



An
Coimisiún
Pleanála

Inspector's Report

PL-500406-WD-25

Development	Construction of 73 residential units.
Location	Junction between Williamstown Road and the R710 Outer Ring Road and the land to the west of the Farronshoneen Roundabout , Williamstown , Waterford
Planning Authority	Waterford City and County Council
Planning Authority Reg. Ref.	2560651
Applicant(s)	MKDB Developments Limited
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party Normal Planning Appeal
Appellant(s)	MKDB Developments Limited
Observer(s)	None
Date of Site Inspection	23 rd February 2026
Inspector	Bernadette Quinn

1.0 Site Location and Description

- 1.1. The application site has a stated area of 2.51 hectares and is located approx. 2.5km southeast of Waterford City Centre. The Regional Road R710/Outer Ring Road adjoins the sites southeastern boundary and a local road, Williamstown Road fronts the northeastern boundary of the site. The Farronshoneen Roundabout located to the east of the site connects these two roads. A two-storey house (Bramblefield) is located to the northeast and is surrounded by the site on three sides. There is an established residential estate (Hunters Way and Hunters Grove) to the northwest and a large residential development which is partly occupied and partly under construction is located to the southwest at Knightsbridge. Boundaries with these residential areas comprise block walls / concrete panel walls. The boundary to the southeast separating the site from the outer ring road comprises dense trees and shrubs.
- 1.2. Ground levels vary significantly throughout the site, with levels rising from approx. 46.0 at the level of the local road to the north of the site, rising to 58.0 centrally within the site, dropping to approx. 52.0 at the western and northwestern boundary, 48.5 at the southern boundary and approx. 43.0 towards the eastern boundary. The site is partly covered with gorse and vegetation as well as grass.

2.0 Proposed Development

- 2.1. Planning permission is sought for a residential development for 73 no. residential units including
- 12 no. 1 storey 2 bed semi-detached units;
 - 4 no. 2 storey 3 bed semi-detached units;
 - 6 no. 2 storey 4 bed semi-detached units;
 - 13 no. 2 storey 3 bed terrace units;
 - 2 no. 3 storey duplex apartment blocks and 1 no. 4 storey apartment block containing a total of 38 apartments and duplex units;
 - 1 no. external communal bin store and 1 no. external bike store;

- vehicular road and pedestrian connection to Williamstown Road;
- pedestrian connection to Williamstown Road at the Farronshoneen Roundabout;
- car parking; landscaping and public lighting, 2 no. ESB kiosks and all other associated site development works.

2.2. The application is accompanied by the following documents in support of the application:

- Architectural Design Statement
- Engineering Report
- Traffic and Transport Assessment
- Noise Report
- Archaeology Report
- Climate Resilient Report
- Housing Need Demand Assessment
- Social Infrastructure Audit, Daylight and Sunlight Report
- Operational Waste Management Plan
- Resource and Waste Management Plan
- Construction Environmental Management Plan
- Landscape Report.

3.0 **Planning Authority Decision**

3.1. **Decision**

On 10th November 2025 the Planning Authority (PA) refused permission for four reasons as follows:

1. The proposed development provides for a steeply sloping vehicular entrance onto the public road (Williamstown Road L1523), which if permitted, would endanger public safety by reason of traffic hazard. The proposed

development fails to demonstrate safe access and egress arrangements, and thus would give rise to a traffic hazard, would be prejudicial to road safety, would set an unacceptable precedent for similar types of development and would therefore be contrary to the proper planning and sustainable development of the area.

2. Having regard to the location and nature of the proposed internal estate road and footpath layout, and the proximity of the internal road and footpath to the existing residential property to the northeast of the site, the Planning Authority is not satisfied that it has been adequately demonstrated that the proposed development will not have a negative impact on the residential amenity of the neighbouring residential property to the northeast of the site by way of overlooking, traffic movements and associated general nuisance. The proposed development would, therefore, seriously injure the amenities of property in the vicinity and would be contrary to the proper planning and sustainable development of the area.
3. Having regard to the details submitted with the application in relation to surface water management, the Planning Authority is not satisfied that the drainage proposals represent a sustainable approach to servicing of the proposed development, or that the details submitted allow for a determination that the overall surface water drainage proposals are satisfactorily addressed. Based on the details submitted, the Planning Authority is not satisfied that the proposed development would not seriously injure the amenities of the area resulting from inadequate surface water management, furthermore the use of retention basins with headwalls resulting in unacceptable sheer drops is not acceptable. It is considered that the proposed development would be contrary to Section 6.3 and Policy Objectives UTL 09 and H 18 of the Waterford City & County Development Plan 2022-2028, which relate to surface water drainage and Sustainable Urban Drainage Systems (SUDS). The proposed development therefore conflicts with the policies of the Waterford City & County Development Plan 2022-2028, would set an unacceptable precedent for similar types of development and would therefore be contrary to the proper planning and sustainable development of the area.

4. Based on the details provided with the application and in the absence of a confirmation of feasibility from Uisce Éireann, the Planning Authority is not satisfied that it has been adequately demonstrated that it is technically feasible to the satisfaction of Uisce Éireann, as the Water Authority, to connect to the public water supply and the public foul sewer in the area. In the absence of the confirmation of feasibility with Uisce Éireann that connection to public water supply and foul sewer are feasible and acceptable, it is considered that the proposed development would be premature pending the confirmation of feasibility of connections to water supply and foul sewer to serve the proposed residential development and as such would be prejudicial to public health and thus contrary to the proper planning and development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planning Officer's report dated 10th November 2025 can be summarised as follows:

- Part of the site to the north appears to be outside the ownership of the developer and no consent has been indicated from WCCC as landowner.
- No consent has been submitted for the removal of boundary walls to allow for pedestrian accesses to the existing Knightswood housing development to the southwest of the site which has not been taken in charge to date.
- The house types and mix are considered generally acceptable
- The layout includes pedestrian connectivity to the existing Knightswood housing development and the pedestrian access paths do not benefit from any passive surveillance.
- The levels of the road and footpath in comparison to the existing ground level at the rear garden area of the house to the north of the site is not clearly indicated therefore negative impact on residential amenity of this house by way of over-looking and car movements cannot be ruled out.

- Additional cross and longitudinal sections through the site are required to clearly show how significant changes in levels at the site are addressed.
- All apartments meet the minimum overall floor area standards and no concerns are raised in relation to the height and size of the buildings.
- A small portion of the site to the north is zoned for Open Space and Recreation where vehicular access and services from the public road are proposed.
- The application site is designated as a City–Suburban/Urban Extension as per Compact Settlements Guidelines. The proposed development does not meet the required density of 40 units per ha.
- The proposed estate entrance is in close proximity to the major roundabout at Farronshoneen which is not considered acceptable, access to the site should be via the existing Knightswood housing estate to the south.
- Confirmation that the proposed development can be serviced with foul and water services has not been submitted.
- There are concerns in relation to surface water disposal.
- Further information relating to boundary details are required.
- Refusal of planning permission is recommended.

3.2.2. Other Technical Reports

Roads Department: Concerns raised in relation to a number of issues relating to road layout and SuDS including site levels, need for vehicle restraints, absence of turning heads, road gradients, gradient from site onto Williamstown Road, use of retention basins with headwalls, run off rates, 4.4m differential between basin bed level and road level; absence of swept path analysis and visibility splays; requirement for 49m visibility splay onto Williamstown Road; preference for entrance/exit in Knightswood; and improved pedestrian connectivity including link to Hunter Grove.

Heritage Officer: No objection subject to conditions relating to archaeological monitoring and requirement for an eradication plan for invasive species.

Housing Department: Further Information required in relation to Part V.

Environmental Services: No objection subject to conditions relating to construction management.

3.3. **Prescribed Bodies**

None on file.

3.4. **Third Party Observations**

Four submissions were made in relation to this application objecting to the proposed development. The issues raised include concerns relating to:

- Impacts on the neighbouring property to the northeast 'Bramblefield' including proximity of the proposed estate road and pathways, the finished levels of the proposed pedestrian footpath and estate road and resulting impacts of overlooking and lights from cars and streetlights. These concerns were raised in a previous assessment by ACP in relation to the site (ABP-308480-20).
- A boundary wall is requested between the appeal site and Bramblefield.
- There are concerns in relation to the vehicular entrance including sightlines and proximity to roundabout.
- Loss of privacy to neighbouring properties.
- Traffic safety and capacity of road network.
- Impacts on health.
- Building height.

4.0 **Planning History**

Appeal Site:

19710 / ABP-308480-20: Permission refused by WCCC and ACP for 1 serviced site and 24 No. 2-storey dwellings. Permission refused by the PA for two reasons relating to impact of overlooking and loss of privacy of neighbouring residential properties and extent of excavation resulting in substandard form of development. Following an appeal the proposal was refused permission by ACP for one reason as follows:

The site is located in an area zoned 'Undeveloped Residential (Subject to Phasing)' in the Waterford City Development Plan 2013-2019, as varied. A density of approx. 10 no. units per hectare is proposed. Notwithstanding the physical constraints on site, this density is significantly below the minimum 35 units per hectare set out in the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009) for an 'Outer Suburban/'Greenfield' Site'. It is considered that the low density would conflict with National Policy Objectives NPO 3b, NPO 5 and NPO 11 as set out in National Planning Framework Project Ireland 2040. Therefore, the proposed development would be contrary to national policy and would be contrary to the proper planning and sustainable development of the area.

Adjoining Site to Southwest:

22378 Permission granted for 98 houses.

2560394: Permission granted for 96 houses.

