfield in character with a varying topography. The natural contours of the land have been altered to the west of the access road as a result of previous development. There are no surface water features and the site is well drained. It is detailed in the EIAR that soils at the site are entirely till, chiefly derived from acidic volcanic rocks which underlie the soil. Outcropping rock is also delineated. The bedrock geology in the vicinity of the site principally comprises of volcanic rocks of the Ballynaclogh Formation. Groundwater Vulnerability Mapping categorises the site generally as high, rising to extreme to the north west of the site where rock is outcropping.

12.8.2 Impacts to soil, land, geology and hydro geology will primarily be from the removal of topsoil, topsoil mounding and excavation, including some excavation of rock. It is stated in the EIAR that excavated material that is not re-used on site for filling and landscaping will be disposed of at an appropriate licenced waste disposal site. It is stated that the impacts on the underlying geology arising from the construction phase will be largely mitigated by the dwelling construction, reinstatement and final landscaping. The greatest impact will be to the soils as final levels will be greatly altered throughout. Final landscaping will reduce these impacts. It is anticipated that the impact on soils and rock arising from the construction phase will be likely, temporary and moderate. No long term significant adverse impacts are anticipated.

12.8.3 It is considered that the development would be unlikely to have any direct impact on the ground water environment. The reduced capacity for infiltration is addressed in the surface water drainage design.

12.8.4 No significant operational impacts are anticipated.

12.8.5 To mitigate potential contamination of soils during the construction phase, it is

proposed to designate an area for fuel storage and re-filling of plant and machinery during the construction phase. The area shall have an impermeable hard standing surface and fuel tanks shall have a secondary bund to contain accidental leaks. It is detailed that whilst there is potential for a permanent negative impact on ground water if an accidental spill leak occurred during the course of works outside the fuel area, that the till material characteristic of the site is largely composed of clay which has low permeability and will serve to limit the potential for contamination to infiltrate the underlying aquifer. Further site specific mitigation measures are set out in section 8.38 of the EIAR and include phased stripping to top soil, design of the development to minimise cut/fill earthwork operations, controlled stockpiling of subsoil material, wheel wash facilities etc.

12.8.6 Notwithstanding the conclusions set out in the EIAR, I consider the assessment of the potential impacts on land, soil, geology and hydrogeology deficient on a number of grounds. Firstly no detailed site investigations including boreholes or trial pits have been carried out to accurately determine baseline conditions and the nature of the existing environment. Furthermore, as noted previously, the proposed development will involve significant excavation across the site, particularly to enable the construction of the proposed apartments. The EIAR provides no detail of the quantity of soil to be removed to facilitate the development and this in my view is a significant deficit in the information provided. Furthermore, there is scant information regarding the extent of bedrock to be removed to facilitate the development to the north west of the site.

12.8.7 I have considered all of the written submissions made in relation to land and soil. I am not satisfied based on the information provided including the absence of any detailed site investigation report that potential impacts on soil have been fully considered and evaluated. There is an absence of information regarding existing soil and geological conditions and the potential impacts of excavation have not been fully interrogated having regard to the extent of soil and rock to be removed. In the absence of this information, I am not satisfied that the identified impacts on soil/geology would be avoided, managed and mitigated by the measures which form part of the proposed scheme, or through suitable conditions. I am, therefore, not satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of soil and geology.

12.9 Water, Air and Climate

Water

12.9.1 There are no surface water bodies on the site. Storm water on the site will be managed using an attenuation tank and hydrobrake. The attenuation tank is sized to store the 1:100 storm event. The maximum discharge rate from the hydro brake is 31 l/s. It is proposed to intercept the existing storm sewer and construct a new storm sewer on the Dunmore Road. This will cater for the proposed development and approximately 55% of the stormwater from the 'Farmleigh' development, thus reducing the load on the existing pumping station. Surface water will drain to the River Suir. Surface water will not contribute to any possible flooding external to the site. Foul drainage arising from the development will discharge to the existing foul sewer in the 'Farmleigh' housing estate. Water supply will be by way of the public water system and there is adequate capacity for the development. No adverse impacts in terms of storm water drainage, foul water drainage or water supply are anticipated. No mitigation measures are proposed.

Air Quality

12.9.2 It is stated in the EIAR that the dominant source of air pollutant emissions resulting from the proposed development will be from road traffic. A short term air quality monitoring study was conducted to determine the effect of local road traffic sources. NO² was monitored and average concentrations were well below the annual average limit value of 40 µg/m³. The predicted ambient NO² concentration with the development in place is assessed and is considered to be negligible. There will be an imperceptible increase in PM¹⁰ and PM^{2.5} levels.

12.9.3 During the construction phase potential impacts from dust will be mitigated through the implementation of a dust management plan detail of which is set out in Appendix 2.1 of the EIAR and other construction management measures. No residual impacts are predicted. No long term cumulative impacts on air quality are predicted.

Climate

12.9.4 The impact of increased road traffic on CO² emissions is predicted to be 0.0012% of Irelands ESD target for non ETS emissions in 2020 and thus the impact on macroclimate will be negligible.

12.9.5 I have considered all of the written submission made in relation to water, air and climate. I am satisfied that the impacts identified would be avoided, managed and/or mitigated by the measures, which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. I am, therefore, satisfied that the proposed development would not have any unacceptable direct, indirect or cumulative impacts in terms of water, air and climate.

12.10 Noise

12.10.1 An environmental noise survey was conducted in order to quantify the existing noise environment. Three different locations were surveyed. Noise measurements were generally dominated by distant traffic noise.

Construction Phase

12.10.2 Predicted noise impacts during the construction phase are set out in section 11.44 onwards. It is detailed that due to the nature of the activities to be undertaken, there is potential for generation of significant levels of noise. The likely impact associated with changes in noise level is set out in Table 11.7 and includes site preparation, foundation laying, steel erection, general construction and road works. Potential for vibration at neighbouring sensitive locations during construction will be typically limited to excavation works and lorry movements on uneven road surfaces. It is stated however, that due to the relative distance between sensitive locations to potential access points off the Paddocks Road that there is little likelihood of structural or even cosmetic damage to existing nearby dwellings.

12.10.3 The EIAR states that all the predicted noise levels are below the criterion 65 dB $L_{Aeq, 1hr}$ for construction activities at the 'Cnoc Caislean' and 'Grantstown Village' dwellings adjacent to the site and that there should be no significant disturbance to these dwellings. It notes that some of the predicted noise levels are slightly above (1-3dB) the criterion of 65 dB $L_{Aeq, 1hr}$ at 'The 'Paddocks' and 'Williamstown Village' dwellings but that such impacts will be reduced by appropriate mitigation measures. With regard to vibration, it is stated that the relative distance between the excavation areas and the existing residences is such that any ground borne vibration should be well below threshold limits.

