



An
Coimisiún
Pleanála

Inspector's Report PL-500461-WD-25

Development	Construction of 99 residential units. A Natura Impact Statement (NIS) was submitted with this application.
Location	Knockboy , Waterford , Waterford
Planning Authority	Waterford City and County Council
Planning Authority Reg. Ref.	2560404
Applicant(s)	Jackie Green Construction Ltd.
Type of Application	Permission
Planning Authority Decision	Grant Permission + Conditions
Type of Appeal	Third Party Normal Planning Appeal
Appellant(s)	Colin and Martina Fanning
Observer(s)	None
Date of Site Inspection	23 rd February 2026
Inspector	Bernadette Quinn

1.0 Site Location and Description

- 1.1. The proposed development is located on the eastern side of St Marys Place, Knockboy, Waterford, approximately 5 km by road east of Waterford City Centre. The appeal site is currently in agricultural use and it is adjoined by Ballygunner Cemetery to the south, detached houses on individual sites to the north, agricultural fields to the east and a mix of detached houses on individual sites and suburban housing estates to the west. There is an existing agricultural entrance gate from St Marys Place at the south-west corner of the site.
- 1.2. The site of the proposed development is elevated with views of the surrounding area and falls from south to north, with the existing levels on the site varying from a high of about 42mAOD at the southeastern boundary to a low of about 26mAOD at the northwestern boundary. The gradient also rises steeply from the western boundary, where it adjoins the public road, to the centre of the site.
- 1.3. St. Mary's Place connects to the Dunmore Road to the north and Williamstown Road to the south. There are existing pedestrian footpaths on both sides of St. Marys Place linking the site to the Dunmore Road and the Williamstown Road
- 1.4. The appeal site includes a section of existing public road along St. Mary's Place which extends to Island Road to the north of the site. The overall site area is stated as 3.17 ha. The area of the applicant's land holding (excluding the off-site works) is 2.9 ha.

2.0 Proposed Development

- 2.1. The proposed development comprises 99 residential units and a creche and includes the following:
 - 55 No 2-storey houses (providing 19 No 4-bed and 36 No 3-bed houses).
 - 44 No apartments within 4 No 4 storey blocks (providing 20 No 1-bed and 24 No 2-bed apartments) located along the western boundary adjacent to St. Mary's Place.
 - A creche with a floor area of 219 sq.m.
 - 4 no internal communal waste storage facilities (total floor area c. 82.8 sq.m).

- 181 No car parking spaces and 80 No bicycle parking spaces within 4 No storage facilities (total floor area c. 140 sq.m).
- 1 No ESB Unit-substation.
- Vehicular/pedestrian/cyclist accesses to the public road from Ballygunner Hill/St. Mary's Place including provision of 2 No pedestrian crossings.
- All associated site development works, landscaping, open spaces, boundary treatments and services provision (including connection to public foul and surface water drainage at Dunmore Road and Island Drive.
- Vehicular access to the proposed development is from St. Mary's Place

The red line boundary relating to the site includes a section of St. Mary's Place which extends to Island Road to the north of the site to provide for a new proposed surface water drain.

3.0 Planning Authority Decision

3.1. Decision

On 20/11/2025 Waterford City & County Council issued notification of decision to grant permission subject to 30 conditions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planning Officer's report dated 01/08/2025 can be summarised as follows:

- The site formed part of a larger site which was granted planning permission by An Coimisiun Pleanala as a 'strategic housing development' (SHD) of 343 no. of residential units (199 no. houses and 144 no. of apartments) under ACP Ref: No.304423-19. Planning permission is sought to develop the western section of this site.
- The proposed density of development accords with the development plan and national guidelines in terms of densities to be achieved.

- Having regard to the site location, site context and zoning objective it is considered the density of 41.25 units per hectare accords with both national and local policy/guidelines.
- The proposed development is considered a suitable response to the site's location and the objectives of the plan.
- Further information is required in relation to flood risk assessment, entrance details, site levels and boundary treatments, updated Architectural Design and Planning Statement, public lighting, SuDS details, consent from landowners, detention basin details, updated footpath layout and revised roads and entrance details.

Following a request for further information the Planning Officer's report dated 08/10/2025 can be summarised as follows:

- Revised details submitted in relation to the request for further information are outlined and acceptable.
- Clarification of further information is required in relation to the requirement for a graduated/stepped slope in the detention basin and SuDS details for all storm water runoff.

Following a request for clarification of further information the Planning Officer's report dated 19/11/2025 can be summarised as follows:

- Revised details submitted in relation to the request for clarification of further information are outlined and acceptable subject to conditions.
- It is recommended to grant permission subject to conditions.

3.2.2. Other Technical Reports

District Engineer: Following a request for further information and clarification of further information, no objection subject to conditions.

Environment Section: No objection subject to conditions

Placenames Committee: No objection subject to conditions

Heritage Officer: No objection noted.

Waterford Childcare Committee: Outlines requirements relating to childcare facility.

