



An
Bord
Pleanála

**S. 6(7) of Planning and
Development (Housing)
and Residential Tenancies
Act 2016**

**Inspector's Report on
Recommended Opinion
ABP-308915-20**

Strategic Housing Development

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

Location

Duckspool, Dungarvan, Co. Waterford

Planning Authority

Waterford City and County Council

Prospective Applicant

Michael Ryan

Date of Consultation Meeting

16th April 2021

Date of Site Inspection

1st April 2021

Inspector

Sarah Moran

1.0 Introduction

- 1.1. Having regard to the consultation that has taken place in relation to the proposed development and also having regard to the submissions from the planning authority, the purpose of this report is to form a recommended opinion as to whether the documentation submitted with the consultation request under section 5(5) of the Planning and Development (Housing) and Residential Tenancies Act 2016 - (i) constitutes a reasonable basis for an application under section 4, or (ii) requires further consideration and amendment in order to constitute a reasonable basis for an application under section 4.

2.0 Site Location and Description

- 2.1. The site is undeveloped lands on the eastern side of Dungarvan, Co. Waterford, c. 2 km from the town centre and close to the coast. It is within the 50 kph zone and is accessed via a local road the L3168, which links to the R675 Clonea Road to the east and the N25 as it enters Dungarvan to the west. The Waterford Greenway is situated nearby to the east of the site, beyond the R675. The Glendine River is located 0.5 km to the east of the site and discharges to the sea some distance to the south east, at the Colligan Estuary. There are existing residential developments to the west and south of the site and on the opposite side of the L3168. Scoil Gharbháin (primary level Gaelscoil) and St. Augustine's College (secondary school) are located nearby to the north east, on the opposite side of the L3168. The site is lowlying and there are a drainage ditches at the site boundaries, which discharge to the sea, a direct pathway to the Dungarvan Harbour SPA (site code 4032). There is also a substantial treeline with associated drainage ditch traversing the western side of the site on a north/south axis, as well as a wayleave through this side of the site. The southern side of the site adjoins flood zones A and B associated with coastal wetlands and adjacent watercourses.

3.0 Proposed Strategic Housing Development

- 3.1. The development involves the following key points:

Site Area	8.4 ha (c. 1.4 ha zoned OS)
No. of Residential Units	218 houses and duplex units
Other Development	Creche (344 sq.m.)
Height	2-4 storeys
Residential Density	35 units/ha ('developable' land omitting OS and flood zones) or 36 units/ha omitting creche area
Amenity Space	<p>Total open space 2.78 ha, 33.1% of total site area including OS zoned lands or 15.9% of 'developable' site area.</p> <p>OS zoned lands to be fenced and accessed seasonally</p> <p>Existing treeline and ditch in the western side of the site to be retained.</p>
Roads / Access	<p>1 no. access to the L3168 to serve the residential development and a separate access to the L3168 to serve the creche and car park.</p> <p>Road network within the development crosses the drainage ditch at the centre of the site at 2 locations.</p> <p>2 no. pedestrian / cycle accesses to the L3160, proposed new connection to the Tournore estate at the south western corner of the site.</p>
Cycle Parking	Total of 42 no. cycle parking spaces in 3 locations
Car Parking	<p>Total of 466 no. car parking spaces</p> <p>430 no spaces for residents:</p> <ul style="list-style-type: none"> • 1.5 spaces per 1 -2 bed duplex unit • 2 spaces per 3 bed duplex, 2,3 and 4 bed houses • 14 no. visitor parking spaces

	'Community car park' of 36 no. spaces including 15 no. spaces for the creche.
Part V	20 no. units (10 duplex units and 10 houses)
Site Services	Surface water drainage design and a Site Specific Flood Risk Assessment (SSFRA). Surface water is to discharge to existing drainage ditches via attenuation tanks. Connection to public sewer and water supply at the L3168. The public sewer drains to the Barnawee Wastewater Pump Station at the L3168/R675 junction.