5.0 Policy Context

5.1. Development Plan

- 5.1.1. The Waterford City and County Development Plan 2022-2028 is the relevant development plan for the area. The plan has regard to national and regional policies in respect of infill development within existing built-up areas.
- 5.1.2. The appeal site is zoned Existing Residential (RS) which seeks to 'Provide for residential development and protect and improve residential amenity'. Residential use is permitted in principle under this zoning'. A portion of the site along the northern boundary adjoining Williamstown Road is zoned Open Space and Recreation (OS), which seeks to 'Preserve and provide for open space and recreational amenities'.
- 5.1.3. The site is located in the Waterford Metropolitan Area as shown on the Waterford City Core Strategy Map. Chapter 2 Spatial Vision and Core Strategy outlines Core Strategy Policy Objectives which includes CS 03 relating to compact growth and CS 13 Settlement Strategy.

5.1.4. Chapter 3 Waterford City & MASP outlines policies aimed at planning for the future of Waterford City as envisaged in the NPF, Waterford PLUTS and Waterford City MASP (RSES) where Waterford fulfils its role as the Regional City and home to the South East Technological University. A supplementary core strategy identifies the population targets applicable to the MASP (Table 3.1), the strategic residential locations in Waterford City which will deliver population growth from 53,504 (2016) to 74,234 (2031).

5.1.5. Chapter 6 refers to utilities infrastructure and section 6.3 Storm and Surface Water Management includes the following of relevance:

‘For new developments, the Council will require that all developments incorporate ‘Sustainable Urban Drainage Systems’ (SuDS) as part of the development proposals. The systems should aim to mimic the natural drainage of a site to minimise the effect of a development on flooding and pollution of existing waterways. In some exceptional cases, and at the discretion of the Planning Authority, where it is demonstrated that a SuDS system approach is not feasible, approval may be given to the installation of underground attenuation tanks or enlarged pipes, in conjunction with other measures/ devices to achieve the required water quality. Such alternative measures will only be considered as a last resort.’ SuDS components can include: Green roofs; Soakaways; Rainwater harvesting; Permeable Paving; Geocellular modular systems; Channels and rills; Bioretention; Infiltration trenches; Rain gardens; Filter strips; Filter drains; Swales; Trench troughs; Detention basins; Wetlands and Retention ponds.

Policy Objective UTL 09 Storm and Surface Water Management states:

‘To require the use of Nature Based Solutions and Sustainable Drainage Systems to minimise and limit the extent of hard surfacing and paving and require the use of SuDS measures to be incorporated in all new development (including roads and public realm works and extensions to existing developments).

Surface water drainage must be dealt with in a sustainable manner, in ways that promote its biodiversity value, and in ways that avoid pollution and flooding, through the use of an integrated SuDS (including integrated constructed wetlands), where appropriate.

Development proposals shall be accompanied by a SuDS assessment, which includes details of run-off quantity and quality and impacts on habitat and water quality and shall demonstrate how runoff is captured as close to source as possible with subsequent slow release to the drainage system and watercourse, as well as the incorporation of appropriate measures to protect existing water bodies and remove pollutant materials. The detail of the assessment should be commensurate with the scale of the development proposed.

Storm/ surface water management and run-off design should be carried out in accordance with Sustainable Urban Drainage Systems (SuDS) standards. ... In all instances the use of Nature Based Solutions is preferred to engineered solutions.'

Policy Objective UTL 09 outlines the requirement for use of Nature Based Solutions and Sustainable Drainage Systems to minimise and to limit the extent of hard surfacing and paving and require the use of SuDS measures to be incorporated in all new development.

- 5.1.6. Chapter 7 outlines General Housing Policy Objectives and includes the following of relevance:

Policy Objective H 02 states: In granting planning permission, we will ensure new residential development: Is appropriate in terms of type, character, scale, form and density to that location; Is serviceable by appropriate supporting social, economic and physical infrastructure; Is serviceable by public transport and sustainable modes such as walking and cycling; Is integrated and connected to the surrounding area in which it is located; and, Is designed in accordance with the applicable guidance and standards of the time.

Policy Objective H 04 states: We will promote and facilitate sustainable and liveable compact urban growth through the thoughtful consolidation and of infill/ brownfield sites in a way which promotes appropriate levels of compactness while delivering healthier and greener urban spaces and residential amenities. This will be achieved by:

- Facilitating and supporting a range of residential densities and building heights appropriate to the context and residential amenity of a proposed development location.

- Proximity to high-capacity public transport corridors and investment in sustainable and/or active transport infrastructure.
- Supporting the permeable integration and densification of existing built-up areas.
- Supporting residential development proposals and urban design which incorporate clustering of mixed land use and co-location of services in appropriate location(s), or where quick and easy access to such services is available.
- Promoting and ensuring qualitative design and technological solutions which deliver adaptable residential/living units/spaces and urban design.
- Ensuring the integrated provision of quality green and blue infrastructure components/ public open space and networks of same so as to achieve distinctiveness and sense of place across our neighbourhoods; and,
- Requiring the provision of support infrastructure/ facilities to encourage sustainable mobility.

Policy Objective H 17 relates to housing mix.

Policy Objective H 18 states that all new residential development will be required to incorporate the following measures to enhance climate resilience:

- An ecosystems services approach utilising Sustainable Urban Drainage Systems (SuDS) to reduce runoff at source and apply site and regional SuDS measures to enhance water quality by the use of inter alia green roofs, rain gardens, bioretention measures/swales, tree trenches and water butts and other such measures;

5.1.7. The site is situated within a 'Least Sensitive' and a 'Low Sensitive' Scenic Classification in the Landscape and Seascape Character Assessment as per WCCC Development Plan 2022 - 2028.

5.1.8. Development Management Standards are outlined in Volume 2 wherein Section 3.0 sets out Residential Development Standards and Section 7.0 sets out Parking Standards wherein Table 7.1 Car Parking Standards states 1 space required per House/Dwelling/Apartment in areas outside of Waterford City Centre.

5.2. Ministerial Guidelines

5.2.1. Sustainable and Compact Settlements Guidelines for Planning Authorities, 2024 (SRDCSGs)

These Guidelines set out policy and guidance in relation to the planning and development of urban and rural settlements, with a focus on sustainable residential development and the creation of compact settlements. Section 4.4 outlines Key Indicators of Quality Design and Placemaking and Policy and Objective 4.2 states that it is a policy and objective of the Guidelines that the key indicators of quality urban design and placemaking set out in Section 4.4 are applied in the consideration of individual planning applications.

Table 3.2 outlines Density Ranges and states that residential densities in the range 35 dph to 50 dph (net) shall generally be applied at suburban and urban extension locations in Limerick, Galway and Waterford.

Table 3.8 defines accessibility wherein Intermediate Locations are defined as lands within 500-1,000 metres (i.e. 10-12 minute walk) of existing or planned high frequency (i.e. 10 minute peak hour frequency) urban bus services; and Lands within 500 metres (i.e. 6 minute walk) of a reasonably frequent (minimum 15 minute peak hour frequency) urban bus service.

SPPR 3 – Car Parking: It is a specific planning policy requirement of these Guidelines that: (iii) In intermediate and peripheral locations the maximum rate of car parking provision for residential development, where such provision is justified to the satisfaction of the planning authority, shall be 2 no. spaces per dwelling. The maximum car parking standards do not include bays assigned for use by a car club, designated short stay on–street Electric Vehicle (EV) charging stations or accessible parking spaces. The maximum car parking standards do include provision for visitor parking.

5.2.2. Planning Design Standards for Apartments Guidelines for Planning Authorities, 2025 (Apartment Guidelines)

These Guidelines outline that matters relating to density and other factors that further inform the principle of undertaking apartment development at an individual site are set out in the SRDCSGs.

5.3. **Other Relevant Guidance**

5.3.1. Design Manual for Urban Roads and Streets, 2013 (DMURS)

DMURS seeks to address street design within urban areas and sets out an integrated design approach and includes guidance relating to design of on-street car parking.

5.4. **Natural Heritage Designations**

The appeal site is located c.1km south of the Lower River Suir SAC and approx. 6.5km to the southwest of the River Barrow and River Nore SAC (Site Code 002162).

5.5. **EIA Screening**

The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

6.0 **The Appeal**

6.1. **Grounds of Appeal**

A first party appeal in relation to the decision includes an Engineering report and drawings and can be summarised as follows:

- The planning history of the site and surrounding area is outlined.
- Under permission reference 19/710/ABP-308480-20 on the appeal site permission was refused for residential development for one reason relating to inadequate density.

- The proposed site layout generally adopts the same site entrance location and access road alignment as proposed under 19/710.
- The Commission did not agree with the PA reason for refusal in 19/710 that the extent of cutting to accommodate the main internal vehicular circulation road was excessive and would constitute a substandard form of development. The Commission was satisfied that the applicant had illustrated ground level alterations were acceptable.

Reason No. 1:

- The refusal reason No. 1 appears to rely on the concerns raised in the Roads Department Report and has no regard for a previous assessment by ACP.