3.3. Conditions

Condition No. 3

Prior to the commencement of development the following details shall be submitted to, and agreed in writing with, the Planning Authority:-

- (a) Full details of all works and alterations to the Knockboy Road (L5529) to include full design details/specifications for revised road and footpath layouts, turning lanes, bus pull-in bay and pedestrian crossings shall be agreed in writing with the District Engineer, Roads Section, Waterford City & County Council prior to the commencement of development. A copy of the agreed revised details and written confirmation from the Roads Section, Waterford City & County Council shall be submitted to, and agreed in writing with, the Planning Authority prior to the commencement of development. The agreed works shall be carried out by the developer to the satisfaction of the District Engineer, Roads Section, Waterford City & County Council.
- (b) The pedestrian crossing point to the front of Sites 48/49 indicated on the site layout plan Drw No. PP1.01/A submitted to the Planning Authority on the 8th September 2025 shall be omitted from the development
- (c) At the location of car parking spaces to the west of the crèche and northeast of Apartment Block 1, the footpath to the front Car Park Space No. 181 (as per site layout plan Drw No. PP1.01/A submitted to the Planning Authority on the 8th September 2025) shall extend to the north /northwest to link with the footpath to the west of Car Park Space No.1 as per site layout plan Drw No. PP1.01/A submitted to the Planning Authority on the 8th September 2025.

The development shall be carried out in accordance with the agreed revised details.

Reason: In the interests of public safety and the proper planning and sustainable development of the area.

Condition No. 5

- (a) Prior to first occupation of the proposed development a Stage 3 Road Safety Audit, including a Final Audit report prepared in accordance with the TII Publications, for the proposed development shall be submitted to and agreed in writing by the Planning Authority. The developer shall be responsible for the

implementation of all agreed recommendations contained in the Final Audit Report or as otherwise agreed in writing with Roads Section, Waterford City & County Council details of which shall be submitted to the Planning Authority. No occupation of the dwellings/apartments permitted herein shall commence until all required works have been completed to the written satisfaction of the Road Section, Waterford City & County Council.

3.4. Prescribed Bodies

Department of Housing, Local Government & Heritage: No objection subject to conditions relating to archaeology.

TII: No objections noted.

3.5. Third Party Observations

A number of submissions were made in relation to this application objecting to the proposed development. The issues raised include concerns relating to building height and density, overdevelopment, overlooking, visual impact, water and services concerns, traffic impacts, insufficient amenities, future phases of development, impact on Waterford Airport flight paths, impacts on biodiversity, flood risk, impact on cemetery setting, potential impact of crane activity on airspace and aircraft operations at Waterford Airport, light and noise pollution, overshadowing, inadequate site notice, impacts on regional aquifer and River Suir Estuary SAC, inadequate public transport and cycling infrastructure, planning history of the area, and concerns relating to boundary treatments.

4.0 Planning History

Appeal Site:

16833 / PL93.248547 Permission granted by PA and refused following appeal by ACP for construction of 285 no. dwellings. Refusal reasons relate to location of lands within Phase 2 residential lands, inadequate housing density, potential effect on the Lower River Suir SAC in the absence of a NIS, and substandard form of residential development.

ACP Ref: 304423-19 permission granted for Strategic Housing Development of 361 residential units and creche.

2360106: Permission granted for alterations to previously permitted but not constructed Strategic Housing Development Ref. No. 2019/2 (ACP Ref. 304423-19).

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 appeal site is zoned New Residential (R1) - Provide for new residential development in tandem with the provision of the necessary social and physical infrastructure. The appeal site is within Residential Phasing Phase 1.
- 5.1.2. 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.
- 5.1.3. 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).
- 5.1.4. Chapter 6 refers to utilities infrastructure wherein 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.'

5.1.5. 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.

5.1.6. Policy Objective H 20 relates to protection of existing residential amenities and states: Where new development is proposed, particularly on smaller suburban infill sites (< 1 ha in area) we will ensure that the residential amenity of adjacent residential properties in terms of privacy and the availability of daylight and sunlight is not adversely affected. We will support lower density type development at these locations.

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

5.1.8. There is a Transport Objective 'Proposed Active Travel & / or Public Transport' located along the public road adjoining the sites western boundary.

5.1.9. Development Management Standards are outlined in Volume 2 wherein Section 3.0 sets out Residential Development Standards.

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.

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. **Natural Heritage Designations**

The appeal site is located c.700m south of the Lower River Suir SAC and c. 4.8km southwest of the River Barrow and River Nore SAC.

5.4. **EIA Screening**

- 5.4.1. 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 third-party appeal has been received from Colin and Martina Fanning and can be summarised as follows:

- The development is overbearing as it will tower almost 17 metres above the appellants property which is 1.5m below the road level and the proposed 14m high apartment blocks will be approximately 1.5m above road level.
- The proposed apartment blocks will be located 33m from the appellants front door and will adversely affect the appellants views and daylight.
- The location, orientation and imposing nature of the apartments will result in overlooking directly into the appellants property and result in a sense of domination and loss of the existing wide open space. Photographs are attached to the appeal to demonstrate the extent of overlooking that will occur.
- The proposal will fail to blend in with existing communities as stated in the architectural and planning statement as there are no other 14m high apartment blocks in the area.
- The AA Screening Report states that there is potential for surface water runoff during periods of high rainfall. The risk of flooding or water damage from runoff water, especially during the construction phase, has not been addressed.
- It is queried who will be responsible for maintaining drains in the development and whether there is a maintenance plan for drains.
- Existing schools are oversubscribed and the area is lacking in community and commercial facilities.
- There has been an increase in antisocial behaviour.
- There are concerns that there will be further residential development and the issues raised will be compounded.
- There is no objection to the development in principle.