12.10.4 As noted above, it is detailed in the soil section of the EIAR that bedrock is present in the north west of the site. It is stated that where bedrock is encountered, it will be

crushed, screened and tested for use. No clarity is provided in the EIAR as to how this bedrock will be removed and no assessment is provided regarding potential noise/vibration impacts of such removal to adjacent residents of the surrounding estates. Such removal could potentially be the source of significant noise/vibration impacts if methods such as blasting/rock breaking are required to enable its removal. I consider this absence of this information to be a deficiency in the noise assessment.

Operational Phase

12.10.5 Potential impacts from the development during the operational phase derive from car parking and additional vehicular traffic. With regard to car parking, it is noted that the majority of car parking spaces will be in the interior of the development and, therefore, shielded by the development dwellings. In this regard, noise levels associated with such parking should not raise the ambient noise level at any nearby noise sensitive location to any measurable degree. The impact of additional vehicular traffic is anticipated to result in an increase in noise level by less than 1dB which will be imperceptible. No significant noise impacts from the crèche are anticipated.

12.10.6 Section 11.66 of the EIAR onwards sets out construction phase mitigation measures including the limitation of hours of construction, appointment of a site representative, noise monitoring, selection of plant, erection of hoarding and vibration limits.

12.10.7 I have considered all of the written submissions made in relation to noise. I am not satisfied based on the information submitted including the absence of any detailed assessment of potential bedrock removal on the site that potential noise and vibration impacts have been fully considered and evaluated. In the absence of this information, I am not satisfied that the identified impacts on noise and vibration would be avoided, managed and mitigated by the measures which form part of the proposed scheme, or through suitable conditions. I am, therefore, not satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of noise and vibration.

12.11 Cultural Heritage

12.11.1 No anomalies that might indicate the presence of archaeological features were observed in the course of field surveys. There are no archaeological monuments or

apparent features on the site. The nearest recorded monument is Ballygunner Castle located 1.3km to the east.

12.11.2 As there are no known archaeological monuments or identifiable features within the site or in the immediate vicinity, direct impacts on the known archaeological resource of the site are unlikely. Due to the scale of the site, archaeological monitoring of areas of substantial ground disturbance during the construction phase is advised. Should the Board be minded to grant permission, I would suggest that a condition is attached to any grant of permission requiring same. No operational impacts are predicted.

12.11.3 I have considered all of the written submissions made in relation to cultural heritage. I am satisfied that the impacts identified would be avoided, managed and/or mitigated by the measures, which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. I am, therefore, satisfied that the proposed development would not have any unacceptable direct, indirect or cumulative impacts in terms of cultural heritage.

12.12 Material Assets including Traffic and Transportation

Traffic and Transportation

12.12.1 Baseline traffic count surveys were carried out over 2 days in October 2017 to inform the assessment. Peak period traffic is calculated from trip rates derived from TRICS.

12.12.2 With regard to construction traffic, it is detailed in the EIAR that construction works would generate a maximum of 25-30 trips to and from the development site during each of the peak hour periods. There is no assessment or analysis provided as to how this figure is calculated or derived. As noted above, there is a paucity of information regarding the extent of soil removal from the site which could generate significant additional traffic movements during the construction phase. This has not been quantified or assessed. It is further detailed that construction labour could peak at 30 persons which would equate to a maximum of 30 vehicles arriving at the site during the AM and PM peak periods. Having regard to the scale of the development, even if constructed on a phased basis, this level of construction workers seems low. I am not satisfied that there is sufficient information in the EIAR to fully assess the potential construction stage traffic impacts of the development.

12.12.3 In terms of the operational phase, it is determined that the additional traffic created

by the proposed development will have a minimal effect on the junction with the Williamstown Road and the development can be accommodated within the current and future local road network. As noted in section 11.6 above, I consider the assessment of junctions in the vicinity of the site to be inadequate. The applicant has only assessed the impact of the development on the existing junction between 'The Paddocks' and the Williamstown Road. No assessment of wider junction capacity has been carried out and in the absence of this information, it is not possible to determine fully the operational impacts of the development.

12.12.4 No mitigation measures are proposed and no residual impacts are identified.

Services

12.12.5 There are existing electricity, telecommunications and natural gas infrastructure in the area and the development will have no adverse effect on that infrastructure. The development is not anticipated to have any significant adverse effects on foul and surface water disposal. The development will deliver a new network of streets, footpaths and cycle paths in the area. It is considered the development will have a positive impact on material assets including services and infrastructure.

12.12.6 In terms of mitigation, it is stated in the EIAR that the development will be a valuable new material asset that has been designed to limit any adverse impacts on existing resources and material assets. Appropriate construction stage mitigation measures are proposed. Connections to the existing gas and telecommunications networks will be co-ordinated with the relevant utility provider and carried out by approved contractors. No operational mitigation measures are proposed. No residual impacts are identified.

12.12.7 I have considered all of the written submissions made in relation to material assets, traffic and transport. I am not satisfied that the identified impacts associated with construction and operational traffic would be avoided, managed and mitigated by the measures which form part of proposed scheme, the proposed mitigation measures and through suitable conditions. I am not satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of operational or construction traffic.

12.13 Landscape

12.12.1 The site is located in the suburbs of Waterford City in an area characterised by significant residential development. Levels across the site vary from +45m O.D. at the site entrance to +37m O.D at the start of the proposed development footprint and +19m O.D at the northern extremity of the proposed development. The site has some significant specimen trees and hedgerows which are centrally located, while the boundaries consist of significant native hedgerows and trees.

12.12.2 It is stated in the EIAR that the impact on Landscape Character will be of medium to neutral significance which reflects the capacity of the site to accommodate the development without incurring significant adverse landscape impacts on the local or wider suburban/rural landscape settings.

12.12.3 In terms of the visual impact, 10 different viewpoints are assessed. I am satisfied that the viewpoints selected allow for an adequate assessment of overall visual impacts. Concerns have been raised by some third parties regarding the veracity of the photomontages submitted. I would concur that the quality of the images is poor. It is noted in the EIAR that at the macro level, views of the proposed development are heavily constrained by a combination of variation in topography and vegetation. Vantage points with a view of the site are distant and no significant visual impacts occur. At the micro level, visual impacts are also mitigated by a combination of variation in topography and vegetation cover along site boundaries or on adjoining sites.

12.12.4 It is stated in the EIAR that the residential development constitutes a significant intervention in the local landscape setting in keeping with the zoning of the site for residential development. It notes that while the variation in topography across the site could potentially give rise to significant impacts in the landscape, a combination of existing boundary vegetation and tree cover in the vicinity of the site ensure that such potential impacts are significantly mitigated.

12.12.5 The Board should be aware from my assessment in section 11.4 above, that I have concerns regarding certain aspects of the layout of the development, and in particular, the failure of the proposed apartment blocks to appropriately address the topography of the site and the level of intervention required to facilitate their construction. This will in my view, give rise to unacceptable localised visual impacts

due to the extensive cut and fill required which will result in a series of steep angled slopes and retaining walls, resulting in a poor level of visual amenity to future occupants.