Gradients

- It is not clear what the concern is in relation to the gradient onto the Williamstown Road being too steep. The proposed entrance and roads were designed to the required standards by the applicant's consultant engineers and independently Road Safety Audited with no issues raised in relation to the access location or road gradients.
- The proposed junction and access road as submitted in the application had a gradient of approx. 4% (1/25) for the first 20 meters, DMURS preferred gradient is 5% (1/20) and below for access roads. For internal roads DMURS states 1/12 (8.3%) is the maximum road gradient for hilly terrain over short distances, and rest areas are required for wheelchairs etc. Therefore, the access junction and internal road gradients were DMURS compliant.
- The gradients of the proposed entrance junction and internal roads have been revised to meet and exceed WCCC's informal design requirements as a solution to the reason for refusal. A revised site layout plan M1118-DR-GAR-CE-010 is submitted with a revised entrance which achieves a 2% gradient (1/50) for the first 20m. Drawing M1118-DR-GAR-CE-010 is attached showing an option in this regard which sets the levels of the entrance to incorporate a 7m 1 in 50 dwell area.

Location of Access & Pedestrian Links

- The proposed entrance off Williamstown Road has previously been deemed acceptable. At pre-planning stage the PA required pedestrian and cycle links only with the Knightswood Estate. In granting permission for the adjoining Knightswood estate under reference 22/378, the PA in Condition 20 required 2m high block walls to be constructed across the potential link points with the appeal site and did not require public roads to extend to the boundary with the appeal site therefore leaving ransom strips at each link point.
- The proposal provides for 3 potential cycle/pedestrian links extending to the site boundary to link with adjoining development.
- Having regard to the layout permitted under 22/378 which includes ransom strips between the existing Knightswood estate roads and the appeal site boundary, the PA will be required to enforce pedestrian links with the adjoining estate. The proposed links on the appeal site extend to the common ownership boundary to facilitate future links.
- A pedestrian link can be provided to Hunters Grove by the Council, without the need to omit House No. 13.
- The road line and extent of cut and fill proposed generally reflects those previously considered acceptable by ACP, and along with landscaping proposed is considered reasonable and acceptable given the difficult site terrain.

Vehicle Restraint

- Issues relating to a requirement for vehicle restraint measures did not arise in the Road Safety Audit. They can be designed into the landscaping with an approved low-safety restraint. A drawing showing a section of barrier along the rear of the home zone road is included with the appeal.
- A crash barrier can be provided at the end of the road at the northwest of the site. Drawing PP-04 demonstrates this is not necessary and there is a concrete wall at the foot of the slope on the adjoining property.

Turning Movements

- A turning head is not required at house No. 35. A drawing submitted with the appeal shows turning movements of vehicles on cul de sacs and a drawing

shows auto tracking of refuse vehicles. A refuse vehicle is permitted to reverse 35m along a cul de sac thereby negating the need for turning heads. The cul de sac referred to is a home zone which would not typically have a turning head.

- Engineering drawings submitted detail road levels and road cross sections, radii for refuse lorry turning and pedestrian crossing points, swept path analysis and additional auto tracking.

Sightlines

- In relation to concerns regarding planting next to house no. 7, planting will be chosen that will not exceed 1.05m height and will be assessed for compliance as part of the Stage 3 Road Safety Audit.
- Sections of footpath will be provided on either side of the junction to the southeast of House No. 7 to address concerns in this regard.
- Engineering drawings demonstrate sightlines at all junctions, including the requirement for 49m at the entrance onto the Williamstown Road. It is not necessary to provide sightlines at each house access.
- Details relating to roads and footpath design can be agreed by condition.
- In relation to the section of footpath and parking outside of the red line boundary, two car parking spaces can be omitted and the footpath realigned and this can be addressed by condition.

Reason No. 2

- The proposed road and footpath layout will not unacceptably impact the residential amenities of the nearest house in Hunters Way by way of overlooking, traffic movements, and/or associated general nuisance.
- Having regard to road levels on the proposed internal road at the northwest end of the site and the road level of the cul-de-sac in Hunters Grove, car lights approaching the common boundary from the southeast will be into the existing concrete panel fence.
- No overlooking will arise into No. 11 Hunters Way from the proposed development.

Reason No. 3

- In relation to concerns in the planners report regarding headwalls / sheer drops, the alternative would be below ground tanks which the applicants were directed away from by the Council.
- There is no evidence on the file of correspondence from the Local Authority Engineer and comments in this regard are summarised in the planning officers report.
- There is no sheer drop as a result of headwalls at detention basins. The headwall is only at the pipe interface; the rest of the basin is formed with gently graded, accessible slopes and the overall design remains compliant with the four SuDS pillars. The headwall is a protection detail and does not compromise SuDS function or amenity.
- Two options are provided to address concerns relating to headwalls, these include a handrail around the headwall to remove any fall risk or extending the pipe and grading over the headwall to match the surrounding slope and drawings are enclosed in relation to these options.
- The total greenfield Qbar rate for the site is 22.2l/a. As there are two separate discharge points serving different catchment areas, the outflow was apportioned on a simple area ratio basis resulting in two values which combine to the overall Qbar of 22.2 l/s for the site.
- The basin levels are dictated by the NBS SuDS requirements and the need to achieve the correct hydraulic gradients for storm-water management on site, it is not possible to raise the basin levels, lower the road, or increase the separation between the two without fundamentally affecting the drainage design and the overall layout of the development. To address this concern a drawing is provided which includes an Armco barrier along the road edge from Houses 1-6 and continuing around Basins 1 and 2 which removes any risk associated with the level difference.

Reason 4

- No response was received to pre-applications for confirmation of feasibility to connect to the public water supply and the public foul sewer in the area.

Other Issues Raised

- Consent relating to areas outside the applicant's control is attached to the appeal.
- In relation to consent to provide pedestrian access to Knightsbridge, it is proposed that footpaths in the appeal site will be brought to the site boundary. It is unreasonable to request the developer to obtain consent from the neighbouring developer to facilitate these connections.
- In relation to impacts on the house to the north, the proposed road line is very similar to that considered under 19/710 which was deemed acceptable by ACP. The associated footpath is further from the house than previously proposed. There is an existing precast boundary wall to the rear of this house, additional screen planting is proposed.
- Additional sections are included in the appeal, which along with submitted drawings allow for an accurate assessment of the visual and amenity impacts of proposed houses relative to each other and relative to neighbouring properties. Additional cross sections and longitudinal sections are included in the appeal to show how changes in levels are addressed and to show the impact on neighbouring properties.
- The proposed density of 38 units per ha. is above the minimum requirement of 35 units per ha for City-Suburban/Urban Extension areas in Section 3.3.1(iii) of the Sustainable and Compact Settlements Guidelines.
- A total of 108 car parking spaces are proposed which is an excess of the requirements in the Development Plan of 1 space per unit, a reduction in parking is proposed by omission of 2 spaces. All houses will have wiring installed to allow for EV plugs and duplex and apartments parking will have ducting for EV charging cables and units.
- Details of bicycle parking are outlined which include provision at ground floor in unit 9 and within a shared bicycle storage unit serving blocks 7 and 8 and front garden stores for mid-terrace houses.
- Bin storage will be provided on the ground floor of the apartment block and low level bin storage in front of mid-terrace houses.

- A DMURS Design Statement is attached with the planning appeal

6.2. Planning Authority Response

Response received can be summarised as follows:

- The PA remain opposed to the proposed development.
- The PA, having consulted with the Roads Section, considers that the proposed development for a steeply sloping vehicular entrance onto the public road (Williamstown Road L1523), if permitted would endanger public safety by reason of traffic hazard.
- The proposal has failed to demonstrate safe access and egress arrangements, would give rise to a traffic hazard, would be prejudicial to road safety, and would set an unacceptable precedent for similar type of development.
- Having regard to the location of the proposed development, the nature of the proposed internal estate road and footpath layout, and the proximity of the internal road and footpath to the existing residential property to the north east of the site, it has not been adequately demonstrated that the proposal will not have a negative impact on the residential amenity of the neighbouring residential property to the north east by way of over-looking, traffic movements and associated general nuisance and would therefore seriously injure the amenities of property in the vicinity.
- The PA is not satisfied that the drainage proposals represent a sustainable approach to servicing of the proposed development, or that the details submitted allow for a determination that the overall surface water drainage proposals are satisfactorily addressed. The PA is not satisfied that the proposal would not seriously injure the amenities of the area resulting from inadequate surface water management.
- The use of retention basins with headwalls resulting in unacceptable sheer drops is not acceptable.
- The proposal would be contrary to Section 6.3 and Policy Objectives UTL 09 and H 18 of the Development Plan relating to surface water drainage and

Sustainable Urban Drainage Systems (SUDS) and therefore conflicts with the development plan and would set an unacceptable precedent for similar types of development.

- In the absence of confirmation of feasibility from UE the PA is not satisfied that it has been adequately demonstrated that it is technically feasible to connect to the public water supply and the public foul sewer and the proposal would be premature and as such would be prejudicial to public health.
- The proposal would be contrary to the proper planning and sustainable development of the area.
- The substantive issues raised in the appeal were assessed in detail in the assessment of the application. The proposal was refused permission following assessment which included input from other departments within WCCC.
- The PA remains unfavourably disposed to the proposal and urges ACP to uphold its decision to refuse permission.

6.3. **Observations**

None received.