6.2. Applicant Response

None received.

6.3. Planning Authority Response

None received.

6.4. 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
- Residential & Visual Amenity Impacts
- Surface Water Drainage & Flood Risk
- Other Matters

7.2. Principle of Development

- 7.2.1. The appeal site is zoned R1- New Residential, with the objective to provide for new residential development in tandem with the provision of the necessary social and physical infrastructure. Residential development and creche are permitted in principle under this zoning in the Development Plan. Having regard to the nature of the proposed development which provides for residential development and a creche, I consider the proposal is acceptable in principle at this location.
- 7.2.2. 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. I consider the proposal for 99 units on a stated net area for residential development of 2.468 Hectares resulting in a net density of 40 units per hectare is acceptable and I am satisfied that the density as proposed is in line with the requirements of the Sustainable Residential Development and Compact Settlements Guidelines (2024).

- 7.2.3. Concerns are raised by the third party in relation to lack of community and commercial facilities including schools and an increase in antisocial behaviour in the area and that there will be further residential development which will compound these issues.
- 7.2.4. In this regard, I note that the appeal site is zoned for residential development and that the proposal includes provision of a creche measuring 219.25 sq.m. with a stated capacity for 32 children. I also note that there are a number of land parcels in the vicinity of the appeal site zoned Community Infrastructure (CI) and General Business (GB) which can facilitate uses such as community and commercial development. As noted above I am satisfied that the proposed uses are acceptable in principle and I do not consider the proposal should be refused permission on this basis.
- 7.2.5. The principle of development is therefore acceptable, subject to the detailed considerations below.

7.3. Residential & Visual Amenity Impacts

- 7.3.1. The third party raise concerns in relation to impacts on their visual and residential amenities as a result of the proposed development. In particular concerns are raised in relation to the height of the proposed apartments and their proximity to the appellant's property resulting in impacts on views and daylight, overlooking, overbearing, and loss of existing open views. Concerns are also raised that the proposed apartment blocks will fail to blend in with existing development.
- 7.3.2. In assessing the proposed development, the Planning Officer referred to general housing policy objectives in Chapter 7 of the Development Plan, including Policy Objective H 02 which seeks, inter alia, that new residential development is appropriate in terms of type, character, scale, form and density to that location and to facilitate and support a range of residential densities and building heights appropriate to the context and residential amenity of a proposed development location.

Reference is also made to Policy Objective H20 relating to Protection of Existing Residential Amenity and no concerns were raised by the Planning Officer in relation to the amenities of existing properties in the vicinity of the appeal site.

- 7.3.3. The appellant's property is located on the western side of St. Mary's Place, opposite the appeal site. Four apartment blocks are proposed to be positioned along the eastern side of St. Mary's Place within the western part of the appeal site. The apartment buildings are three storeys in height with a setback fourth storey on the western elevation facing St. Mary's Place. The apartment buildings are three storeys in height on their eastern elevation to take account of changing site levels on the site which fall from east to west. Block 2 is proposed to be located on the opposite side of the road to the appellants property and is the closest proposed apartment block to the appellant. On the western elevation, the 3 storey element of Block 2 has a height of approx. 10.6m. The fourth floor is set back approx. 2.8m from the main façade and has a height of 2.9m above the third floor. The overall height from lower ground floor to fourth floor eaves is 13.935m.
- 7.3.4. As noted by the appellant, their property is constructed at a lower level than the public road and the proposed development. A Site Survey drawing submitted with the appeal indicates the third party's property has a finished floor level of 25.730m, eaves level of 28.354m and ridge level of 31.049m. The proposed apartments have a proposed lower ground floor level of between 27.28m and 29.11m with Block 2 having a proposed lower ground floor level of 27.9m.
- 7.3.5. Block 2 is set back approx. 2m from the site boundary, beyond which is a public footpath, grass verge and public road. On the opposite side of the road to the appeal site there is a footpath and grass verge beyond which is the front boundary of the appellants property located approx. 17.5m from Block 2. The front elevation of the appellants property is approx. 24m from Block 2.
- 7.3.6. Material finishes on elevations comprise a mix of selected clay brick, render, stainless steel/powder coated balconies with glass balustrades and on the setback fourth floor elevations comprise metal cladding and glazing. Balconies will be located on the west elevation facing St. Mary's Place and the third party's property.
- 7.3.7. Compact Settlements Guidelines SPPR 1 states that there shall be no specified minimum separation distance at ground level or to the front of houses, duplex units

and apartment units in statutory development plans and planning applications shall be determined on a case-by-case basis to prevent undue loss of privacy.

Development Plan Policy Objective H 20 states that where new development is proposed the residential amenity of adjacent residential properties in terms of privacy and the availability of daylight and sunlight should not be adversely affected. Policy Objective H 04 seeks to promote a range of residential densities and building heights appropriate to the context and residential amenity of a proposed development location.