12.12.5 It is further detailed in the EIAR that where views of the proposed development are significant, such as from the pedestrian link when entering 'The Paddocks' from 'Farmleigh', the design qualities associated with the development in terms of its buildings and landscape treatment, mean that beneficial visual impacts are experienced. In the medium to long term, the comprehensive tree planting proposals for the site will provide additional screening and a landscape infrastructure into which the housing will be integrated.

12.12.6 In terms of mitigation, it is stated that mitigation has been provided in the form of reductive and avoidance measures which derive from the design strategy for the site. These measures include retention of trees and hedgerows most notably along site boundaries to provide a natural buffer and visual screen relative to adjoining sites. Additional tree planting will augment the existing landscape infrastructure of the site.

12.12.7 I have considered all of the written submissions made in relation to the landscape and visual impact. Having regard to the overall layout and failure of the scheme to appropriately address the topography of the site, I am not satisfied that the identified landscape and visual impacts would be avoided, managed and or mitigated by the measures, which form part of the proposed scheme, the proposed mitigation measures and through suitable conditions. I am, therefore, not satisfied that the proposed development would not have any unacceptable direct or indirect landscape and visual impacts.

12.13 Interactions

12.13.1 I have considered the interrelationships between factors and whether these may as a whole affect the environment, even though the effects may be acceptable when considered on an individual basis. In particular, the potential arises for traffic to interact with other factors including Air and Noise (increased levels of dust and noise). Potential cross factor effects to Biodiversity could be caused by Landscape (opportunities for enhanced biodiversity, habitat loss) and Noise (nuisance and disturbance). The details of all other interrelationships are set out in Chapter 15, which I have considered.

12.13.2 I am satisfied that effects as a result of interactions, indirect and cumulative effects can be avoided, managed and/or mitigated by the measures which form part of the proposed development, mitigation measures, and suitable conditions. There is, therefore, nothing to prevent the approval for the development on the grounds of significant effects as a result of interactions between the environmental factors.

12.14 Reasoned Conclusion

12.14.1 Having regard to the examination of the environmental information contained above, and in particular to the EIAR and supplementary information provided by the developer, and the submissions from the planning authority, prescribed bodies and observers in the course of the application, it is considered that the main significant direct and indirect effects of the proposed development on the environment are as follows:

Human Beings: The development will have a positive effect and will facilitate housing to a wide range of the population and will complete an unfinished housing estate. It will also likely to have a positive effect on local employment and economic activity, particularly in the construction sector.

Biodiversity: The development will have a negative effect on habitats and flora due to the direct loss and fragmentation of habitats. This will be mitigated through the proposed landscaping scheme and retention of existing hedgerows. Potential impacts to bats will be mitigated through appropriate lighting design. General disturbance and displacement of fauna will be mitigated through a range of measures including restrictions on habitat removal and felling of trees, hours of operation etc.

Land and Soil: Impacts to soil, land, geology and hydro geology will primarily be from the removal of topsoil, topsoil mounding and excavation, including some excavation of rock. Mitigation measures to reduce impacts include a designated area for fuel storage as well as site specific measures including phased stripping of top soil, design of the development to minimise cut/fill earthwork operations, controlled stockpiling of subsoil material, wheel wash facilities etc. Site levels will be altered throughout the site and it is evident that considerable excavation will occur on parts of the site. Land, Soil and Geology impacts cannot be ruled out due to the absence

of adequate information regarding the extent of soil/rock to be removed from the site and the lack of appropriate site investigations.

Air Quality: Potential effects on air during construction which will be mitigated by a dust management plan including a monitoring programme.

Noise: Noise impacts from the development will arise from construction phase activities. Mitigation measures include the limitation of hours of construction, appointment of a site representative, noise monitoring, selection of plant, erection of hoarding and vibration limits. Noise and vibration impacts cannot be ruled out due to the lack of information provided in the EIAR regarding bedrock removal and potential noise and vibration impacts associated with activities such as blasting or other methods of extraction if required.

Material Assets including Traffic and Transportation: The operational traffic assessment does not consider the impact of the development on the wider road network. There is insufficient information in the EIAR to fully assess the potential operational stage traffic impacts of the development. The construction phase is anticipated to generate 25 to 30 trips to and from the development during each of the peak hour periods. Construction phase impacts cannot be ruled out due to the lack of sufficient quantitative traffic data. Having regard to the lack of information regarding soil removal or how construction trips have been calculated, there is insufficient information in the EIAR to fully assess the potential construction stage traffic impacts of the development.

Landscape and Visual Impact: Will be mitigated by the retention and enhancement of existing trees and hedgerows and new landscaping proposals. Landscape and visual impacts cannot be ruled out due the extent of cut/fill and intervention to facilitate the development which will result in the creation of steep angled slopes and retaining walls within the development.

12.14.2 The submitted EIAR has been considered with regard to the guidance provided in the EPA documents 'Guidelines on the Information to be Contained in Environmental Impact Assessment Reports' (draft August 2017) and 'Advice Notes for Preparing Environmental Impact Statements' (draft September 2015). The likely significant environmental effects arising as a consequence of the proposed development have not been satisfactorily identified, described and assessed with regard to land and

soil, noise, operational and construction phase traffic and landscape and visual impacts.

13.0 **Appropriate Assessment**

13.1 **Introduction**

13.1.1 Article 6(3) of Directive 92/43/EEC (Habitats Directive) requires that any plan or project not directly connected with or necessary to the management of a European site(s), but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to Appropriate Assessment of its implications for the site(s) in view of the site(s) conservation objectives. The Habitats Directive has been transposed into Irish law by the Planning and Development Act 2000, as amended, and the European Union (Birds and Natural Habitats) Regulations 2011-2015.

13.1.2 In accordance with these requirements and noting the Board's role as the competent authority who must be satisfied that the proposal would not adversely affect the integrity of the Natura 2000 site(s), this section of my report assesses if the project is directly connected with or necessary to the management of European Site(s) or in view of best scientific knowledge, if the project, individually or in combination with other plans or projects, is likely to have a significant effect on any European Site, in view of the site(s) conservation objectives.

13.1.3 Guidance on Appropriate Assessment is provided by the EU and the NPWS in the following documents:

- Assessment of plans and projects significantly affecting Natura 2000 sites – methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC (EC, 2001).
- Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities (DoEHLG).

13.1.4 Both documents provide guidance on Screening for Appropriate Assessment and the process of Appropriate Assessment itself.

13.2 The Natura Impact Statement

13.2.1 The application was accompanied by a Natura Impact Statement (NIS) prepared by Kelleher Ecology Services Ltd. This section of the report considers the likely significant effects of the proposal on European sites with each of the potential significant effects assessed in respect of each of the Natura 2000 sites considered to be at risk and the significance of same.