7.0 **Assessment**

7.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the local authority, and inspected the site, and having regard to relevant local/regional/national policies and guidance, I consider that the main issues in this appeal are as follows:

- Principle of Development
- Transportation Matters (Reason for Refusal No. 1)
- Residential Amenity Impacts (Reason for Refusal No. 2)
- Surface Water Drainage (Reason for Refusal No. 3)
- Water Supply & Wastewater (Reason for Refusal No. 4)

- Other Issues

7.2. Principle of Development

- 7.2.1. The site is largely zoned 'existing residential'. Residential development is permitted in principle under this zoning in the Development Plan. A strip of land along the sites northern boundary adjoining Williamstown Road is zoned open space whereon residential development is 'not permitted'. This area contains a footpath with grass verges on either side. A vehicular entrance to serve the proposed development will traverse the strip of open space zoned lands. The open space zoning extends west to a larger area of open space serving an established residential development to the west. Noting the nature and limited scale of the area zoned open space within the appeal site, I consider the proposed vehicular entrance is acceptable at this location.
- 7.2.2. In relation to site density, the proposal provides for 73 residential units on an overall site area of 2.51 ha. This area includes the Farronshoneen Roundabout and a section of Williamstown Road at the location of the proposed site entrance. The site layout plan drawing states that the net residential area is 1.92ha with this area excluding the central open space area and grass verge to the east of the main access road.
- 7.2.3. The Sustainable Residential Development and Compact Settlements –Guidelines for Planning Authorities 2024 outlines in Table 3.2 that residential densities in the range 35 dph to 50 dph (net) shall generally be applied at suburban and urban extension locations in Waterford City. Section 3.4 of the Guidelines state that the density ranges set out in Section 3.3 should be considered and refined, generally within the ranges set out, based on consideration of centrality and accessibility to services and public transport; and considerations of character, amenity and the natural environment. Appendix B of the Guidelines refer to measuring residential density wherein Table 1 states that Net site area excludes 'other areas of land that cannot be developed due to environmental sensitivities, topographical constraints (i.e. steepness) and/or are subject to flooding'.
- 7.2.4. The appeal site is characterised by a sharp increase in ground levels from the boundary with Williamstown Road to the north with the central area of the site

dominated by this increase in levels. I note the constraints to the site and the resulting limitations in terms of potential layout.

7.2.5. I consider the site falls within a “Suburban/ Urban Extension” location and I am satisfied that the net site area of 1.92ha which excludes the steeply sloped areas of the site is appropriate for the purposes of calculating residential density. On this basis I note the proposal provides for a density of 38 dph which I consider is suitable for the site having regard to its location, site context and constraints. Accordingly, I am satisfied that the density as proposed is in line with the requirements of the Sustainable Residential Development and Compact Settlements Guidelines (2024) and that the previous refusal reason relating to residential density under permission reference ABP-308480-20 has been overcome.

7.2.6. The principle of development is therefore acceptable, subject to the detailed considerations below.

7.3. **Transportation Matters (Reason for Refusal No. 1)**

Vehicular Entrance

7.3.1. The PA’s first refusal reason refers to the proposed steeply sloping vehicular entrance onto the Williamstown Road, which the PA considered would endanger public safety by reason of traffic hazard and that the proposal failed to demonstrate safe access and egress arrangements and therefore would give rise to a traffic hazard and be prejudicial to road safety.

7.3.2. I note the report of the Local Authority Roads Section which outlines a number of concerns relating to the proposed access from Williamstown Road with the report stating that the gradient coming out onto Williamstown Road is too steep and that this would need to be reduced for the first 20m and in accordance with DMURS specifications. The report also states that an entrance/exit in Knightswood would be favoured and that visibility splays onto Williamstown Road where a bus route exists should be 49m as required by DMURS. The PA response to the appeal reiterates these concerns.

7.3.3. The first party appeal outlines that the proposal adopts the same site entrance location and access road alignment as proposed under 19/710 / ABP-308480-20 wherein the Commission did not agree with the PA reason for refusal that the extent

of cutting to accommodate the main internal vehicular circulation road was excessive and would constitute a substandard form of development. The appeal outlines that in this case the Commission was satisfied that the applicant had illustrated ground level alterations that were acceptable. A DMURS Design Statement submitted with the appeal outlines compliance of the proposed development with DMURS.

- 7.3.4. Whilst I note the first party's case that the entrance and access road was previously accepted by the Commission, I note that the previously assessed proposal related to a development of 24 dwellings and was assessed under a previous Development Plan for the area. I consider the current appeal should be assessed on its merits.
- 7.3.5. The proposed vehicular entrance is located on Williamstown Road, approx. 160m west of the Farronshoneen Roundabout. The appeal outlines that the proposed entrance and roads were designed to the required standards by the applicant's engineers and independently Road Safety Audited with no issues raised in relation to the access location or road gradients. It is outlined that the proposed junction and access road have a gradient of approx. 4% (1/25) for the first 20 meters and that the DMURS preferred gradient is 5% (1/20) and below for access roads and that the access junction gradients are therefore DMURS compliant. The appeal states that should ACP consider the entrance detail requires further adjustment there are design solutions available and this can be achieved by planning condition compliance. A revised Engineers Drawing (Drawing No. M1118-DR-GAR-CE-010) submitted with the appeal revises the levels of the entrance to incorporate a 7m 1 in 50 dwell area and revises the gradients of the proposed entrance junction to achieve a 2% gradient (1:50) for the first 20m from the entrance junction with the gradient increasing to 1:21 as the internal access road travels south through the site.
- 7.3.6. DMURS outlines recommendations for maximum and minimum gradients and states that in urban areas, it is likely that the comfort of vulnerable road users will be the determining factor for desirable maximum longitudinal gradients on streets, that access routes with a gradient of 1:20 or less are preferred and therefore a maximum gradient of 5% is desirable on streets where pedestrians are active. DMURS notes that in hilly terrain, steeper gradients may be required but regard must be had to the maximum gradient that most wheelchair users can negotiate of 8.3%, although this should be limited to shorter distances with consideration given to mitigation

measures, such as intermediate landings, to ensure that pedestrian routes are accessible.

- 7.3.7. I note that levels and gradients at the proposed site entrance and throughout the site are, for the most part, in compliance with the recommendations of DMURS. However, I note a section of road measuring approximately 40m in length (in front of house No.'s 25-30) has a gradient of between 1:13 and 1:15 and that a section of road approximately 20m in length in the vicinity of house No.'s 48-50 has a gradient of 1:13. Having regard to the site constraints, the limited extent of the areas where gradients do not meet the recommendations, and noting the recommendations of DMURS relating to hilly terrain where steeper gradients can be considered over a shorter distance, I am satisfied that the gradients are acceptable and that the site levels in the vicinity of the proposed site entrance are acceptable.
- 7.3.8. The PA raised concerns in relation to the proposed vehicular entrance due to its proximity to the Farronshoneen Roundabout and outlined that vehicular access should be accommodated via Knightsbridge. Whilst Knightsbridge includes internal estate roads close to the boundary with the appeal site, the boundary between Knightsbridge and the appeal site comprises a block wall and grass verges. I note that the proposed entrance is located on Williamstown Road, approx. 160m west of the Farronshoneen Roundabout. In relation to the PA and Roads Department concerns relating to sightlines at the site entrance, the appeal includes Drawing M1118-DR-GAR-CE-040 which demonstrates 49m sightlines at the proposed entrance onto the Williamstown Road. I am satisfied that this is acceptable with regard to requirements for forward visibility on bus routes as required by DMURS and as required in the Roads Department Report. I do not consider it feasible to require access to the appeal site via Knightsbridge and noting the availability of sightlines at the proposed vehicular entrance and the separation distance from the Farronshoneen Roundabout I consider the proposed vehicular entrance is acceptable.
- 7.3.9. Other issues raised in the Roads Department Report include absence of a turning head at No. 35, potential need for a crash barrier at the existing dwelling, requirement for drawings to demonstrate road and footpath widths and radii of bends and crossing points, need for a swept path analysis, visibility splays at junctions and entrances to houses, requirements for continuity of footpaths, tactile paving and

raised junctions, and pedestrian links to adjoining estates. Engineering drawings submitted with the appeal detail road levels and road cross sections, radii for refuse lorry turning and pedestrian crossing points, swept path analysis and additional auto tracking.

- 7.3.10. I note the Roads Department report refers to a requirement for a section through the access road close to the existing house to indicate existing levels at the existing property to determine the level of the road relative to this property. Drawing PP-22A shows a section through 'Bramblefield' and the proposed access road and Sections 3, 8 and 9 show sections between the site and existing houses at Hunters Grove. In this regard, the most significant level changes are between the appeal site and the property at 'Bramblefield' which has a FFL of 45.46 and a ridge level of 50.46. An existing precast concrete boundary wall separates 'Bramblefield' from the appeal site where levels increase with the level of the proposed road at 48.00 and proposed levels increasing to 55.00 across the area of public open space and with the road in front of house No.'s 05 and 06 at a level of approx. 55.50 [this matter is addressed further in section 7.4 below].
- 7.3.11. In relation to the requirement for vehicle restraint measures the appeal outlines that this matter did not arise in the Road Safety Audit. However, it is noted that this can be designed into the landscaping with an approved low-safety restraint. Drawing M1118-DR-GAR-CE-050 submitted with the appeal shows restraint barriers along the rear of the home zone road to the rear of the single storey houses, on a section of the main access road to the rear of the existing dwelling to the northeast and along a section of road surrounding the proposed detention basins. I consider the revised proposals submitted with the appeal address the concerns raised by the Roads Department in this regard.
- 7.3.12. Regarding the absence of a turning head at house No. 35, the appeal notes that this cul de sac is a home zone area which would not typically have a turning head and that a turning head is not considered necessary. Drawing M1118-DR-GAR-CE-061 submitted with the appeal shows turning movements of vehicles associated with houses at the end of cul de sacs. Drawing M1118-DR-GAR-CE-060 REV1 shows auto tracking of refuse vehicles and it is noted that a refuse vehicle is permitted to reverse 35m along a cul de sac thereby negating the need for turning heads. Having

reviewed the drawings submitted with the appeal I am satisfied that the concerns raised in this regard have been addressed.