- 7.3.8. Having regard to the scale of the proposed development and to the separation distance between the front of the appellants property and the proposed apartment blocks, and to the presence of public footpaths and a public road separating the appellants property and the proposed development, I consider adequate separation distance has been provided to prevent any undue impacts on the established residential amenities of the appellants property. Furthermore, having regard to the scale of the proposal and the separation distances proposed, I do not share the appellant's concerns that the proposal will impact on daylight levels to their property.
- 7.3.9. I note that balconies are proposed on the western elevation of the apartments which are recessed at ground, first and second floor and that a wrap around balcony is proposed at third floor. These balconies will be located in excess of 24m from the front elevation of the appellants dwelling and will be separated by a public road and I do not consider unacceptable levels of overlooking will arise.
- 7.3.10. The design of the apartments includes a mix of material finishes, a setback fourth floor and variations in setback on the west elevation which will assist in minimising impacts of massing and overbearing, along with proposed landscaping along the boundary which will assist in integrating the proposed development into the site. Having regard to the design and layout proposed I am satisfied that the proposed apartment buildings are unlikely to result in unacceptable impacts of overbearing or loss of visual amenities to neighbouring properties, including the appellants property.
- 7.3.11. In terms of visual impact, the proposed development will be visible from the adjoining public road and from the appellants property as well as on approach to the site from the wider area and will result in a change in the character of the site from rural to suburban. I note that the site is located within a zoned area identified for new

residential development and I consider the proposed building design and landscaping provide for a high-quality design and that the impact of this change in character from rural to suburban is acceptable.

- 7.3.12. In relation to the appellant's concerns that the proposed apartment buildings will fail to integrate into the area, I note that the existing pattern of development in the vicinity of the appeal site comprises a mix of agricultural lands and low-density suburban housing along with community facilities. Whilst I acknowledge that the apartment buildings will be taller than surrounding residential development, as outlined above I consider the proposal complies with Development Plan policy relating to new residential development and I am satisfied that this will not give rise to undue impacts on surrounding residential amenities.

7.4. Surface water drainage

- 7.4.1. The third party raise concerns in relation to the risk of flooding or water damage from surface water runoff during periods of high rainfall, especially during the construction phase.
- 7.4.2. A site-specific Flood Risk Assessment submitted with the planning application and further information response outlines potential for flood risk, including pluvial flooding, and finds that the proposed development is appropriate with regard to flood risk and stormwater drainage. The report concludes that the proposal will not increase the flood risk to third parties and that there is no unacceptable risk of flooding from tidal, fluvial or pluvial sources arising from and no unacceptable residual flood risk to the proposed development, its occupants or users and adjoining property.
- 7.4.3. Following a request for further information and clarification of further information, the PA was satisfied that the site-specific Flood Risk Assessment and proposals relating to surface water drainage are acceptable,
- 7.4.4. The appellant refers to a statement in the AA Screening Report which states that there is potential for surface water runoff during periods of high rainfall. In this regard the AA Screening Report states that there may be indirect impacts from pollution and particulate matter during the construction phase and operation phase on the Lower River Suir SAC and down river, the River Barrow and River Nore SAC. The NIS includes mitigation measures as outlined in Appendix 4 of this report. Mitigation

measures during construction include a proposed berm at the boundary of the site with St Mary's Place road to prevent runoff during construction.

7.4.5. Having reviewed the drawings and documents submitted with the appeal and assessed the proposed development I am satisfied that surface water proposals are acceptable and I do not consider the proposal is likely to give rise to unacceptable impacts as a result of flooding.

7.4.6. In relation to the maintenance of drains, I note that the development will be subject to a management company or taken in charge and that maintenance of drains will be the responsibility of the management company or the local authority if taken in charge.

7.5. **Other Matters**

7.5.1. Concerns are raised by the appellants that the proposal will give rise to antisocial behaviour. I note the design and layout proposed provides for an active urban edge along St. Mary's Place and overlooking of public open space and roads within the development and I do not consider the proposal is unacceptable in this regard.

7.5.2. The PA attached condition no. 3 relating to works to Knockboy Road and revisions to the internal road and condition no. 5 relating to a requirement for a stage 3 road safety audit. I note that the first party did not appeal these conditions and I consider it appropriate that if the Commission decides to grant these conditions be attached as per the PA grant of permission.

8.0 **Water Framework Directive Assessment**

8.1. An assessment of the proposed development has been carried out in accordance with Article 4 of the Water Framework Directive and relevant EPA guidance, including best practice in sustainable drainage design.

8.2. The development incorporates appropriate surface water management measures, including Sustainable Drainage Systems (SuDS), designed to replicate greenfield runoff rates and provide treatment of surface water prior to discharge.

8.3. These measures ensure that there will be no increase in pollutant loading, no alteration of the receiving waterbody's hydrological regime, and no risk of deterioration in water quality or ecological status. Any residual risks identified during

the assessment are capable of being addressed through standard mitigation measures and best practice construction management, including the implementation of an appropriate Construction Environmental Management Plan (CEMP).

- 8.4. The proposed development will not impact on the achievement of environmental objectives for any water body and is therefore considered compliant with the requirements of Article 4.

Conclusion

- 8.5. An assessment of the proposed development has been undertaken in accordance with Article 4 of the EU Water Framework Directive (2000/60/EC), as transposed by the European Communities (Water Policy) Regulations 2003, as amended, and with regard to the South Eastern River Basin Management Plan 2022–2027.