3.4. The proposed housing mix is as follows:

UNIT TYPE	NO. OF UNITS	%
Houses		
2 bed house	4	2%
3 bed house	159	73%
4 bed house	13	6%
Total Houses	176	
Duplex Units		
1 bed duplex	8	4%
2 bed duplex	32	15%
4 bed duplex	2	1%
Total duplex	42	
TOTAL	218	

3.5. The development is to be phased as follows:

- Phase 1 is the north-west portion of the development and includes approx. 60 no. units and associated roads and open spaces, as well as the main access from the L3168.

- Phase 2 is the central and south-western portion of the development and includes approx. 75 no. units and associated roads and open spaces.
- Phase 3 is the eastern portion of the development and includes approx. 83 no. units, associated roads, open spaces, crèche and community car park.

4.0 Planning History

4.1. Reg. Ref. 17/770 and 17/771

- 4.1.1. Reg. ref. 17/770 related to lands in the western part of the current development site. Permission sought for 50 no. houses, 1 no. new vehicular access and 2 no. pedestrian accesses, boundary treatments, landscaping and all associated site works. WCCC refused permission for 3 no. reasons relating to flood risk, inadequate transport assessment and excessive building height due to raised site levels.
- 4.1.2. Reg. ref. 17/771 related to lands in the central part of the current development site. Permission sought for 55 no. houses, 1 no. new vehicular access and 2 no. pedestrian accesses and all associated site works. WCCC refused permission for 4 no. reasons, the same as those of 17/770 and an additional reason relating to the location of lands on lands zoned as Strategic Residential Reserve.

5.0 National and Local Planning Policy

5.1. Section 28 Ministerial Guidelines

- 5.1.1. 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 section 28 Ministerial Guidelines are:
- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (including the associated Urban Design Manual)
 - Design Standards for New Apartments Guidelines for Planning Authorities
 - Design Manual for Urban Roads and Streets (DMURS)
 - The Planning System and Flood Risk Management Guidelines for Planning Authorities (including the associated Technical Appendices)

- Childcare Facilities Guidelines for Planning Authorities
- Urban Development and Building Heights Guidelines for Planning Authorities

5.2. Waterford County Development Plan 2011-2017

5.2.1. The following development plan policies and objectives are relevant:

Policy SS1: To ensure that development takes place in an orderly, rational and sustainable manner avoiding environmental degradation and in accordance with the recommendations of the DoEHLG publications; the Sustainable Rural Housing Guidelines (2005), the Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities (2009) and any subsequent Guidelines issued by the DoEHLG.

Policy SS4: To direct urban generated housing development in Areas Under Urban Pressure into the adjoining zoned settlements.

Objective INF 6: It is the objective of the Council to promote the sustainable development of safe and convenient pedestrian and cycling facilities in the towns and villages, to minimise the dependence on private motor vehicles, and to encourage an active and healthy lifestyle. New and upgraded road developments will be encouraged to integrate cycle lanes. These will include urban/village developments and short distance routes.

Policy INF 20: The Council will require compliance with best practice guidance for the collection, reuse, treatment and disposal of surface waters for all future development proposals. Development proposals must demonstrate adequate water conservation, water quality protection, and surface water run-off rate regulation measures to prevent the increase of flooding issues in the catchment.

Policy ENV 16: It is the policy of Waterford County Council that flood risk be managed pro-actively at all stages in the planning process, by avoiding development in flood risk areas where possible, and by reducing the causes of flooding to and from existing and future development.

Objective ENV 8: It is an objective to identify and consider flood hazard and potential risk of flooding in development applications at the earliest stages in the planning process and require the preparation of a Flood Risk Assessment where necessary.

Policy NH 3: To ensure as far as possible that development does not impact adversely on wildlife habitats and species. In the interests of sustainability, biodiversity should be conserved for the benefit of future generations.

Policy NH 5: To encourage the retention and creation of green corridors within and between built up urban areas.

Policy NH 11: To encourage the retention and creation of sites of local biodiversity value, ecological corridors and networks that connect areas of high conservation value such as woodlands, hedgerows, earth banks and wetlands.

Policy NH 13: To ensure that the County's floodplains, wetlands and watercourses are retained for their biodiversity and flood protection values.

Policy NH 17: To protect hedgerows in all new developments, particularly species rich roadside and townland boundary hedgerows.