- 7.3.13. The appeal includes a drawing showing vehicle tracking analysis for a refuse truck along with additional auto tracking for vehicles in cul-de-sacs. In relation to concerns regarding planting next to house no. 7, it is stated that planting will be chosen that will not exceed 1.05m height and will be assessed for compliance as part of the Stage 3 Road Safety Audit. The appeal confirms that sections of footpath will be provided on either side of the junction to the southeast of House No. 7 to address concerns in this regard and drawings submitted with the appeal provide for a footpath at this location. I consider this is acceptable and addresses the concerns raised in this regard.
- 7.3.14. In relation to sightline requirements, the appeal includes engineering drawings demonstrating sightlines at all junctions. It is stated in the appeal that it is not necessary to provide sightlines at each house access. The appeal notes that details relating to roads and footpath design including tactile paving and raised junctions can be agreed by condition. I consider this is acceptable and addresses the concerns raised in this regard.
- 7.3.15. In relation to concerns regarding the section of footpath and parking outside of the red line boundary, the site layout has been revised to fully accommodate parking space V12 and the footpath in question has been realigned. I consider this is acceptable and addresses the concerns raised in this regard.

Connections with Knightswood

- 7.3.16. The application sought permission for pedestrian and cycle links with the adjoining residential development under construction at Knightswood to the southwest. The Planning Officers report notes that that the Knightswood Estate has not been taken in charge and no consent has been submitted for the removal of boundary walls to allow for these links to the southwest, and that the pedestrian access paths do not benefit from any passive surveillance. The Roads Department report states that a pedestrian link to Hunters Grove should be considered by eliminating house No. 13.
- 7.3.17. Permission reference 22378 relates to the adjoining site to the southwest wherein permission was granted for 98 houses, and this development has been constructed. The permitted site layout plan and landscaping plan relating to this development

provide for grass verges and boundary walls where this site meets the appeal site. Condition 20 attached to this permission requires 'the boundaries facing public areas/roads at the northeast of the development shall consist of a 2 metre concrete block wall, suitably rendered on its public side and capped. Reason: In the interest of the protection of amenities, the environment and public safety and for the proper planning and sustainable development of the area.'

- 7.3.18. I note the permitted and constructed layout on the adjoining site and I note the appellants grounds that these links may be facilitated by the Local Authority and that it is unrealistic for the applicant to be expected to obtain the unconditional consent of the neighbouring landowner in this regard. I note the difficulties for the first party in achieving the required consents and the as-built nature of these areas which contain 2m high walls and grass verges which would need to be removed to facilitate the pedestrian links and I do not consider it reasonable to request the applicant to provide consents in this regard. I note that there is limited passive surveillance over the proposed pedestrian and cycle links. I consider it appropriate that if the Commission decides to grant permission that a condition be included that dwelling number's 17, 18, 27, 28 and 35 be redesigned in order to present dual frontages onto the public road and the pedestrian path and avoid side elevations being presented to pedestrian/cycle connections.
- 7.3.19. In relation to the Roads Department request for consideration of a pedestrian link to Hunters Grove, the appeal outlines that such a link can be provided at this location by the Council, without the need to omit House No. 13. I note that the area in question between the appeal site and Hunters Grove contains a block wall and grass verge in Hunters Grove. I note that the planning application did not seek permission for a pedestrian link at this location and as such I do not consider it appropriate to require same by way of a condition attached to a grant of permission if the Commission decides to grant permission. I also note as outlined in the appeal that a link at this location may be accommodated by the Local Authority.
- 7.3.20. Having regard to the above I am satisfied that matters relating to connectivity to adjoining sites have been addressed.

Car Parking

7.3.21. The appeal outlines that a total of 108 car parking spaces is proposed which is an excess of the requirements in the Development Plan of 1 space per unit and the appeal proposes a reduction in parking by omission of 2 spaces. The proposal provides for 1 no. space per 1 and 2 bed dwelling, 2 spaces per 3+ bed houses and 1 space per apartment as well as 10 visitor car parking spaces. The appeal notes that all houses will have wiring installed to allow for EV plugs and duplex and apartments parking will have ducting for EV charging cables and units to address Development Plan requirements in this regard. I note that SPPR 3 of the Compact Settlements Guidelines refers to car parking and requires that in intermediate and peripheral locations the maximum rate of car parking provision for residential development, where such provision is justified to the satisfaction of the planning authority, shall be 2 no. spaces per dwelling. Having regard to the location of the site in what I consider an intermediate area, I am satisfied that that the proposal is acceptable with regard to car parking.

7.3.22. Having regard to the above I am satisfied that the first reason for refusal has been addressed and I do not consider the proposal will result in a traffic hazard or be prejudicial to road safety and I consider the appeal has adequately addressed the concerns raised in relation to transportation matters and the PA's first refusal reason.

7.4. Residential Amenity Impacts (Reason for Refusal No. 2)

7.4.1. The PA's second refusal reason refers to concerns in relation to the location and nature of the proposed internal estate road and footpath layout, and the proximity of the internal road and footpath to the existing residential property to the northeast of the site resulting in potential negative impacts on the residential amenity of this adjoining property by way of over-looking, traffic movements and associated general nuisance.

7.4.2. The Planning Officers report states that levels of the road and footpath in comparison to the existing ground level at the rear garden area of the house to the north of the site is not clearly indicated, either on site layout or by way of section plans, therefore negative impacts on residential amenity of this house by way of over-looking and car movements cannot be ruled out. The report also notes there is a significant change in levels at the site and that additional cross and longitudinal

sections through the site are required to clearly show how changes in levels are addressed and to assess for impact in terms of residential amenity.

- 7.4.3. The PA response to the appeal states that it has not been adequately demonstrated that the proposal will not have a negative impact on the residential amenity of the neighbouring residential property to the northeast by way of over-looking, traffic movements and associated general nuisance.
- 7.4.4. Drawing M1118-DR-GAR-CE-010 submitted with the appeal outlines road levels. The appeal outlines that the proposed road and footpath layout will not unacceptably impact the residential amenities of the nearest house in Hunters Way by way of overlooking, traffic movements, and/or associated general nuisance.
- 7.4.5. I note that the appeal response addresses potential impacts on neighbouring properties to the west of the appeal site. I note the PA refers to concerns on impacts on the property to the northeast which I consider relates to the detached two-storey house (Bramblefield) to the northeast of the site on Williamstown Road which is surrounded by the appeal site on three sides.
- 7.4.6. Drawing PP-22A submitted with the appeal includes Section 11 which shows level changes between the appeal site and Bramblefield. Bramblefield has a FFL of 45.46 and a ridge level of 50.46. The level of Williamstown Road fronting Bramblefield has a level of approx. 44.50. The drawing indicates that an existing precast concrete boundary wall separates Bramblefield from the appeal site and the top of this wall is at a level of approx. 47.50. Levels increase within the appeal site with the level of the proposed road and footpath at approx. 48.00 which is slightly below the eaves level of Bramblefield. The proposed road and footpath are at a level above the rear elevation and garden of Bramblefield, being close to the eaves level of this property. The proposed levels increase from 48.00 to 55.00 across the area of public open space, with the road in front of house No.'s 05 and 06 at a level of approx. 55.50. The proposed footpath is located approx. 2m from the boundary with Bramblefield and approx. 9m from the rear elevation of Bramblefield. The proposed road is a distance of approx. 5m from the boundary with Bramblefield and approx. 11m from the rear elevation of this property. A precast concrete boundary wall with a height of approx. 1.8m is indicated to the rear of Bramblefield with its height at a level of approx. 47.50m. Drawing PP-22A indicates proposed additional planting within the

appeal site between the footpath and the existing boundary wall to provide screening.

- 7.4.7. The appeal outlines that the proposed site layout generally adopts the same site entrance location and access road alignment as proposed under 19/710 (ABP-308480-20) with the layout and gradient at the entrance and within the estate similar to those previously approved by the Commission. In assessing that application, the Commission did not agree with the PA reason for refusal that the extent of cutting to accommodate the main internal vehicular circulation road was excessive and would constitute a substandard form of development and the Commission was satisfied that the applicant had illustrated that ground level alterations were acceptable. The appeal states that the proposed road line along with proposed landscaping of the embankments is reasonable and acceptable given the difficult site terrain.
- 7.4.8. I note the previously refused scheme under permission reference ABP-308480-20 proposed a footpath in a similar location and with the road alignment further away from the shared boundary with Bramblefield. I note that the planning inspector, in assessing ABP-308480-20 considered that there would not be undue overlooking impact from the proposed estate road or the footpath to adjacent properties, subject to appropriate boundary treatment and landscaping. I also note that the appeal site is located within a suburban area which is largely characterised by existing residential development. I note that the owner of Bramblefield made a submission to the PA in relation to the planning application requesting that a boundary wall be provided between the appeal site and Bramblefield. Should the Commission consider it necessary the footpath could be relocated to the western side of the access road. However, I consider mitigation by way of a 1.8m high boundary wall and landscaping would mitigate potential impacts of overlooking and that the proposal would not give rise to unacceptable impacts on the adjoining property. I consider if the Commission decides to grant permission that this matter can be addressed by condition. I consider that any such planting shall be limited to a height of 1.5m in order to avoid resulting in loss of light and overshadowing impacts on Bramblefield as a result of the difference in levels between the appeal site and this property. Having regard to the foregoing, I do not consider the proposal would result in an unacceptable level of overlooking from the proposed estate road or the footpath to adjacent properties, subject to appropriate boundary treatment and landscaping.