13.2.2 Having reviewed the revised NIS and the supporting documentation, I am satisfied that it provides adequate information in respect of the baseline conditions, does clearly identify the potential impacts and does use best scientific information and knowledge. Details of mitigation measures are provided and they are summarised in Section 5.2 of the NIS. I am satisfied that the information is sufficient to allow for Appropriate Assessment of the proposed development.

13.3 Appropriate Assessment Screening – Stage 1

13.3.1 I consider that the proposed development is not directly connected with or necessary to the management of any European site.

13.3.2 The Natura Impact Statement which accompanies the planning application includes a Stage 1 Screening Assessment set out in Table 4.1. It notes that there are 8 European Sites within the likely zone of impact of the development. This is defined as a 15km radius of the site, as recommended in the DoEHLG 'Appropriate Assessment of Plans and Projects in Ireland Guidance for Planning Authorities' (2010). It states that there are no other sites greater than 15km away where potential impact-receptor pathway is relevant. This is considered reasonable.

13.3.3 The sites considered within the Stage 1 Screening and the distances from the development site are summarised below. Given the distance of the development from the identified sites coupled with intervening screening and topography, no direct impacts in terms of disturbance or displacement are envisaged. There is a potential impact receptor pathway via surface water links between the development and two of the Natura 2000 sites, the Lower River Suir SAC and the River Barrow and River Nore SAC. Surface water run off arising from the development will discharge into the River Suir and the associated SAC at King's Channel via a combined outfall associated with the public storm sewer network at Island View. The River Barrow and River Nore SAC is c. 5.3km downstream of the discharge point and there is

potential for an indirect hydrological impact. None of the other designated sites are downstream of the surface water discharge point at King's Channel and, therefore, there is no hydrological link given their location.

13.3.4 There is also a potential impact receptor pathway via waste water/foul effluent links between the site and the Lower River Suir SAC and River Barrow and River Nore SAC. Waste water/foul effluent arising from the development will be discharged into the public foul effluent network for treatment at Waterford City Wastewater Treatment Plan that ultimately discharges into the River Suir where the Lower River Suir SAC is also present. The River Barrow and River Nore SAC is c. 3.1km downstream of the WWTP discharge point. There is, therefore, potential for indirect hydrological impacts on these SAC's via waste water/foul effluent arising from the development. None of the other designated sites are downstream of the discharge point from Waterford WWTP and, therefore, there is no hydrological link given their location.

Name of Site	Site Code	Approximate Distance from Site Boundary and Discharge Points	Potential Connection
Lower River Suir SAC	002137	Site Boundary:0.042 km Discharge Points Surface Water: 0km Waste Water: 0km	Screened In Hydrological link via surface water and waste water/foul effluent links.
River Barrow and River Nore SAC	002162	Site Boundary: 4.55km Discharge Points: Surface Water: c. 5.3km	Screened In Hydrological link via surface water and waste

		Waste Water: c. 3.1km	water/foul effluent links.
Tramore Dunes and Backstrand SAC	000671	Site Boundary: 6.89km Discharge Points: Surface Water: n/a Waste water: n/a	Screened Out No hydrological link.
Tramore Back Strand SPA	004027	Site Boundary: 6.89km Discharge Points: Surface Water: n/a Waste water: n/a	Screened Out No hydrological link
Mid Waterford Coast SPA	004193	Site Boundary: 11.98km Discharge Points: Surface Water: n/a Waste water: n/a	Screened Out No hydrological link
Hook Head SAC	000764	Site Boundary: 11.04km Discharge Points: Surface Water: n/a	Screened Out No hydrological link

		Waste water: n/a	
Bannow Bay SAC	000697	Site Boundary: 14.27km Discharge Points: Surface Water: n/a Waste water: n/a	Screened Out No hydrological link
Bannow Bay SPA	004033	Site Boundary: 14.83km Discharge Points: Surface Water: n/a Waste water: n/a	Screened Out No hydrological link

13.3.5 Based on my examination of the NIS Report and supporting information, the NPWS website, aerial and satellite imagery, the scale of the proposed development and likely effects, separation distance and functional relationship between the proposed works and the European sites, their conservation objectives and taken in conjunction with my assessment of the subject site and the surrounding area, I would conclude that a Stage 2 Appropriate Assessment is required for two of the European sites referred to above, namely the:

- Lower River Suir SAC (002137)
- River Barrow and River Nore SAC (002162)

13.3.6 The remaining sites namely:

- Tramore Dunes and Back Strand SAC (000671)
- Tramore Back Strand SPA (004027)

- Mid Waterford Coast SPA (004193)
- Hook Head SAC (000764)
- Bannow Bay SAC (000697)
- Bannow Bay SPA (004033)

can be screened out from further assessment because of the scale of the proposed works, the nature of the Conservation Objectives, Qualifying and Special Conservation Interests, the separation distances and the lack of a substantive linkage between the proposed works and the European sites. It is, therefore, reasonable to conclude that on the basis of the information on file, which I consider adequate to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on these six European Sites in view of the sites' conservation objectives and a Stage 2 Appropriate Assessment is not, therefore, required for these sites.

13.4 Stage Two – Appropriate Assessment

13.4.1 **Relevant European Sites:** The Conservation Objectives and Qualifying Interests for the two European sites for which a Stage 2 Appropriate Assessment is required are set out below.

Site Name	Qualifying Interests
Lower River Suir SAC 002137	1029 Freshwater Pearl Mussel <i>Margaritifera margaritifera</i> 1092 White-clawed Crayfish <i>Austropotamobius pallipes</i> 1095 Sea Lamprey <i>Petromyzon marinus</i> 1096 Brook Lamprey <i>Lampetra planeri</i> 1099 River Lamprey <i>Lampetra fluviatilis</i> 1103 Twaite Shad <i>Alosa fallax fallax</i> 1106 Salmon <i>Salmo salar</i> 1330 Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>) 1355 Otter <i>Lutra lutra</i> 1410 Mediterranean salt meadows (<i>Juncetalia maritimi</i>) 3260 Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation 6430 Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels 91A0 Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles

	<p>91E0 Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>)</p> <p>91J0 <i>Taxus baccata</i> woods of the British Isles.</p>
River Barrow and River Nore SAC (002162)	<p>1016 Desmoulin's whorl snail <i>Vertigo moulinsiana</i></p> <p>1029 Freshwater pearl mussel <i>Margaritifera margaritifera</i></p> <p>1092 White-clawed crayfish <i>Austropotamobius pallipes</i></p> <p>1095 Sea lamprey <i>Petromyzon marinus</i></p> <p>1096 Brook lamprey <i>Lampetra planeri</i></p> <p>1099 River lamprey <i>Lampetra fluviatilis</i></p> <p>1103 Twaite shad <i>Alosa fallax</i></p> <p>1106 Atlantic salmon (<i>Salmo salar</i>) (only in fresh water)</p> <p>1130 Estuaries</p> <p>1140 Mudflats and sandflats not covered by seawater at low tide</p> <p>1310 Salicornia and other annuals colonizing mud and sand</p> <p>1330 Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>)</p> <p>1355 Otter <i>Lutra lutra</i></p> <p>1410 Mediterranean salt meadows (<i>Juncetalia maritimi</i>)</p> <p>1421 Killarney fern <i>Trichomanes speciosum</i></p> <p>1990 Nore freshwater pearl mussel <i>Margaritifera durrovensis</i></p> <p>3260 Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation</p> <p>4030 European dry heaths</p> <p>6430 Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels</p> <p>7220 * Petrifying springs with tufa formation (<i>Cratoneurion</i>)</p> <p>91A0 Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles</p> <p>91E0 * Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>)</p>

Lower River Suir SAC (002137)

Brief Description of Site

13.4.2 Lower River Suir SAC consists of the freshwater stretches of the River Suir. The Suir and its tributaries flow through the counties of Tipperary, Kilkenny and Waterford. Salt meadows occur below Waterford City in old meadows where the embankment is absent, or has been breached, and along the tidal stretches of some of the in-flowing rivers below Little Island. The Lower River Suir contains excellent examples of a number of Annex I habitats, including the priority habitats alluvial forest and Yew

woodland. The site also supports populations of several important animal species, some listed on Annex II of the Habitats Directive or listed in the Irish Red Data Book. The presence of two legally protected plants (Flora (Protection) Order, 1999) and the ornithological importance of the site adds further to the ecological interest and importance.

Conservation Objectives

- To restore the favourable conservation condition of salt meadows (*Glaucopuccinellietalia maritima*); Mediterranean salt meadows (*Juncetalia maritimi*); Old sessile oak woods with *Ilex* and *Blechnum* in the British Isles; Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (*Alno-Padion*, *Alnion incanae*, *Salicion albae*)*; *Taxus baccata* woods of the British Isles*;
Freshwater Pearl Mussel; Sea Lamprey; Brook Lamprey; River Lamprey; Twaité Shad and Atlantic Salmon.
- To maintain the favourable conservation condition of Water courses of plain to montane levels with the *Ranunculion fluitantis* and *Callitriche-Batrachion* vegetation; Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels; White-clawed Crayfish and Otter.

For further information regarding attributes and targets refer to NPWS Conservation Objectives March 2017.

Potential Direct Effects

13.4.3 There are considered no likely direct effects on the SAC.

Potential Indirect Effects

13.4.4 There is potential for indirect effects on the SAC by way of habitat loss or deterioration from surface water run off. Such indirect effects include increased siltation, nutrient release and/or contamination. Surface water run off associated with the development will discharge via the public storm sewer network at King's Channel via a combined outfall where the Lower River Suir SAC is present.

13.4.5 There is also potential for the additional inputs of freshwater arising from the proposed development into King's Channel to impact on the existing Atlantic Salt Meadow interest of the Lower River Suir SAC in terms of structure and erosion.

- 13.4.6 Indirect habitat loss and/or deterioration can also occur from contamination from waste water/ foul effluent. It is detailed in the NIS that at present raw sewage discharges from time to time as overflow from Island View pumping station via an existing combined outfall at King's Channel where the Lower River Suir SAC is present. As waste water/foul effluent associated with the proposed development will be directed into the public sewer network including Island View pumping station, there is a possibility that raw sewage arising from the proposed development may be part of such overflow at the combined outfall at King's Channel. The development however, will include a new storm water interception at the Dunmore Road. This will have the effect of reducing the existing hydraulic loading at the Island View pumping station. In this regard, the frequency of raw sewage discharge through the combined outfall will be reduced from the current situation.
- 13.4.7 With regard to treated sewage from the Waterford WWTP, the NIS notes that the plant is currently compliant with regard to its licenced emissions, where its discharge does not have an observable negative impact on water quality or Water Framework Directive status of the receiving waters of the River Suir. Furthermore, the treatment plant has significant capacity to accept the additional organic PE loading of 1,152 arising from the development. It is also detailed in the NIS that the WWTP discharge location is 2km downstream of the nearest confirmed Atlantic Salt Meadow. Other qualifying interests where water quality is a specific attribute target including Freshwater Pearl Mussel, White-clawed Crayfish, Twaite Shad, Atlantic Salmon and Watercourse of plain to montane level with the *Ranunculion fluitantis* and *Callitricho-Batrachion* vegetation are more relevant to upstream locations. In this regard, no indirect habitat loss or deterioration from operational wastewater arising from the development is likely.
- 13.4.8 Disturbance/displacement impacts are not considered likely as the site does not overlook the site and the subject site does not support habitats for mobile faunal interest species of the SAC.
- 13.4.9 Potential recreational impacts, particularly to the Lower River Suir SAC Atlantic Meadow interest are considered unlikely as the development does not provide for any specific access to these areas.

Mitigation Measures

13.4.10 Construction and operational soil and water management proposals will reduce potential risks associated with contaminated and/or silt laden surface water. These are set out in detail in section 3.2.2 of the NIS and include appropriate construction management methods; use of spill kits to manage accidental spills; ground water sampling; construction practices including bunding for oil containers, wheel washes, dust suppression and regular plant maintenance and use of a hydrocarbon interceptor and associated silt collector during the operational phase.

Assessment

13.4.11 Having regard to the suite of construction and operational phase water management measures to be implemented, I am satisfied that potential risks arising from site associated run off during both the construction and operational phases of the development will be minimised.

13.4.12 It is noted that it is proposed to install a new storm water sewer interception at Dunmore Road which will have the effect of reducing the existing hydraulic loading at Island View pumping station such that the occurrence of the loading threshold that triggers combined overflow discharges from the pumping station into the River Suir at King's Channel will be reduced. The frequency of raw sewage discharge will be reduced which will be a beneficial impact. As noted above, impacts from treated sewage discharging into the River Suir are also unlikely due to the fact that the plant is compliant with regards its licenced emissions.

13.4.13 Having regard to the foregoing, no indirect habitat loss of the SAC in relation to silt laden or contaminated surface water run off arising from the construction/operational phase of the development is likely. Potential impacts from waste water and foul effluent are also unlikely.

13.4.14 With regard to the potential impacts of freshwater influence on saltmarsh habitat structure, I note that the NIS includes a detailed field assessment of the Atlantic Salt Meadow Habitat which was carried out in 2018. The methodology and key findings of this study are set out in sections 3.3.2.2 and 3.3.2.2.2 of the NIS. Table 3.4 sets out a summary of the results of the survey in relation to the attributes for Atlantic Salt Meadow.