- 8.6. The receiving water environment has been identified and assessed, see Appendix 5 attached. Having regard to the nature, scale, and location of the proposed development, and the mitigation measures incorporated into the design, it is concluded that the proposed development will not:

- Result in deterioration of the ecological, chemical, or quantitative status of any relevant surface water or groundwater body;
- Increase pollutant loading or alter the hydrological regime of any receiving watercourse;
- Prevent or impede achievement of environmental objectives under the applicable River Basin Management Plan.

- 8.7. Any residual risks are capable of being addressed implementation of a Construction Environmental Management Plan (CEMP).

- 8.8. The proposed development is considered to be in compliance with the requirements of Article 4 of the Water Framework Directive.

9.0 AA Screening

- 9.1. The applicant submitted an Appropriate Assessment Screening Report and Natura Impact Statement as part of the planning application. The Stage 1 AA Screening Report provided a description of the proposed development, identified European

Sites within a possible zone of influence of the development, assessed effects and gave a screening determination.

- 9.2. In screening the need for Appropriate Assessment, it was determined that the proposed development could result in significant effects on the Lower River Suir SAC and the River Barrow and River Nore SAC in view of the conservation objectives of those sites and that Appropriate Assessment under the provisions of S177U was required.
- 9.3. Following an examination, analysis and evaluation of the NIS and all associated material submitted, I consider that adverse effects on site integrity of the Lower River Suir SAC and River Barrow and River Nore SAC can be excluded in view of the conservation objectives of these sites and that no reasonable scientific doubt remains as to the absence of such effects.
- 9.4. My conclusion is based on the following:
- Detailed assessment of construction and operational impacts.
 - Effectiveness of mitigation measures proposed including supervision and monitoring.
 - Application of planning conditions to ensure application of these measures.
 - The proposed development will not affect the attainment of conservation objectives or prevent or delay the restoration of favourable conservation condition for the Lower River Suir and the River Barrow and River Nore SAC.

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 New Residential, 'to provide for new residential development in tandem with the provision of the necessary social and physical infrastructure' in the Waterford City and County Development Plan 2022 to 2028, and to the proposal to provide for residential development thereon, to

the nature, scale and layout of the proposed development, to the planning history of the site, 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 provide a high quality of residential accommodation and associated open space provision for prospective residents, 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 and with relevant national policy and guidance in relation to the delivery of new residential development. 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 amended by the further plans and particulars received by the planning authority on the 08th September 2025 and 24th October 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 mitigation measures contained in the submitted Natura Impact Statement shall be implemented.

Reason: To protect the integrity of European Sites.

3. The proposed development shall be amended as follows:

(a) The pedestrian crossing point to the front of Sites 48/49 indicated on the site layout plan Drw No. PP1.01/A submitted to the Planning Authority on the 8th September 2025 shall be omitted from the development.

(b) At the location of car parking spaces to the west of the crèche and northeast of Apartment Block 1, the footpath to the front Car Park Space No. 181 (as per site layout plan Drw No. PP1.01/A submitted to the Planning Authority on the 8th September 2025) shall extend to the north /northwest to link with the footpath to the west of Car Park Space No.1 as per site layout plan Drw No. PP1.01/A submitted to the Planning Authority on the 8th September 2025.

Reason: In the interests of traffic safety.

4. 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.

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

Reason: in the interest of residential amenity.

6. (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.

7. The following Transportation requirements of the Planning Authority shall be complied with:

(a) Full details of all works and alterations to the Knockboy Road (L5529) to include full design details/specifications for revised road and footpath layouts, turning lanes, bus pull-in bay and pedestrian crossings shall be agreed in

writing with the District Engineer, Roads Section, Waterford City & County Council prior to the commencement of development. A copy of the agreed revised details and written confirmation from the Roads Section, Waterford City & County Council shall be submitted to, and agreed in writing with, the Planning Authority prior to the commencement of development. The agreed works shall be carried out by the developer to the satisfaction of the District Engineer, Roads Section, Waterford City & County Council.

- (b) Prior to first occupation of the proposed development a Stage 3 Road Safety Audit, including a Final Audit report prepared in accordance with the TII Publications, for the proposed development shall be submitted to and agreed in writing by the Planning Authority. The developer shall be responsible for the implementation of all agreed recommendations contained in the Final Audit Report or as otherwise agreed in writing with Roads Section, Waterford City & County Council details of which shall be submitted to the Planning Authority. No occupation of the dwellings/apartments permitted herein shall commence until all required works have been completed to the written satisfaction of the Road Section, Waterford City & County Council.

Reason: In the interests of traffic safety.

8. 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.

9. 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.

10. 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.

11. 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

12. The Landscape scheme submitted to the planning authority on the 10th June 2025 shall be implemented fully in the first planting season following the substantial completion of the external construction works. All planting shall be adequately protected from damage until established. Any trees, plants or shrubs which die or are removed within three years of planting shall be replaced in the first planting season thereafter.

Reason: In the interest of residential and visual amenity.

13. 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..

14. 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

15. 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

16. (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.

17. 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.

18. 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.

19. 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.

20. 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.

21. 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.

22. 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.

23. Not more than 75 residential units shall be made available for occupation before completion of the childcare facility unless the developer can demonstrate to the written satisfaction of the planning authority that a childcare facility is not needed (at this time).