- 7.4.9. The Planning Officer's report also notes that there is a significant change in levels at the site and that a range of additional details are required including additional cross and longitudinal sections through the site to clearly show how changes in levels are addressed, particularly for houses which back onto each other (Block 1 No.'s 1-12 – single storey houses) and houses which back onto the existing Knightswood estate to the southwest of the site, to assess for impact in terms of residential amenity.
- 7.4.10. I note that additional cross sections and longitudinal sections are included in the appeal which indicate changes in levels and impacts on neighbouring properties at Knightswood, Hunters Way and Hunters Grove. I note that where two storey dwellings are proposed, rear gardens with a depth of 8m are provided which allow for a separation distance in excess of 16m between rear opposing first floor windows in existing dwellings at Knightswood. I am satisfied that the section drawings submitted with the appeal allow for an assessment of the impact of the proposal on existing dwellings and that the design and scale of the development is appropriate and will not give rise to unacceptable impacts on the residential amenities of existing properties in Knightswood, Hunters Way and Hunters Grove.
- 7.4.11. Having regard to the above I am satisfied that the proposal will not give rise to unacceptable impacts on the residential amenities of neighbouring residential properties, and I do not recommend that permission be refused in this regard.

7.5. Surface Water Drainage (Reason for Refusal No. 3)

- 7.5.1. The third refusal reason states that the PA is not satisfied that the drainage proposals represent a sustainable approach to servicing of the proposed development, or that the details submitted allow for a determination that the overall surface water drainage proposals are satisfactorily addressed. In this regard the PA refers to inadequate surface water management and the use of retention basins with headwalls resulting in unacceptable sheer drops which is not acceptable. The refusal reason states that it is considered that the proposal would be contrary to Section 6.3 and Policy Objectives UTL 09 and H 18 of the Development Plan which relate to surface water drainage and SUDS. The PA's response to the appeal reiterates these concerns.
- 7.5.2. The Roads Department report refers to the proposed use of headwalls in retention basins and states that these are not favoured as they will have sheer drops and are

not compliant with SuDS 4 pillars of compliance and that amenity value would be severely disrupted using this design. The report refers to the level difference between the bed level for 2 of the basins which is stated as 4.4m below the level of the road locally over a distance of approx. 5-7m. The report states that the design of the storm water basins should be designed without headwalls to avoid falls and the need for handrails. Concern is also raised in relation to the proposed flow control out of the Hydrobrake and it is queried how the green field run off rate was determined.

- 7.5.3. In response to these concerns the appeal outlines that in relation to concerns regarding headwalls / sheer drops, the alternative would be below ground attenuation tanks. The appeal outlines that there is no sheer drop as a result of headwalls at detention basins, noting that the headwall is only at the pipe interface and the rest of the basin is formed with gently graded, accessible slopes and the overall design remains compliant with the four SuDS pillars. The appeal notes that the headwall is a protection detail and does not compromise a SuDS function or amenity.
- 7.5.4. The appeal includes drawing M1118-DR-GAR-CE-025 which provides two options to address concerns relating to headwalls, with Option 1 providing a handrail around the headwall to remove any fall risk or Option 2 which extends the pipe and grading over the headwall to match the surrounding slope.
- 7.5.5. The appeal outlines that basin levels are dictated by the need to achieve the correct hydraulic gradients for storm-water management on site and it is not possible to raise the basin levels, lower the road, or increase the separation between the two without fundamentally affecting the drainage design and the overall layout of the development. To address this concern drawing M1118-DR-GAR-CE-050 is provided which includes an Armco barrier along the road edge from Houses 1-6 and continuing around Basins 1 and 2 which is stated to remove any risk associated with the level difference.
- 7.5.6. Section 6.3 of the Development Plan requires that all developments incorporate SuDS and notes that in exceptional cases where it is demonstrated that a SuDS system approach is not feasible, approval may be given to the installation of underground attenuation tanks or enlarged pipes, in conjunction with other measures/ devices to achieve the required water quality. The Plan states that SuDS

components can include: Green roofs; Soakaways; Rainwater harvesting; Permeable Paving; Geocellular modular systems; Channels and rills; Bioretention; Infiltration trenches; Rain gardens; Filter strips; Filter drains; Swales; Trench troughs; Detention basins; Wetlands and Retention ponds. Policy Objective UTL 09 and Policy Objective H 18 relate to the requirement for integration of SuDS in new developments.

- 7.5.7. An Engineering Report submitted with the planning application outlines the approach to surface water management which includes permeable paving, grasscrete, swales, rain gardens, detention basins and limiting total run off to greenfield rates. The report outlines that the detention basins have been designed to integrate naturally into the proposed layout, maximum side slopes of 1 in 3 have been provided to ensure safe access is provided into and out of the detention basins and to ensure routine maintenance can be carried out on the embankments.
- 7.5.8. I note the concerns raised by the PA. However, I also note the constrained nature of the site which is zoned for residential use. In relation to the appellants grounds of appeal I note that the applicant has submitted details outlining compliance with the four SuDS pillars. Noting the appellants proposals submitted with the appeal to address the PA's concerns relating to sheer drops, I consider the use of retention basins with headwalls as amended to provide for grading over the headwall to match the surrounding slope as outlined in Option 2 on drawing M1118-DR-GAR-CE-025 is an acceptable solution for the appeal site. However, I also note handrails may be required as outlined in Option 1 and I consider that if the Commission decides to grant permission that a condition be attached requiring the inclusion of proposals in this regard as agreed with the PA.
- 7.5.9. The appeal outlines that the total greenfield Qbar rate for the site is 22.2l/a. As there are two separate discharge points serving different catchment areas, the outflow was apportioned on a simple area ratio basis resulting in two values which combine to the overall Qbar of 22.2 l/s for the site. I consider it appropriate that if permission is granted that the Commission attach a condition requiring that drainage arrangements and the disposal of surface water shall comply with the requirements of the planning authority in this regard.

7.5.10. Having regard to the above I consider the applicant has demonstrated that the proposal complies with Section 6.3 and Policy Objectives UTL 09 and H 18 of the Development Plan relating to surface water drainage and Sustainable Urban Drainage Systems. I am satisfied that the proposal provides for adequate surface water management and I consider the applicant has addressed the PA's third refusal reason.

7.6. Water Supply & Wastewater (Reason for Refusal No. 4)

7.6.1. The PA's fourth refusal reason states that in the absence of confirmation of feasibility from Uisce Éireann (UE), the Planning Authority is not satisfied that it has been adequately demonstrated that it is technically feasible to the satisfaction of UE to connect to the public water supply and the public foul sewer in the area.

7.6.2. The appeal outlines that pre-connection applications were made to UE but no response issued and that the file was not referred to UE by the PA. The Commission issued a notice to UE under Section 131 requesting UE to make a submission in relation to the appeal. No submission was received by the Commission from UE within the period requested.

7.6.3. I have accessed both the Water Supply and Wastewater Treatment Capacity Registers for Waterford City and Suburbs published online by Uisce Éireann in August 2025 wherein it is stated that capacity is available for both water supply and wastewater treatment (UE Registers accessed on 24th March 2026). Having regard to the foregoing, I consider that the lands have access to services necessary for dwellings to be developed and with sufficient service capacity available for such development. If the Commission decides to grant permission I recommend the inclusion of a condition requiring Confirmation of Feasibility from UE prior to commencement of development.

7.7. Other Issues

7.7.1. The PA raised concerns that landowner consent has not been provided in relation to areas outside the applicant's control, including areas to the north and northeast which are in the ownership of WCCC. The appeal includes a letter of consent from WCCC consenting to the applicant making the planning application. I am satisfied that this matter has been addressed.

- 7.7.2. Details of bicycle parking are outlined which include provision at ground floor in Block 9 and within a shared bicycle storage unit serving Blocks 7 and 8 and front garden stores for mid-terrace houses. Bin storage will be provided on the ground floor of the apartment block and low-level bin storage in front of mid-terrace houses. Having regard to the details submitted with the planning application and appeal I am satisfied that adequate bicycle parking and bin storage has been demonstrated.
- 7.7.3. The Heritage Officer's report on the file recommended the inclusion of conditions relating to archaeological monitoring and requirement for an eradication plan for invasive species. If the Commission decides to grant permission I recommend the inclusion of standard conditions in this regard.

8.0 Water Framework Directive Assessment

- 8.1. I have assessed the proposed residential development at Williamstown Road, Waterford and I have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration (refer to Appendix 4). Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

The reason for this conclusion is as follows:

- the nature of works and the proposed drainage measures.
- taking into account the WFD screening report by the Planning Authority.

- 8.2. I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment

9.0 AA Screening

- 9.1. Screening Determination

Finding of no likely significant effects

- 9.1.1. In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on the Lower River Suir SAC (Site Code 002137) and the River Barrow and River Nore SAC (Site Code 002162) or any other European site, in view of the Conservation Objectives of those sites and is therefore excluded from further consideration. Appropriate Assessment is not required.
- 9.1.2. This determination is based on:
- The nature and scale of the works
 - Location-distance from nearest European site and lack of connections between the application site and the SAC/SPA
 - Taking into account the screening determination by the PA.
- 9.1.3. No mitigation measures aimed at avoiding or reducing impacts on European sites were required to be considered in reaching this conclusion.