Policy NH 18: To protect and preserve existing hedgerows and seek their replacement with new hedgerows with native species of local provenance where their removal is necessary during the course of road works or other works. There will be a presumption against the removal of hedgerows where there is a reasonable alternative.

5.3. **Dungarvan Town Development Plan 2012-2018**

5.3.1. The site is within the development boundary of Dungarvan and is subject to 4 different zoning objectives:

- A strip of land at the western site boundary is zoned R1 Residential 'To protect the amenity of existing residential development and to provide for new residential development at medium density'. The development plan Core Strategy indicates that R1 zoned lands are to be developed at a density of 20 units/ha.
- The remainder of the western side of the site is zoned R2 Residential Low 'To protect the amenity of existing residential development and to provide for new residential development at low density'. The development plan Core Strategy indicates that R2 zoned lands are to be developed at a density of 10 units/ha.
- An area of lands in the centre of the site is zoned R3 Residential Phased 'To reserve land for future sustainable residential development'.

- A strip of land along the southern and eastern site boundaries is zoned OS Open Space 'To preserve and enhance Open Space areas and Amenity Areas for passive and active recreational uses, including the preservation of grass verges, hedgerows and tree stands'.

6.0 Forming of the Opinion

6.1. Pursuant to section 6(7) of the Act of 2016, regard is had in the forming of the opinion to the documentation submitted by the prospective applicant; the planning authority submissions and the discussions which took place during the tripartite consultation meeting. I shall provide a brief detail on each of these elements hereunder.

6.2. Documentation Submitted

6.2.1. The prospective applicant has submitted information pursuant to section 5(5)(a) of the Planning & Development (Housing) and Residential Tenancies Act 2016 and Article 285 of the Planning and Development (Strategic Housing Development) Regulations 2017. This information included, inter alia, the following:

Completed application form; Planning Report and Statement of Consistency; Architectural Drawings and Design Statement; Engineering Drawings and Reports; Landscape Plan and Rationale; Arboricultural Impact Assessment; AA Screening and Briefing Note.

6.2.2. Section 5(5)(b) of the Act of 2016 requires the submission of a statement that, in the prospective applicant's opinion, the proposal is consistent with both the relevant objectives of the development plan or local area plan concerned, and the relevant guidelines issued by the Minister under section 28 of the Act of 2000. These statements have been submitted, as required.

6.2.3. I have reviewed and considered all of the above-mentioned documents and drawings.

6.3. Planning Authority Submission

6.3.1. In compliance with section 6(4)(b) of the 2016 Act the planning authority for the area in which the proposed development is located, Waterford City and County Council (WCCC), submitted a copy of their section 247 consultations with the prospective

applicant and also their opinion in relation to the proposal. These were received by An Bord Pleanála on the 1st February 2021. The planning authority's 'opinion' included the following matters.

6.3.2. WCCC Planning Comment

- The R3 zoned lands may be reviewed over the lifetime of the Dungarvan TDP plan period where specific need arises. This shall be subject to the availability and capacity of services and where R1 and R2 lands have been developed/ or committed to development by way of a grant of planning permission. Concern about the exclusion of the R1 lands to the south west of the site due to potential for anti-social behaviour, notwithstanding that these lands have been excluded due to flooding issues.
- The proposed creche and community facility car park are open for consideration on R3 zoned lands. However, the car park is situated on OS zoned lands and appears to encroach into a feeding site of Brent Geese.
- The proposed net residential density of 35 units/ha is considered acceptable given the site constraints, the outer suburban location of the site and the existing pattern of development in the vicinity.
- The proposed mix of accommodation types is considered generally acceptable.
- The usability of the northern section of open space area 4 is questioned, in particular the eastern section which is encroached by car parking spaces, also the treatment of the drain through this part of the site. Open space area 5 is surrounded by roads with car parking encroaching on two sides, however the walkway through same makes a positive contribution. The quality of the open spaces at northern eastern section of the site (areas 6, 7, 8 and 9) is questionable given that this area is liable to flooding.
- The development is considered to be generally in accordance with the development management standards as set out in Variation No. 1 of the Waterford City Development Plan 2013-2019, as well as national planning policy.
- A Part V agreement has been submitted and agreed with WCCC Housing Section.