Reason: To ensure that childcare facilities are provided in association with residential units, in the interest of residential amenity.

24. (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.

25. 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.

26. 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.

27. 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
28th April 2026

Appendix 1

Form 1 - EIA Pre-Screening

Case Reference	PL-500461-WD-25
Proposed Development Summary	Construction of 99 residential units and all associated site works
Development Address	Knockboy, 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 99 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-500461-WD-25
Proposed Development Summary	Construction of 99 residential units and all associated site works
Development Address	Knockboy, 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 99 residential units comprising 55 no. houses and 44 no. apartments in four no. 4 storey apartment blocks and a creche. 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. 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. 700m to the north of the site and the River Barrow and River Nore SAC (Site Code 002162) is approx. 4.8km 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, nature of impact, transboundary, intensity and complexity, duration,</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> <p>Having regard to the modest nature of the proposed development, its location relative to sensitive habitats/features, likely limited magnitude and spatial extent of</p>

cumulative effects and opportunities for mitigation).	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 PL-500461-WD-25

Step 1: Description of the project and local site characteristics	
Brief description of project	Construction of 99 residential units and all associated site works
Brief description of development characteristics and potential impact mechanisms	<p>A detailed description of the proposed development is outlined in Section 2 of this report and details of the area of the proposed development are provided in the NIS and planning documents provided by the applicant.</p> <p>The development will comprise the construction of 99 residential units, a creche and all associated site works on a greenfield site measuring 2.9ha. The site is located adjacent to existing residential and community development in a zoned and serviced suburban area characterized by detached and semi-detached dwellings, agricultural land and a graveyard and church. The site is covered in grass. Site boundaries comprise mature trees to the north, a fence and some semi-mature trees to the west and hedgerow to the south.</p> <p>It is proposed that all surface water runoff from the proposed development will be captured by a new surface water drainage network which will ultimately discharge to an existing surface water network. The proposal will connect to public foul and surface water drainage at Dunmore Road and Island Drive</p> <p>A site-specific Flood Risk Assessment concludes that there is no unacceptable risk of flooding from tidal, fluvial or pluvial sources arising from and no unacceptable residual flood risk to the proposed development, its occupants or users and adjoining property.</p> <p>The Lower River Suir SAC (Site Code 002137) is located approx. 700m to the north of the site and the River Barrow and River Nore SAC (Site Code 002162) is approx. 4.8km to the northeast.</p> <p>The Halfway House Stream 010 is located approx. 400m northeast of the site and discharges to the river Suir.</p>
Screening report	Yes – prepared by Russell Environmental & Sustainability Services Ltd. 01 st October 2024

Natura Impact Statement	Yes – prepared by Russell Environmental & Sustainability Services Ltd. 01 st October 2024			
Relevant submissions	A third-party appeal refers to a statement in the AA Screening Report relating to potential for surface water runoff during periods of high rainfall and raises concerns in relation to flooding.			
Step 2. Identification of relevant European sites using the Source-pathway-receptor model				
Two European sites were identified as being located within a potential zone of influence of the proposed development as detailed below.				
European Site (code)	Qualifying interests¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	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 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>	700m	<p>No spatial overlap, therefore no direct connection with this SAC.</p> <p>Potential indirect impacts from emissions to surface water and storm water runoff from pollution and particulate matter during construction.</p>	Y

	<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>Lutra lutra (Otter) [1355]</p> <p>Lower River Suir SAC National Parks & Wildlife Service</p>			
<p>River Barrow & River Nore SAC (Site code 002162)</p>	<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 (Glauco-Puccinellietalia maritimae) [1330]</p> <p>Mediterranean salt meadows (Juncetalia maritimi) [1410]</p> <p>Water courses of plain to montane levels with the Ranunculum fluitantis and Callitricho-Batrachion vegetation [3260]</p> <p>European dry heaths [4030]</p>	<p>4.8km</p>	<p>No spatial overlap, therefore no direct connection with this SAC.</p> <p>Potential indirect impacts from emissions to surface water and storm water runoff from pollution and particulate matter during construction.</p>	<p>Y</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 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>Vertigo moulinsiana (Desmoulin's Whorl Snail) [1016]</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 (Twaiite Shad) [1103]</p> <p>Salmo salar (Salmon) [1106]</p> <p>Lutra lutra (Otter) [1355]</p>			
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	<p>Vandenboschia speciosa (Killarney Fern) [6985]</p> <p>River Barrow and River Nore SAC National Parks & Wildlife Service</p>			
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Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites

The AA Screening Report states that there is potential for surface water runoff during periods of high rainfall and therefore there may be indirect impacts from pollution and particulate matter during the construction phase and operation phase on the Lower River Suir SAC and the River Barrow and River Nore SAC.

There is no water course on the site, the closest watercourse to the site is the Halfway House Stream located approx. 400m northeast of the site and this watercourse discharges to the river Suir located approx. 700m north of the site.

The AA Screening Report notes that due to the sloping elevation of the site, there may be potential indirect impacts during the construction period arising from pollution. Pollution (silt, dust, pollution and runoff) during construction entering the SAC has the potential to result in potential damage to the qualifying interest species dependent on water quality, an impact of sufficient magnitude could undermine the sites conservation objectives. I consider that any hydrological connection from the site to the SAC is a very indirect connection as there is no watercourse on or adjoining the site and while there is a very low potential for surface water to reach the SAC, in view of this limited risk and the fact that the applicant has submitted a NIS and has detailed mitigation measures, I recommend proceeding to stage 2 in relation to the construction stage.