13.4.15 The survey indicates that the existing saltmarsh habitat structure at in the vicinity of the outfall into King's Channel did not show any evidence to indicate on-going

influence from existing freshwater inputs. The NIS notes that erosion is also a pressure that can impact on saltmarsh extent within an estuarine system, however, saltmarshes can go through cycles of erosion and accretion naturally. The only erosion documented in the study area related to the narrow coastal band associated with the existing earthen embankment section that is considered to be as a result of natural tidal actions. No significant tidal erosion was evident in the study area along creeks and pans present within the Atlantic Salt Meadow study area overall. Furthermore, the NIS outlines that surface water run off associated with the development will be attenuated with hydrobrake to control discharge rates into the outfall into King's Channel. King's Channel is a significant freshwater feature with associated flows easterly into the main River Suir Channel. The NIS concludes that no indirect loss or deterioration of the Lower River Suir SAC Atlantic Salt Meadow interest in relation to freshwater influence arising from surface water run off associated with the development is considered likely. Having regard to the survey and analysis carried out to inform the NIS, this conclusion is considered reasonable.

13.4.16 The NIS also considers the potential impacts of raw sewage on the Atlantic Salt Meadow Habitat. It notes that in 2007 a survey of the Little Island Atlantic Salt Meadow site indicated that the likely effect of nutrient enrichment arising from sewage discharge present was the main reason that the structure and functions of Atlantic Salt Meadow were assessed as unfavourable- inadequate. The NIS states that such historic management of sewage has since been superseded by the Waterford Main Drainage scheme commissioned in 2010. Raw sewage locally now comprises of occasional overflow from the Island View Pumping Station that discharges into King's Channel via the aforementioned combined outfall and not via a drainage channel associated with the saltmarsh habitat. The NIS states that in respect of the existing saltmarsh habitat structure at and in the vicinity of the outfall, the more recent 2018 survey carried out to inform the NIS did not find any evidence to indicate on going nutrient input influence related to occasional raw sewage releases associated with this outfall that has been in place for several years. In this regard, no indirect habitat loss or deterioration on the SAC in relation to occasional raw sewage overflow from Island View pumping station is deemed likely. This conclusion is accepted. As noted above, the proposed development will reduce

hydraulic loading at the pumping station and reduce the frequency of raw sewage releases and thus is an improvement over the existing situation.

River Barrow and River Nore SAC 002162

Brief Description of Site

13.4.17 This site consists of the freshwater stretches of the Barrow and Nore River catchments as far upstream as the Slieve Bloom Mountains, and it also includes the tidal elements and estuary as far downstream as Creadun Head in Waterford. Overall, the site is of considerable conservation significance for the occurrence of good examples of habitats and of populations of plant and animal species that are listed on Annexes I and II of the E.U. Habitats Directive. Furthermore, it is of high conservation value for the populations of bird species that use it. The occurrence of several Red Data Book plant species including three rare plants in the salt meadows and the population of the hard water form of the Freshwater Pearl Mussel, which is limited to a 10 km stretch of the Nore, add further interest to this site.

Conservation Objectives

- To maintain the favourable conservation condition of Desmoulin's whorl snail; White-clawed crayfish; Estuaries; Mudflats and sandflats not covered by seawater at low tide; Salicornia and other annuals colonizing mud and sand; Killarney Fern; Water courses of plain to montane levels with the *Ranunculion fluitantis* and *Callitriche-Batrachion*; European dry heaths; European dry heaths; Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels and Petrifying springs with tufa formation (*Cratoneurion*).
- To restore the favourable conservation condition of Brook lamprey; Sea lamprey; River lamprey; Twaite shad; Salmon; Atlantic salt meadows; Otter; Mediterranean salt meadows; Nore freshwater pearl mussel; Old oak woodland with *Ilex* and *Blechnum* and Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (*Alno-Padion*, *Alnion incanae*, *Salicion albae*).
- The status of the freshwater pearl mussel (*Margaritifera margaritifera*) as a qualifying Annex II species for the River Barrow and River Nore SAC is currently under review. The outcome of this review will determine whether a site-specific conservation objective is set for this species.

For further information regarding attributes and targets refer to NPWS Conservation Objectives July 2011.

Potential Direct Effects

13.4.18 There are considered no likely direct effects on the SAC.

Potential Indirect Effects

13.4.19 Potential Indirect Effects are as above for the River Suir SAC and can be summarised as follows:

Indirect habitat loss or deterioration from surface water run off: Surface water run off associated with the development will discharge via the public storm sewer network at King's Channel via a combined outfall. The River Barrow and River Nore SAC is located 5.3km downstream of the discharge point.

Wastewater Foul Effluent: Waste water/foul effluent will discharge via the public foul sewer network and associated Waterford WWTP. The River Barrow and River Nore SAC is 3.1km downstream of the discharge point of the WWTP. The plant is currently compliant with regard its licensed emissions and has the capacity to accept the additional loading that will be generated by the development.

Raw Sewage: The King's Channel where there is occasional overflow discharge of raw sewage is located c. 5.3km downstream of the SAC. However, as noted above, the new proposed storm sewer interception will reduce hydraulic loading at Island View pumping station and reduce the frequency of raw sewage discharge through the existing combined outfall at King's Channel. No direct habitat loss or deterioration as a result of raw sewage overflow is likely.

Mitigation Measures

13.4.20 As noted above, construction and operational soil and water management proposals will reduce potential risks associated with contaminated and/or silt laden surface water. These are set out in detail in section 3.2.2 of the NIS.

Assessment

13.4.21 As per the assessment above in relation to the Lower River Suir SAC, I am satisfied that with the implementation of construction and operational phase soil and water

management proposals, potential risks associated with surface water run off including contamination and siltation will be appropriately mitigated and no adverse impacts in this regard are likely

13.4.22 The proposed new storm sewer interception will reduce hydraulic loading and thus the occurrence of raw sewage overflows at the Island View pumping station. This will be an improvement over the existing situation and in this context, no adverse impacts are anticipated.

13.4.23 The Waterford WWTP is compliant and its treated discharge does not have any observable negative impact on water quality of the WFD status of the receiving waters of the SAC. I am satisfied there will be no adverse impacts arising from treated wastewater discharging to the SAC.

In Combination Effects

13.4.24 Potential in-combination effects are set out in section 5.1.4 of the NIS and considers the potential cumulative effects arising from a number of other permitted and proposed housing developments in the vicinity. It notes that potential off site cumulative effects arising includes surface water and foul effluent inputs into the SAC's via the public sewer network, where biodiversity associated with these aquatic sites can be subject to cumulative impact through hydrological or water quality impacts such as increased siltation, nutrient release and contamination. It concludes that there will be no cumulative adverse effects on the integrity of any of the Natura 2000 sites. Having regard to the information set out in therein, I am satisfied that no cumulative impacts arise.