- The Dungarvan TDP was not underpinned by a Strategic Flood Risk Assessment. Parts of the settlement are defended from coastal flooding, although generally through quay walls rather than raised defences. The CFRAM shows that the Duckspool area is defended against the 0.5% AEP tidal event but is still at risk of fluvial flooding. The development is considered highly vulnerable given its residential nature and it is difficult to see how such a development would pass a Justification Test in terms of Development Plan test or a Development Management justification test given the existence of alternative zoned residential lands and the inclusion of Phase 3 lands within the current proposal. Any SSFRA must consider cumulative impacts and impacts on the wider area including existing residential development. There are instances of flooding currently in the area. WCCC Senior Engineer Roads & Transportation requires FFLs of 3.42 in order to allow for climate change and that no development be located within the flood plain areas, also that additional storage be provided for within the development.
- WCCC Senior Engineer Roads & Transportation notes that there is major congestion during peak times on the surrounding road network, particularly at drop off and collection times associated with the adjacent school.
- The planning authority highlights two particular areas of significant concern:
 - (i) The site is situated within a flood zone and it is difficult to see how any development can overcome same and pass a Development Management Justification test as set out in The Planning System and Flood Risk Management, Guidelines for Planning Authorities. The development is considered highly vulnerable given its residential nature and its location within a flood zone, where there are existing instances of flooding in the general area including existing residential areas. The cumulative impact of the proposed development in terms of flooding is also a concern.
 - (ii) The impact the development would have on the Dungarvan Harbour SPA, and in particular Brent Geese. The site provides a feeding ground for same and concerns exist not only in terms of the removal of an area of feeding ground but also in relation to the habitat disturbance relating to residential development and the more intensive use of the area.

6.4. WCCC Heritage Officer Report

- The development site lies outside but adjacent to the boundary of the Dungarvan Harbour SPA and is a well known feeding ground for wintering birdlife, in particular Brent Geese. Flocks of around 200 Brent Geese are regularly recorded at the development site each winter. This is likely due to ease of access from the intertidal mudflats.
- The site should contribute to the maintenance and improvement of the Dungarvan Harbour SPA including, where necessary, of the overall favourable status of the national resource of waterbird species, and the continuation of their long-term survival across their natural range.
- The AA process is required to determine if the development has the potential for significant effects on the Conservation Objectives for the qualifying interests of Dungarvan Harbour SPA and if so to subsequently assess potential for adverse (permanent and irreversible) impacts on the integrity of the site whereby the 'integrity of the site' is defined as the coherent sum of the site's ecological structure, function and ecological processes, across its whole area, which enables it to sustain the habitats, complex of habitats and/or populations of species for which the site is designated. In essence will the development lead to permanent and irreversible loss of habitat for Brent Geese and how will this affect their usage of the wider Dungarvan Harbour SPA?
- A NIS is required to be submitted with the application detailing bird count data for the development site with a particular focus on Brent Geese over at least 3 wintering periods. Consultation shall be carried out with NPWS and Birdwatch Ireland. The NIS shall detail a habitat map of the development site and document all known grazing grounds for Brent Geese around Dungarvan town and the wider harbour SPA. Based on the audit of available feeding grounds, an assessment shall be made on the impacts of habitat loss and disturbance of the species and how such impacts may be mitigated to avoid adverse impact on the integrity of the site.
- Coastal flood maps for Dungarvan (floodinfo.ie) clearly indicate the risk of flooding to this area and, given the need to plan for a 0.5m sea level rise in planning for future climate change scenarios, the development of the site may

compromise the potential for natural water retention measures to buffer flood impact in the adjacent catchment. A flood risk assessment is required to be submitted with the application.

- Dungarvan Harbour has been identified under the River Basin Management Plan 2019-2021 as requiring remediation measures to reverse its current poor water quality status. The development is required to demonstrate how it will not add to the poor current water quality status in Dungarvan Harbour.

6.5. Irish Water Submission

6.5.1. The following points are noted:

- Irish Water has issued a Confirmation of Feasibility for the proposed development.
- The prospective applicant will need to engage with IW regarding studies and investigations to confirm available water and wastewater capacity and to determine the full extent of any upgrades which may be required.