During operation it is proposed to discharge surface water to a surface water network on St. Mary's Road which ultimately discharges to the River Suir. SuDS measures are proposed to be included in the development which include permeable paving, filter drains, tree pits, bio-retention systems, detention basins in open space areas and a blue green roof on the creche building. Waterford City & County Development Plan Policy Objective UTL 09 Storm and Surface Water Management requires the use of Nature Based Solutions and Sustainable Drainage Systems to be incorporated in all new development. I consider these measures are standard measures which would be required regardless of site location and proximity to designated sites, and I do not consider such measures would constitute mitigation measures for the purposes of protection of designated sites. I do not consider the proposed development is likely to result in significant impacts on any designated sites during the operational phase.

Having regard to the above I consider there is weak potential for an indirect hydrological pathway to the SAC via surface water drainage during construction. Out of an abundance of caution, mitigation measures are required to prevent pollution during construction entering this network and causing significant downstream impacts.

The River Suir discharges to the River Barrow approximately 6km downstream of the proposed development site. As such, there is a potential indirect hydrological connection to the Lower River

Suir SAC (Site Code 002137) and the River Barrow and River Nore SAC (Site code 002162). Further consideration of these sites is required.

AA Screening matrix

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

It is not possible to exclude the possibility that the proposed development alone would result in significant effects on the Lower River Suir SAC (Site Code 002137) and the River Barrow & River Nore SAC (Site code 002162) from effects associated with surface water runoff.

An appropriate assessment is required on the basis of the possible effects of the project 'alone'. Further assessment in-combination with other plans and projects is not required at screening stage.

Proceed to AA.

Screening Determination

Significant effects cannot be excluded

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 it is not possible to exclude that the proposed development alone [or in combination with other plans and projects] will give rise to significant effects on the Lower River Suir SAC (Site Code 002137) and River Barrow & River Nore SAC (Site code 002162) in view of these sites conservation objectives. Appropriate Assessment is required.

Appendix 4: AA and AA Determination

Appropriate Assessment

The requirements of Article 6(3) as related to appropriate assessment of a project under part XAB, section 177V of the Planning and Development Act 2000 (as amended) are considered fully in this section.

Taking account of the preceding screening determination, the following is an appropriate assessment of the implications of the proposed development of a residential development of 99 units and a creche and all other associated site works in view of the relevant conservation objectives of Lower River Suir SAC (Site Code 002137) and River Barrow & River Nore SAC (Site code 002162) based on scientific information provided by the applicant.

The information relied upon includes the following:

- Stage 1 Screening for Appropriate Assessment prepared by Russell Environmental & Sustainability Services Ltd.
- Natura Impact Statement prepared by Russell Environmental & Sustainability Services Ltd.

I am satisfied that the information provided is adequate to allow for Appropriate Assessment.

I am satisfied that all aspects of the project which could result in significant effects are considered and assessed in the NIS and mitigation measures designed to avoid or reduce any adverse effects on site integrity are included and assessed for effectiveness.

Submissions/observations

A third-party appeal refers to a statement in the AA Screening Report relating to potential for surface water runoff during periods of high rainfall and raises concerns in relation to flooding.

Lower River Suir SAC (Site Code 002137) & River Barrow & River Nore SAC (Site code 002162):

Summary of Key issues that could give rise to adverse effects (from screening stage):

(i) Water quality degradation (construction)

Refer to Section 3.1.1 & 3.1.2 in NIS

Qualifying Interest features likely to be affected	Conservation Objectives Targets and attributes (summary-inserted) A full list of conservation objectives, targets and attributes is available on the following links: https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO002137.pdf https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO002162.pdf	Potential adverse effects	Mitigation measures (summary)
Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330] Estuaries [1130] Mudflats and sandflats not covered by seawater at low tide [1140]	Restore favourable conservation conditions Maintain favourable conservation condition Maintain favourable conservation condition	Potential impact due to a potential deterioration in water quality during construction.	Mitigation measures outlined in Section 4.5 of the NIS will be carried out to minimise the risk of runoff of particulate matter during construction. Construction Phase measures include: <ul style="list-style-type: none"> • A berm should be constructed at the boundary of the site with St Mary's Place road to prevent runoff during construction. This berm will contain • geotextile netting fencing to prevent any particulate matter or pollution

Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels [6430]	Maintain favourable conservation condition		<p>entering any watercourse and thus the European Sites.</p> <ul style="list-style-type: none"> • This netting will be checked daily and any debris removed. • General good site practice will be adopted as listed in Section 4.5.1 of the NIS. • Supervision by project ecologist.
Petromyzon marinus (Sea Lamprey) [1095]	Restore favourable conservation conditions		
Lampetra fluviatilis (River Lamprey) [1099]	Restore favourable conservation conditions		
Alosa fallax fallax (Twaite Shad) [1103]	Restore favourable conservation conditions		
Salmo salar (Salmon) [1106]	Restore favourable conservation conditions		
Lutra lutra (Otter) [1355]	Maintain favourable conservation condition		
Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0]	Restore favourable conservation conditions	The NIS identifies a potential impact on this habitat. There is no alluvial forest located within or adjacent to the appeal site. There are no main pressures or threats listed that are applicable to the proposed development. I do	None required.

		not consider the proposed development poses risks to this habitat.	
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The above table is based on the documentation and information provided on the file and I am satisfied that the submitted NIS has identified the relevant attributes and targets of the Qualifying Interests.