10.0 Recommendation

- 10.1. I recommend that planning permission should be granted, subject to conditions, as set out below, for the following reasons and considerations.

11.0 Reasons and Considerations

- 11.1. Having regard to the location of the site on land zoned RS 'Provide for residential development and protect and improve residential amenity' in the Waterford City and County Development Plan 2022 to 2028, and to the proposal to provide for residential development thereon, to the nature and scale of the proposed development, to the pattern of development in the area, and, subject to compliance with the conditions set out below, it is considered that the proposed development would not seriously injure the residential amenities of property in the vicinity, would be acceptable in terms of traffic safety and convenience and surface water drainage,

and would be capable of being adequately served by wastewater, surface water, and water supply networks and would therefore be in accordance with the provisions of the Waterford City and County Development Plan 2022-2028. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

12.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as further amended by plans and particulars received by An Coimisiun Pleanala on 05th December 2025 except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: in the interest of clarity.

2. The proposed development shall be amended as follows:
 - (a) The boundary between the subject site and the dwelling to the northeast 'Bramblefield' which adjoins the site shall consist of a boundary wall of 1.8m in height suitably capped and rendered and appropriate landscaping which shall not exceed a height of 1.5m.
 - (b) The developer shall provide revised drawings demonstrating that unit's 17, 18, 27, 28 and 35 provide for a dual frontage design allowing for passive surveillance to the front and side of these units.
 - (c) The developer shall provide sloped and/or protective measures to the retention basins as required by the Planning Authority and as shown on Option 1 and Option 2 on drawing M1118-DR-GAR-CE-025 submitted with the appeal.
 - (d) Vehicle restraint measures indicated on drawing M1118-DR-GAR-CE-050 submitted with the appeal shall be provided.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of visual and residential amenity, traffic safety and sustainable drainage.

3. Details of the materials, colours and textures of all the external finishes to the proposed buildings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: in the interest of visual amenity and to ensure an appropriate high standard of development.

4. All bathroom and ensuite windows shall be fitted and permanently maintained with obscure glass.

Reason: in the interest of residential amenity.

5. (a) The internal road network serving the proposed development including turning bays, junctions, parking areas, footpaths, and kerbs shall comply with the detailed construction standards of the planning authority for such works and design standards outlined in Design Manual for Urban Roads and Streets (DMURS).

(b) Footpaths shall be dished at road junctions in accordance with the requirements of the planning authority. Details of all locations and materials to be used shall be submitted to, and agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interests of traffic safety.

6. All the communal parking areas serving the residential units shall be provided with functional electric vehicle charging points, and all of the in-curtilage car parking spaces serving residential units shall be provided with electric connections to the exterior of the houses to allow for the provision of future electric vehicle charging points. Details of how it is proposed to comply with these requirements shall be submitted to, and agreed in writing with, the

planning authority prior to commencement of development.

Reason: In the interest of sustainable transportation.

7. Proposals for an estate/street name, house/duplex numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate and street signs, and house/duplex numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).

Reason: in the interest of urban legibility and to ensure the use of locally appropriate placenames for new residential areas.

8. Drainage arrangements and the disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the written agreement of the planning authority.

Reason: To prevent flooding and in the interests of sustainable drainage.

9. Prior to the commencement of development, the developer shall enter into a Connection Agreement(s) with Uisce Eireann to provide for a service connection(s) to the public water supply and wastewater collection network.

Reason: in the interest of public health and to ensure adequate water/wastewater facilities

10. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of 5 [five] years from the completion of the development [or until the development is taken in charge by the local authority, whichever is the

sooner], shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority. Reason: In the interest of residential and visual amenity. Public lighting shall be provided in accordance with a scheme which shall be submitted to, and agreed in writing with the planning authority prior to the commencement of development. The scheme shall include lighting along pedestrian routes through open spaces and shall take account of trees within the drawing [landscape plan drawing no. xxx]. Such lighting shall be provided prior to the making available for occupation of any residential unit.

Reason: In the interest of amenity and public safety..

11. Prior to the commencement of development, the developer, and/or any agent acting on their behalf, shall submit an invasive species management plan to the planning authority, which includes details of a pre-construction survey to be carried out. The plan shall include full details of the eradication of such invasive species from the development site prior to construction or if discovered during construction as soon as is practicably possible.

Reason: In the interest of environmental protection.

12. The area shown as public open space on the lodged plans shall be reserved for such use. The public open space shall be completed and fully landscaped before any of the dwellings are made available for occupation and shall be maintained as public open space by the developer.

Reason: In the interest of the amenities of the occupants of the proposed housing

13. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: in the interests of visual and residential amenity

14. (a) All ground works associated with the proposed development shall be monitored under licence by a suitably qualified archaeologist.

(b) Should archaeological material be found during the course of works, the work on the site shall be stopped pending a decision as to how best to deal with the archaeology. The developer shall be prepared to be advised by National Monuments Service of the Department of Housing, Local Government and Heritage with regard to any necessary mitigating action (e.g. preservation in situ, or excavation) and should facilitate the archaeologist in recording any material found.

(c) The Planning Authority and the Monuments Service of this Department of Housing, Local Government and Heritage shall be furnished with a report describing the results of the monitoring.

Reason: To ensure the continued preservation (either in situ or by record) of places sites, features or other objects of archaeological interest.

15. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: in order to safeguard the amenities of property in the vicinity.

16. A finalised Construction and Environmental Management Plan (CEMP) shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. The CEMP shall include but not be limited to construction phase controls for dust, noise and vibration, waste management, protection of soils, groundwaters, and surface waters, site housekeeping, emergency response planning, site environmental policy, and project roles and responsibilities.

Reason: in the interests of environmental protection, residential amenities, public health and safety and environmental protection.

17. Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation

of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness, these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times

Reason: in the interest of proper planning and sustainable development.

18. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:
- a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;
 - b) Location of areas for construction site offices and staff facilities;
 - c) Details of site security fencing and hoardings;
 - d) Details of on-site car parking facilities for site workers during the course of construction;
 - e) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;
 - f) Measures to obviate queuing of construction traffic on the adjoining road network;
 - g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
 - h) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;
 - i) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;

- j) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;
- k) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;
- l) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.
- m) A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the Planning Authority.

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

19. A plan containing details for the management of waste within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials within each house plot and for each duplex/apartment unit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the agreed waste facilities shall be maintained and waste shall be managed in accordance with the agreed plan.

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

20. The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company, or by the local authority in the event of the development being taken in charge. Detailed proposals in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To ensure the satisfactory completion and maintenance of this development.

21. (a) Prior to the commencement of any house or duplex unit in the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such

agreement must specify the number and location of each house or duplex unit), pursuant to Section 47 of the Planning and Development Act 2000, that restricts all relevant houses and duplex units permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.

(b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each specified house or duplex unit for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing.

(C) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any- person with an interest in the land regarding the sales and marketing of the specified housing units, in which case the planning authority shall confirm in writing to the applicant or any person with an interest in the land that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit.

Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.

22. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the transfer of a (percentage of the land, to be agreed with the planning authority, in accordance with the requirements of section 94(4) and section 96(2) and 96(3)(a), (Part V) of the Planning and Development Act 2000, as amended , and/or the provision of housing on lands in accordance with the requirements of section 94(4) and section 96(2) and 96(3) (b), (Part V) of the Planning and

Development Act 2000, as amended, unless an exemption certificate has been granted under section 97 of the Act, as amended.

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area.

23. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Coimisiun Pleanála for determination.

Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.

24. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiun Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Bernadette Quinn
Planning Inspector
24th March 2026

Appendix 1

Form 1 - EIA Pre-Screening

Case Reference	PL-500406-WD-25
Proposed Development Summary	Construction of 73 residential units and all associated site works
Development Address	Junction between Williamstown Road and the R710 Outer Ring Road and the land to the west of the Farronshoneen Roundabout , Williamstown , Waterford
In all cases check box /or leave blank	
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road	

<p>development under Article 8 of the Roads Regulations, 1994.</p> <p>No Screening required.</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p>EIA is Mandatory. No Screening Required</p>	<p>State the Class and state the relevant threshold</p>
<p><input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p>Preliminary examination required. (Form 2)</p> <p>OR</p> <p>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	<p>State the Class and state the relevant threshold</p> <p>Class 10(b)(i) Schedule 5 Part 2, EIA is mandatory for developments comprising over 500 dwelling units.</p> <p>The proposal for 73 dwellings does not meet or exceed this threshold and is sub threshold.</p>

<p>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</p>	
<p>Yes <input type="checkbox"/></p>	<p>Screening Determination required (Complete Form 3)</p>
<p>No <input checked="" type="checkbox"/></p>	<p>Pre-screening determination conclusion remains as above (Q1 to Q3)</p>

Inspector: _____ Date: _____

Appendix 2

Form 2 - EIA Preliminary Examination

Case Reference	PL-500406-WD-25
Proposed Development Summary	Construction of 73 residential units and all associated site works
Development Address	Junction between Williamstown Road and the R710 Outer Ring Road and the land to the west of the Farronshoneen Roundabout , Williamstown , Waterford
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
<p>Characteristics of proposed development</p> <p>(In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).</p>	<p>Briefly comment on the key characteristics of the development, having regard to the criteria listed.</p> <p>The development proposed is located on a green field site and comprises the construction of 35 no. houses and 38 no. duplex and apartment units in two no. 3 storey duplex apartment blocks and one block of four storeys.</p> <p>The proposal has a modest footprint, is located adjacent to existing residential development, is not out of context at this suburban location and will not give rise to any significant waste or pollutants.</p> <p>The development, by virtue of its type and scale, does not pose a risk of major accident and/or disaster and presents no risks to human health.</p>
<p>Location of development</p> <p>(The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).</p>	<p>Briefly comment on the location of the development, having regard to the criteria listed</p> <p>The development is situated on zoned and serviced lands in a populated suburban area on a greenfield site and is located at a remove from sensitive landscapes of significance identified in the Waterford City & County Development Plan 2022-2028.</p> <p>The Lower River Suir SAC (Site Code 002137) is located approx. 1km to the north of the site and the River Barrow and River Nore SAC (Site Code 002162) is approx. 6.5km to the northeast. The site is adequately removed from these sites to avoid impacts.</p>
<p>Types and characteristics of potential impacts</p> <p>(Likely significant effects on environmental parameters, magnitude and spatial extent,</p>	<p>Having regard to the characteristics of the development and the sensitivity of its location, consider the potential for SIGNIFICANT effects, not just effects.</p>

nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	Having regard to the modest nature of the proposed development, its location relative to sensitive habitats/features, likely limited magnitude and spatial extent of effects, and absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act. I consider there is no real likelihood of significant effects on the environment.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	Schedule 7A Information required to enable a Screening Determination to be carried out.
There is a real likelihood of significant effects on the environment.	EIAR required.