6.6. Consultation Meeting

6.6.1. A section 5 Consultation meeting took place via Microsoft Teams on the 16th April 2021. Representatives of the prospective applicant, the planning authority and An Bord Pleanála were in attendance. An agenda was issued by An Bord Pleanála prior to the meeting.

6.6.2. The main topics raised for discussion at the tripartite meeting were based on the Agenda that issued in advanced and contained the following issues:

1. Flood Risk
2. Appropriate Assessment and Ecological Issues
3. Land Use Zoning and Residential Density
4. Design and Layout of Development
5. Roads, Traffic and Transportation Issues. Pedestrian and Cycle Connections.
6. Any other matters.

6.6.3. In relation to Flood Risk, ABP representatives sought further elaboration / discussion on:

- Asked the PA for an indicative timeframe for the publication of the new County Development Plan and any subsequent LAP or Town Plan for Dungarvan.
- Fundamental issues in relation to flooding have been flagged by the PA in their report submitted to the Board that will need to be addressed.
- The flood zones within the site will need to be mapped in detail along with their relationship to the site layout of the proposed development.
- Prospective Applicant will need to submit a Site Specific Flood Risk Assessment that considers adjacent wetlands and watercourses and any potential downstream impacts.
- Any technical issues should be discussed further between the PA and the applicant prior to lodging an application to the Board.

6.6.4. In relation to AA and Ecological Issues, ABP representatives sought further elaboration / discussion on:

- The wider context of the site should be considered in relation to ecological issues, including Designated Sites and their conservation objectives.
- As much information as possible will need to be provided at application stage.
- Applicant to consider other ecological issues at the site also, e.g. bat impacts.

6.6.5. In relation to Land Use Zoning and Residential Density, ABP representatives sought further elaboration / discussion on:

- All of the concerns raised by the PA and the Board are interlinked, ensure that all of the reports and documentation submitted at application stage are comprehensive and correlate in addressing issues.
- Several zoning objectives apply at the site. A justification of the development of the R3 zoned lands will need to be supplied.
- The applicant is advised to consider incorporating the R1 zoned lands to the west of the site into the proposed development, within the redline boundary.
- The applicant is advised to consider the inclusion of an indicative masterplan within the documentation at application stage, there should be no preclusion of future developments or undue impacts at adjoining R1 zoned lands.

6.6.6. In relation to Design and Layout of Development, ABP representatives sought further elaboration / discussion on:

- Encroachment of parking on the open space, hierarchy is to be further considered.
- Rationale should be provided in relation to the drop off point and the positioning of car parking proposed for the creche.

6.6.7. In relation to Roads, Traffic and Transportation Issues. Pedestrian and Cycle Connections, ABP representatives sought further elaboration / discussion on:

- ABP notes the proposed vehicular, pedestrian and cycle accesses to the development.
- The provision of a new pedestrian / cycle connection to the established residential areas to the south would be highly desirable in terms of improving connectivity in the wider area.
- Prospective applicant should be fully aware of any planned road upgrade works proposed by the PA adjacent to the school access and should incorporate them into the proposed roads layout if possible.
- Prospective applicant is advised to ensure that any figures provided within the traffic impact assessment are robust in the context of temporary changes in traffic patterns associated with Covid issues.

6.6.8. In relation to any other matters, ABP representatives sought further elaboration / discussion on:

- The Board will consider the development in relation to the current Statutory Plan in place when the application is made.

6.6.9. Both the prospective applicant and the planning authority were given an opportunity to comment and respond to the issues raised by the representatives of ABP. Those comments and responses are recorded in the 'Record of Meeting ABP-308915-20' which is on file. I have fully considered the responses and comments of the prospective applicant and planning authority in preparing the Recommended Opinion hereunder.

7.0 Conclusion and Recommendation

- 7.1. Based on the entirety of the information before me, it would appear that the proposed development falls within the definition of Strategic Housing Development, as set out in section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016.
- 7.2. I have examined all of the information and submissions before me including the documentation submitted by the prospective applicant, the submissions of the planning authority and the discussions which took place at the tripartite meeting. I have had regard to both national policy, via the section 28 Ministerial Guidelines, and local policy, via the statutory development plan for the area.