Overall Conclusion

13.2.25 I note that no objections to the proposed development have been raised by the Heritage Officer of Waterford County Council and their report states they are satisfied that the development will not have adverse impacts on the integrity of the River Suir SAC. No objections to the development have been raised by the Department/NPWS.

13.2.26 Having regard to the works proposed and the implementation of best practice methodologies and the proposed mitigation measures, I consider it reasonable to conclude on the basis of the information on the file, which I consider adequate in order to carry out a Stage 2 Appropriate Assessment, that the proposed

development, individually or in combination with other plans or projects would not adversely affect the integrity of the European Site No. 002137 and European Site No. 002162, or any other European site, in view of the site's Conservation Objectives.

14.0 Recommendation

14.1 Having regard to the documentation on file, the submissions and observations, the site inspections and the assessment above, I recommend that permission for the above described development be **REFUSED** for the following reasons and considerations.

14.2 In coming to its decision, the Board had regard to the following:

(a) National Policy including in particular:

- The National Planning Framework (NPF), 2018.
- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (including the associated 'Urban Design Manual').
- 'Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities' (March 2018).
- 'Design Manual for Urban Roads and Streets' (DMURS).
- 'Childcare Facilities – Guidelines for Planning Authorities'.

(b) Local Planning Policy including in particular:

- The provisions of the Waterford City Development Plan 2013-2019.

(c) The following matters:

- The likely consequences for the environment and the proper planning and sustainable development of the area in which is it proposed to carry out the proposed development and the likely significant effects of the proposed development on European Sites.
- The conservation objectives, qualifying interests and special conservation interests of the Lower River Suir SAC (002137) and River Barrow and River Nore SAC (002162).
- The documentation and submissions of the applicant, including the

Environmental Impact Assessment Report and associated documentation submitted with the application, and the range of mitigation and monitoring measures proposed.

- The submissions and observations made to An Bord Pleanála in connection with the application and the submissions from the Local Authority and Prescribed Bodies.
- The nature and extent of the proposed development as set out in the application for approval.
- The report and recommendation of the inspector including the examination, analysis and evaluation undertaken in relation to Appropriate Assessment Screening and Environmental Impact Assessment.

Environmental Impact Assessment

14.3 The Board completed in compliance with s.172 of the Planning and Development Act 2000 an Environmental Impact Assessment of the proposed development, taking into account:

- (a) the nature, scale, location and extent of the proposed development,
- (b) the Environmental Impact Assessment Report and associated documentation submitted in support of the application,
- (c) the submission from the local authority, the observers and the prescribed bodies in the course of the application, and
- (d) the Inspector's report.

14.4 The Board considered that the Environmental Impact Assessment Report, supported by the documentation submitted by the applicant does not identify or describe adequately the direct, indirect, secondary and cumulative effects of the proposed development on the environment. The Board is not satisfied that the information contained in the EIAR complies with the provisions of EU Directive 2014/52/EU amending Directive 2011/92/EU particularly with regard to soil, traffic, noise and landscape and visual impact.

14.5 The Board agreed with the summary and examination, set out in the Inspector's report, of the information contained in the Environmental Impact Assessment Report

and associated documentation submitted by the applicant and submissions made in the course of the application. The Board is satisfied the Inspector's report sets out how these were addressed in the assessment and recommendation and are incorporated into the Boards decision.

Reasoned Conclusion on the Significant Effects

14.6 The Board considered that the main significant direct and indirect effects of the proposed development on the environment are as follows:

Human Beings: The development will have a positive effect and will facilitate housing to a wide range of the population and will complete an unfinished housing estate. It will also likely to have a positive effect on local employment and economic activity, particularly in the construction sector.

Biodiversity: The development will have a negative effect on habitats and flora due to the direct loss and fragmentation of habitats. This will be mitigated through the proposed landscaping scheme and retention of existing hedgerows. Potential impacts to bats will be mitigated through appropriate lighting design. General disturbance and displacement of fauna will be mitigated through a range of measures including restrictions on habitat removal and felling of trees, hours of operation etc.

Land and Soil: Impacts to soil, land, geology and hydro geology will primarily be from the removal of topsoil, topsoil mounding and excavation, including some excavation of rock. Mitigation measures to reduce impacts include a designated area for fuel storage as well as site specific measures including phased stripping of top soil, design of the development to minimise cut/fill earthwork operations, controlled stockpiling of subsoil material, wheel wash facilities etc. Site levels will be altered throughout the site and it is evident that considerable excavation will occur on parts of the site. Land, Soil and Geology impacts cannot be ruled out due to the absence of adequate information regarding the extent of soil/rock to be removed from the site and the lack of appropriate site investigations.

Air Quality: Potential effects on air during construction which will be mitigated by a dust management plan including a monitoring programme.

Noise: Noise impacts from the development will arise from construction phase activities. Mitigation measures include the limitation of hours of construction,

appointment of a site representative, noise monitoring, selection of plant, erection of hoarding and vibration limits. Noise and vibration impacts cannot be ruled out due to the lack of information provided in the EIAR regarding bedrock removal and potential noise and vibration impacts associated with activities such as blasting or other methods of extraction if required.

Material Assets including Traffic and Transportation: The operational traffic assessment does not consider the impact of the development on the wider road network. There is insufficient information in the EIAR to fully assess the potential operational stage traffic impacts of the development. The construction phase is anticipated to generate 25 to 30 trips to and from the development during each of the peak hour periods. Construction phase impacts cannot be ruled out due to the lack of sufficient quantitative traffic data. Having regard to the lack of information regarding soil removal or how construction trips have been calculated, there is insufficient information in the EIAR to fully assess the potential construction stage traffic impacts of the development.

Landscape and Visual Impact: Will be mitigated by the retention and enhancement of existing trees and hedgerows and new landscaping proposals. Landscape and visual impacts cannot be ruled out due the extent of cut/fill and intervention to facilitate the development which will result in the creation of steep angled slopes and retaining walls within the development.

- 14.7 The Board is satisfied that this reasoned conclusion is up to date at the time of taking the decision.

Appropriate Assessment

- 14.8 The Board agreed with the Screening Assessment and conclusion carried out in the Inspector's report that the Lower River Suir SAC (002137) and River Barrow and River Nore SAC (002162) are the only European Sites in respect of which the proposed development has the potential to have a significant effect.
- 14.9 The Board considered the revised Natura Impact Statement and all other relevant submissions and carried out an Appropriate Assessment of the implications of the proposed development for European Sites, Lower River Suir SAC (002137) and River Barrow and River Nore SAC (002162) in view of the site's conservation objectives. The Board considered that the information before it was adequate to

allow the carrying out of an Appropriate Assessment. In completing the Appropriate Assessment, the Board considered, in particular, the following:

- i. the likely direct and indirect impacts arising from the proposed development both individually or in combination with other plans or projects,
- ii. the mitigation measures which are included as part of the current proposal, and
- iii. the conservation objectives for the European Sites.