Inspector: _____ Date: _____

DP/ADP: _____ Date: _____

(only where Schedule 7A information or EIAR required)

Appendix 3
Screening for Appropriate Assessment
Test for likely significant effects

Step 1: Description of the project and local site characteristics

Brief description of project	Construction of 73 residential units and all associated site works
Brief description of development site characteristics and potential impact mechanisms	<p>The proposal relates to residential development on a greenfield site measuring 2.51ha. The site is located adjacent to existing residential development in a zoned and serviced suburban area characterized by detached and semi-detached dwellings. A residential development is under construction and partially completed on adjoining lands to the southwest. The site is partly covered with gorse and vegetation as well as grass. Site boundaries comprise block walls and mature trees.</p> <p>The Lower River Suir SAC (Site Code 002137) is located approx. 1km to the north of the site and the River Barrow and River Nore SAC (Site Code 002162) is approx. 6.5km to the northeast.</p> <p>St. John's 020 river is located approx. 550m south of the site within Williamstown Golf Course.</p>
Screening report	Y prepared by Russell Environmental & Sustainability Services Ltd.
Natura Impact Statement	N
Relevant submissions	None

Step 2. Identification of relevant European sites using the Source-pathway-receptor model

European Site (code)	Qualifying interests¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (m)	Ecological connections²	Consider further in screening³ Y/N
Lower River Suir SAC (Site Code 002137)	<p>Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330]</p> <p>Water courses of plain to montane levels with the Ranunculion fluitantis and</p>	1,000m	<p>No spatial overlap, therefore no direct connection with this SAC.</p> <p>No hydrological or ecological connection via air or land.</p>	N

	<p>Callitricho-Batrachion vegetation [3260]</p> <p>Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels [6430]</p> <p>Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0]</p> <p>Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0]</p> <p>Taxus baccata woods of the British Isles [91J0]</p> <p>Margaritifera margaritifera (Freshwater Pearl Mussel) [1029]</p> <p>Austropotamobius pallipes (White-clawed Crayfish) [1092]</p> <p>Petromyzon marinus (Sea Lamprey) [1095]</p> <p>Lampetra planeri (Brook Lamprey) [1096]</p> <p>Lampetra fluviatilis (River Lamprey) [1099]</p> <p>Alosa fallax fallax (Twaite Shad) [1103]</p> <p>Salmo salar (Salmon) [1106]</p>		<p>The site does not support the habitats relevant to this SAC.</p> <p>The appeal site is not of interest for mobile species relevant to this SAC.</p>	
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	Lutra lutra (Otter) [1355]			
Link to Conservation Objectives: Lower River Suir SAC National Parks & Wildlife Service				
River Barrow and River Nore SAC (Site Code 002162)	<p>Estuaries [1130]</p> <p>Mudflats and sandflats not covered by seawater at low tide [1140]</p> <p>Reefs [1170]</p> <p>Salicornia and other annuals colonising mud and sand [1310]</p> <p>Atlantic salt meadows (Glaucopuccinellietalia maritimae) [1330]</p> <p>Mediterranean salt meadows (Juncetalia maritimi) [1410]</p> <p>Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation [3260]</p> <p>European dry heaths [4030]</p> <p>Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels [6430]</p> <p>Petrifying springs with tufa formation (Cratoneurion) [7220]</p> <p>Old sessile oak woods with Ilex and</p>	6.5km	<p>No spatial overlap, therefore no direct connection with this SAC.</p> <p>No hydrological or ecological connection via air or land.</p> <p>The site does not support the habitats relevant to this SAC.</p> <p>The appeal site is not of interest for mobile species relevant to this SAC.</p>	N

	<p>Blechnum in the British Isles [91A0]</p> <p>Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae) [91E0]</p> <p><i>Vertigo moulinsiana</i> (Desmoulin's Whorl Snail) [1016]</p> <p><i>Margaritifera margaritifera</i> (Freshwater Pearl Mussel) [1029]</p> <p><i>Austropotamobius pallipes</i> (White-clawed Crayfish) [1092]</p> <p><i>Petromyzon marinus</i> (Sea Lamprey) [1095]</p> <p><i>Lampetra planeri</i> (Brook Lamprey) [1096]</p> <p><i>Lampetra fluviatilis</i> (River Lamprey) [1099]</p> <p><i>Alosa fallax fallax</i> (Twaite Shad) [1103]</p> <p><i>Salmo salar</i> (Salmon) [1106]</p> <p><i>Lutra lutra</i> (Otter) [1355]</p> <p><i>Vandenboschia speciosa</i> (Killarney Fern) [6985]</p>			
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Link to Conservation Objectives: [River Barrow and River Nore SAC | National Parks & Wildlife Service](#)

Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites

No potential for likely significant effects on European sites during the construction or operational phase has been identified.

Step 4 Conclude if the proposed development could result in likely significant effects on a European site

I conclude that the proposed development (alone) would not result in likely significant effects on the Lower River Suir SAC (Site Code 002137) and the River Barrow and River Nore SAC (Site Code 002162). The proposed development would have no likely significant effect in combination with other plans and projects on any European site(s). No further assessment is required for the project.

No mitigation measures are required to come to these conclusions.

Screening Determination

Finding of no likely significant effects

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on the Lower River Suir SAC (Site Code 002137) and the River Barrow and River Nore SAC (Site Code 002162) or any other European site, in view of the Conservation Objectives of those sites and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- The nature and scale of the works
- Location-distance from nearest European site and lack of connections between the application site and the SAC/SPA
- Taking into account the screening determination by the PA.

No mitigation measures aimed at avoiding or reducing impacts on European sites were required to be considered in reaching this conclusion.

Appendix 4: WFD IMPACT ASSESSMENT STAGE 1: SCREENING

Step 1: Nature of the Project, the Site and Locality

An Coimisiún Pleanála ref. no.	PL-500406-WD-25	Townland, address	Junction between Williamstown Road and the R710 Outer Ring Road and the land to the west of the Farronshoneen Roundabout , Williamstown , Waterford
Description of project		Construction of 73 residential units and all associated site works.	
Brief site description, relevant to WFD Screening,		The site has an area of 2.51 hectares, is located on a steeply sloping site. The site is approximately 2.5 km southeast of Waterford City Centre. The area is characterised by residential development, with further residential development under construction to the southwest. The site is covered in gorse, grass and scrub vegetation. Site levels rise sharply from the public road to the centre of the site and fall again towards the southern site boundaries.	
Proposed surface water details		Proposed SuDS and connection to mains.	
Proposed water supply source & available capacity		Proposed connection to mains.	

Proposed wastewater treatment system & available capacity, other issues	Proposed connection to mains sewer.
Others?	

Step 2: Identification of relevant water bodies and Step 3: S-P-R connection

Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)
River	Located 550 m south of the site	St. John's 020 IE_SE_16S0306 00	Poor	At Risk	None	Potential for surface water drainage
Groundwater Waterbody	Underlying site	Waterford IE_SE_G_149	Good	Not at risk	None	Surface water run-off to groundwater

Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.

CONSTRUCTION PHASE

No.	Component	Water body receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.
1.	Site clearance /construction	St. John's 020 IE_SE_16S 030600	Hydrological pathway across site	Water Pollution by siltation and/or chemicals	Standard best construction; Construction, demolition and environmental management plan (condition)	No	Screened out
2.	Site clearance /construction	Waterford IE_SE_G_1 49	Drainage through soil/bedrock	Hydrocarbon and other spillages	Standard best construction; Construction, demolition and environmental	No	Screened out

					management plan (condition)		
OPERATIONAL PHASE							
4.	Surface water run-off	St. John's 020 IE_SE_16S 030600	Hydrological pathway across site	Surface water run-off	Drainage collection and disposal measures (silt collector / petrol bypass, SUDS measures to collect clean storm water and discharge to SW main drain)	No	Screened out
5.	Groundwater discharge	Waterford IE_SE_G_1 49	None	Surface water run-off to groundwater	Drainage collection and disposal measures (silt collector / petrol bypass, SUDS measures to collect clean	No	Screened out

					storm water and discharge to SW main drain).		
DECOMMISSIONING PHASE							
7.	N/A	N/A	N/A	N/A	N/A	N/A	N/A