Having regard to all of the above, I recommend that further consideration and/or possible amendment of the documents submitted are required at application stage in respect of the following elements:

- **Surface Water Drainage and Flood Risk**
- **Land Use Zoning**

details of which are set out in the Recommended Opinion below.

- 7.3. Having regard to the above, I recommend that the Board serve a notice on the prospective applicant, pursuant to Section 6(7)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016, stating that it is of the opinion that the documentation submitted with the consultation request under section 5(5) of the Act **requires further consideration and amendment in order to constitute a reasonable basis for an application** under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016.
- 7.4. I would also recommend that the prospective applicant be notified, pursuant to article 285(5)(b) of the 2017 Regulations, that specified information (as outlined hereunder) be submitted with any application for permission that may follow. I believe the specified information will assist the Board at application stage in its decision making process. I am also recommending that a number of prescribed bodies (as listed hereunder) be notified by the prospective applicant of the making of the application.

8.0 Recommended Opinion

- 8.1. An Bord Pleanála refers to your request pursuant to section 5 of the Planning and Development (Housing) and Residential Tenancies Act 2016. Section 6(7)(a) of the Act provides that the Board shall form an opinion as to whether the documents submitted with the consultation request (i) constitute a reasonable basis for an application under section 4 of the Act, or (ii) require further consideration and amendment in order to constitute a reasonable basis for an application under section 4.
- 8.2. Following consideration of the issues raised during the consultation process, and having regard to the opinion of the planning authority, An Bord Pleanála is of the opinion that the documentation submitted **requires further consideration and amendment to constitute a reasonable basis for an application** for strategic housing development to An Bord Pleanála.
- 8.3. In the opinion of An Bord Pleanála, the following issues need to be addressed in the documents submitted to which section 5(5) of the Act of 2016 relates that could result in them constituting a reasonable basis for an application for strategic housing development:

Surface Water Drainage and Flood Risk

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

- A Site Specific Flood Risk Assessment (FRA) in accordance with the requirements of the Planning System and Flood Risk Management Guidelines for Planning Authorities, to address in particular any potential downstream impacts or impacts on lands outside the development site.
- The applicant is advised to take any previous flood risk assessments or modelling for these lands carried out by Waterford City and Council Council into consideration in the preparation of the FRA.
- A Justification Test (if required) for any residential development within Flood Zones A and B at the development site, as per The Planning System and Flood Risk Management Guidelines for Planning Authorities.

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

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

Land Use Zoning

Further consideration and justification of the proposed development of lands zoned 'R2 Residential Low' and 'R3 Residential Phased' at the development site with regard to the core strategy and the phasing provisions of the development plan. The submitted documentation in this regard should address higher level planning policy, including the adopted RSES for the region. Any references to the circumstances of Dungarvan, including those relating to the availability or otherwise in the town of housing and development land, employment, commercial or social services, should be based on verifiable facts. The prospective applicant should satisfy itself that any

application complies with section 8(1)(iv)(II) of the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended, regarding the material contravention of the provisions of the development plan other than zoning.

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

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

1. Where the applicant considers that the proposed strategic housing development would materially contravene the relevant Development Plan or Local Area Plan, other than in relation to the zoning of the land, a statement indicating the plan objective(s) concerned and why permission should, nonetheless, be granted for the proposed development, having regard to a consideration specified in section 37(2)(b) of the Planning and Development Act 2000. Notices published pursuant to Section 8(1)(a) of the Act of 2016 and Article 292 (1) of the Regulations of 2017, shall refer to any such statement in the prescribed format
2. A site plan showing the layout of the proposed development in relation to the various zonings that apply to the site.
3. Housing Quality Assessment with regard to the standards set out in the Sustainable Urban Housing Design Standards for New Apartments Guidelines for Planning Authorities.
4. Building Lifecycle Report.

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

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

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

13. Ecological Impact Statement.

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

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

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

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

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

PLEASE NOTE:

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

Sarah Moran
Senior Planning Inspector
21st April 2021