14.10 In completing the Appropriate Assessment, the Board accepted and adopted the Screening and the Appropriate Assessment carried out in the Inspector's report in respect of the potential effects of the proposed development on the aforementioned European Sites, having regard to the site's conservation objectives.

14.11 In overall conclusion, the Board was satisfied that the proposed development, by itself or in combination with other plans or projects, would not adversely affect the integrity of the European Sites, in view of the site's conservation objectives.

Proper Planning and Sustainable Development

1. The "Urban Design Manual – a Best Practice Guide" issued by the Department of the Environment, Heritage and Local Government (2009), to accompany the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas includes key urban design criteria. It is considered that the development as proposed results in a poor design concept that is unimaginative in its form and layout and lacks variety and distinctiveness. The development fails to provide sufficient high quality usable open spaces and fails to facilitate adequate and appropriate natural surveillance of green spaces and pedestrian routes. The development also fails to adequately consider the use of SuDS in the green infrastructure proposals. In addition, the proposal fails to establish a sense of place and includes a poor quality of architectural design that does not respond appropriately to the topography of the site. Furthermore, the development is considered contrary to the provisions of the Design Manual for Urban Roads and Streets, issued by the Department of the Environment, Community and Local Government in 2013 due to the inclusion of in curtilage parking within front gardens resulting in large building set backs that substantially reduces the sense of enclosure throughout the development. The proposed development would, therefore, be contrary to these Ministerial Guidelines which promote innovative

and qualitative design solutions, would seriously injure the residential amenities of future occupants and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed development, particularly Block A would give rise to adverse impacts to adjoining dwellings due to overlooking and overbearing impacts and seriously injure the residential amenities of property in the vicinity. The Board also has concerns regarding the future residential amenity of the proposed development and in particular the proposed Apartment Block A. Insufficient evidence has been submitted to demonstrate that the ground floor units Blocks A would achieve sufficient sunlight and daylight access. Furthermore, it is considered that the communal open space serving these blocks will be of poor amenity and have a poor outlook. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Erika Casey

Senior Planning Inspector

2nd May 2019

Appendix 1

1. Mark and Mary O' Mahony, 19 Garranmore, Dunmore Road, Waterford and Alan and Eleanor Galvin, 14 Garramore. Dunmore Road, Waterford
2. Booterstown Residents Association, 18 Booterstown, Dunmore Road, Waterford
3. Maria Spain, 115, The Paddocks, Williamstown Road, Grantstown, Waterford
4. Robert and Claire Grogan, 30 Williamstown Village, Williamstown Road, Waterford
5. Anne Condon, 17 Williamstown Village, Williamstown, Waterford
6. Elaine O' Brien, 8 Williamstown Village, Grantstown, Waterford
7. Gearoid Kavanagh, 116, The Paddocks, Williamstown Road, Waterford
8. Kevin O' Gorman, 13 Booterstown, Dunmore Road, Waterford
9. Kevin O Gorman, 13 Booterstown, Tomas O' Donoghue, 12 Booterstown, Gerry Gallagher, 11 Booterstown, Maurice Fitzgerald, 10 Booterstown, Pete Monroe, 9 Booterstown, Waterford.
10. Keith Worley, 119 The Paddocks, Grantstown Farm, Williamstown Road, Waterford
11. Sinead Moore, Ballygunnycastle, Grantstown, Waterford
12. Maurice Kirwan, 104, The Paddocks, Williamstown Road, Grantstown, Waterford.
13. Island View Residents Association c/o Brendan Kissane, 22 Island View, Waterford
14. Brian Clancy, 100, The Paddocks, Williamstown Road, Waterford
15. Nicola Walsh, 77, The Paddocks, Grantstown Farm, Waterford
16. Pete Munroe and Margaret Stack, 9 Booterstown, Dunmore Road, Waterford
17. Cllr David Daniels, 32 Viewmount Park, Waterford
18. Denise Byrne, 77, The Paddocks, Grantstown Farm, Williamstown Road, Waterford.
19. Lorna Frisby, 38, the Paddocks, Williamstown Road, Waterford
20. Damian and Catherine O' Loughlin, 1 Garranmore, Dunmore Road, Waterford
21. Jacinta McElroy, 82, The Paddocks, Williamstown Road, Grantstown, Waterford
22. Bishopsfield Residents Association, C/O 25 Bishopsfield, Williamstown Road, Waterford
23. Mr and Mrs Donal O' Brien, 105, The Paddocks, Williamstown, Waterford
24. Margaret and Gerry Gallagher, 11 Booterstown, Dunmore Road, Waterford
25. Suzette and Raymond Maalin, 94, The Paddocks, Williamstown Road, Waterford
26. John Mc Sweeney, 18 Williamstown Village, Grantstown, Waterford
27. Donal and Aisling O' Brien, 105, the Paddocks, Williamstown, Waterford
28. Padraic O' Brien, 40, The Paddocks, Williamstown Road, Waterford
29. Tom and Angela Phelan, 23, Williamstown Village, Williamstown Road, Waterford
30. Aeneas Dowling, 101, The Paddocks, Williamstown Road, Waterford
31. Jennifer Murphy, 98, The Paddocks, Williamstown Road, Grantstown, Waterford
32. Eimear and Peter Hatton, 99, The Paddocks, Williamstown Road, Waterford
33. The Paddocks Residents Association C/O 119, The Paddocks, Williamstown Road, Williamstown, Waterford
34. Williamstown Village Residents Association, c/o 22 Williamstown Village, Williamstown, Waterford
35. Brian and Margaret Tynan, 22, Williamstown Village, Williamstown, Waterford

36. Grantstown Village Residents Association, C/O 7, Glendarragh, Grantstown Village, Waterford
37. Jennifer Gilmore, 23, The Paddocks, Williamstown Road, Grantstown, Waterford
38. Julie Walsh, 41, The Paddocks, Williamstown Road, Waterford
39. Lisa O' Brien, 21, The Paddocks, Williamstown, Waterford
40. Peter Roche and Fiona McNamara, 12 Meadow Well, Waterford
41. Cllr Adam Wyse, 25, The Village, Ballygunner, Waterford.
42. Mathew Roche, 75, The Paddocks, Grantstown, Waterford
43. Derek Fennelly, 13 Garranmore, Dunmore Road, Waterford
44. Larry Power, 42, The Paddocks, Williamstown Waterford
45. Theon Doran, 103, The Paddocks, Williamstown Road, Waterford
46. Laura Jacob, 44, the Paddocks, Williamstown Road, Waterford
47. Michael Doyle, 2 Rocwood Close, Grange Manor, Waterford
48. Cllr Eddie Mulligan, Knockboym Dunmore Road, Waterford
49. Ballinakill Downs Residents Association C/) 4 Island Point, Ballinakill Downs, Dunmore Road, Waterford