Assessment of issues that could give rise to adverse effects in view of conservation objectives

(i) Water quality degradation

There is a stream located approx. 400m northeast of the site which discharges to the river Suir. Contaminated surface water runoff on site during construction may lead to silt or contaminated materials travelling downstream to European sites. The use of plant and machinery, as well as the associated temporary storage of construction materials, oils, fuels and chemicals could lead to pollution on site or in nearby watercourses.

Given the nature of the works all of these effects would be expected to be localised in nature restricted to the immediate vicinity of the site. However, out of an abundance of caution, without the presence of mitigation measures there is a potential for downstream effects if significant quantities of pollution or silt were allowed to travel downstream.

Ex-Situ Habitat:

There is no spatial overlap between the appeal site and the Rover Suir SAC or the River Barrow and River Nore SAC. No preventative mitigation measures are required.

Mitigation measures and conditions

The mitigation measures outlined will be carried out to ensure that no significant silt or pollution enters watercourses or is allowed to travel downstream of the proposed works from the construction or operation phases of the proposed project and create localised pollution.

In-combination effects

I am satisfied that in-combination effects have been assessed adequately in the NIS. The applicant has demonstrated satisfactorily that no significant residual effects will remain post the application of mitigation measures and there is therefore no potential for in-combination effects.

Findings and conclusions

The applicant determined that following the implementation of mitigation measures the construction and operation of the proposed development alone, **or in combination with other plans and projects**, will not adversely affect the integrity of this European site.

Based on the information provided, I am satisfied that adverse effects arising from aspects of the proposed development can be excluded for the European sites considered in the Appropriate Assessment. No direct impacts are predicted. Indirect impacts would be temporary in nature and mitigation measures are described to prevent ingress of silt laden surface water and other construction related pollutants. Monitoring measures are also proposed to ensure compliance and effective management of measures. I am satisfied that the mitigation measures proposed to prevent adverse effects have been assessed as effective and can be implemented.

Reasonable scientific doubt

I am satisfied that no reasonable scientific doubt remains as to the absence of adverse effects.

Site Integrity

The proposed development will not affect the attainment of the Conservation objectives of the Lower River Suir SAC and River Barrow and River Nore SAC. Adverse effects on site integrity can be excluded and no reasonable scientific doubt remains as to the absence of such effects.

Appropriate Assessment Conclusion: Integrity Test

In screening the need for Appropriate Assessment, it was determined that the proposed development could result in significant effects on the Lower River Suir SAC and River Barrow and River Nore SAC in view of the conservation objectives of those sites and that Appropriate Assessment under the provisions of S177U was required.

Following an examination, analysis and evaluation of the NIS and all associated material submitted, I consider that adverse effects on site integrity of the Lower River Suir SAC and River Barrow and River Nore SAC can be excluded in view of the conservation objectives of these sites and that no reasonable scientific doubt remains as to the absence of such effects.

My conclusion is based on the following:

- Detailed assessment of construction impacts.
- Effectiveness of mitigation measures proposed including supervision and monitoring.
- Application of planning conditions to ensure application of these measures.
- The proposed development will not affect the attainment of conservation objectives or prevent or delay the restoration of favourable conservation condition for the Lower River Suir and the River Barrow and River Nore SAC

Appendix 5: WFD IMPACT ASSESSMENT STAGE 1: SCREENING

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

An Coimisiún Pleanála ref. no.	PL-500461-WD-25	Townland, address	St. Mary's place, Knockboy , Waterford , Waterford
Description of project		Construction of 99 residential units and all associated site works.	
Brief site description, relevant to WFD Screening,		The devolvement will comprise the construction of 99 residential units, a creche and all associated site works on a greenfield site measuring 2.9ha. The site is located adjacent to existing residential and community development in a zoned and serviced suburban area characterized by detached and semi-detached dwellings, agricultural land and a graveyard and church. The site slopes up from St Mary's Place to the west and is covered in grass. Site boundaries comprise mature trees to the north, a fence and some semi-mature trees to the west and hedgerow to the south. The site is approximately 4km southeast of Waterford City Centre.	
Proposed surface water details		Proposed SuDS and connection to mains.	
Proposed water supply source & available capacity		Proposed connection to mains, no capacity issues identified.	

Proposed wastewater treatment system & available capacity, other issues	Proposed connection to mains sewer, no capacity issues identified.
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 350 m north of the site	HALFWAY HOUSE STREAM_010	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	HALFWAY HOUSE STREAM_010	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_149	Drainage through soil/bedrock	Hydrocarbon and other spillages	Standard best practice construction; Construction, demolition and	No	Screened out

					environmental management plan (condition)		
OPERATIONAL PHASE							
4.	Surface water run-off	HALFWAY HOUSE STREAM_010	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_149	None	Surface water run-off to groundwater	Drainage collection and disposal measures (silt collector / petrol bypass, SUDS measures to	No	Screened out

					collect clean 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