



Comhairle Cathrach & Contae Phort Láirge Waterford City & County Council

Chief Executive Report

Section 179(3) (Part XI) of the Planning and Development Act, 2000 (as amended) and Part 8 of the Planning and Development Regulations 2001 (as amended)

Proposal: Construction of 49 no. residential units comprising:

- (i) 6 no. 1-bed apartment;
- (ii) 6 no. 3-bed duplex units;
- (iii) 4 no. 3-bed 2-storey houses;
- (iv) 28 no. 2-bed 2-storey houses; and
- (v) 5 no. 2-bed single-storey houses;

along with all necessary ancillary site development works.

Address: Ballygunner Castle Road / St. Mary's Place, Ballygunner, Waterford City.

1. Nature and Extent of the Proposed Development

The subject site is 1.6274 hectares (4.02 acres) in extent and is located at the junction of Ballygunner Castle Road (L4067) and St. Marys Place (L5529), in the townland of Ballygunner. It is a Residential zoned site owned by Waterford City and County Council and is serviced by public roads, footpaths, cycle lanes and public lighting. Access to the proposed development is proposed from the L4067.

The Part 8 process commenced on Monday 21st October 2019, with Notification of commencement at the Waterford Metropolitan District Meeting. Two site notices were erected on the existing site boundary – one on the gate into the site from Ballygunner Castle Road, and the other on the fence adjacent to the traffic lights on St. Marys Place. A public notice was placed in the Munster Express newspaper informing the general public of the commencement of the process and plans and particulars of the proposed development were made available for inspection at the offices of the local authority for the period between 29th October 2019 and 27th November 2019.

A copy of the plans and particulars of the proposed development were also available for viewing / downloading from the Waterford City and County Council's website at www.waterfordcouncil.ie.



Location of Subject Site Outlined in Red

The subject proposal would involve the construction of 49 no. residential units comprising:

- 6 no. 1-bed apartment;
 - 6 no. 3-bed duplex units;
 - 4 no. 3-bed 2-storey houses;
 - 28 no. 2-bed 2-storey houses; and
 - 5 no. 2-bed single-storey houses;
- along with all necessary ancillary site development works.

The detailed design of the proposed units is as set out in the drawings appended to the attached report from Ivan Grimes, Director of Services, Housing Community and Emergency Services.



- Key & Legend**
- Other areas at the ownership of the applicant (to include some engineering works only)
 - Part 10 application boundary
 - Unrestricted (City Development Plan zoning) boundary
 - Unrestricted parking on existing proposed roads & public parking
 - Potential location of trees in garden / areas

CSI Licence Number: 400000313
 CSI Map Sheet References: S102 B, S103 C, S178 A, S174 A, S101 Green PT Levels: 88424, 830063

- Plan**
 Drawing to be read in conjunction with Landscaping Plan and Boundary Treatment Plan
- Plan**
- Part 1 Surface Water Drainage
 - Road Levels & Side Lines
 - Retention Layout
 - Alleviation Details
 - Street Lighting Layout
- Please refer to landscape drawings & calculations
- Note:** For proposed Finished Floor Levels (FFL) and SLD levels, please refer to engineering drawings Engineer's drawings site procedure for levels

Schedule of Open spaces

Plot 10 (courtyard area)	1432 m ²
Plot 13a (road area)	2,541 m ²
Plot 13b (road area)	1,214 m ²
1. Open Space 1	182 m ²
2. Open Space 2	713 m ²
3. Open Space 3	638 m ²
TOTAL Open spaces	2044 m² (15.5%)

Planning for 28 Beds/37 Car Parking Spaces

Schedule of proposed units

House Type A - Single Storey (2847 SqM)	1
House Type B - Two Storey (2247 SqM)	1
House Type C - Two Storey (2027 SqM)	1
House Type D - Three Storey (1827 SqM) 1 BCP Apartment (28m ² - 1 Bed)	1
Total Phase 1 + Phase 2 = 4 Units	

van Dijk Architects

Site Layout Plan
 2023-11-10

Client:	
Project:	
Location:	
Scale:	
Author:	
Check:	
Date:	

Proposed Site Layout Plan

2. Statement of Consistency with the Proper Planning and Sustainable Development of the Area

The purpose of the proposed development is to deliver 49 residential units with associated open space, access infrastructure and site services.

It is proposed that all of the dwelling units would be constructed on lands that area zoned for new residential development in the Waterford City Development Plan 2013-2019 (as extended) with a central area which is zoned to provide for community facilities reserved for future community uses.

It is therefore considered that the proposed development would support the policies and objectives of the Waterford City Development Plan 2013-2019 (as extended). Furthermore, it is considered that the layout and design of the proposed development has been formulated having regard to all relevant ministerial guidelines and government policies in relation to new residential development and would be in full compliance with the policies and objectives of the recently adopted Regional Spatial and Economic Strategy of the Southern Regional Assembly.

It is therefore considered that the proposed development would be in accordance with the proper planning and sustainable development of the area.

3. Screening for Appropriate Assessment

The proposed development was screened for Appropriate Assessment by OPENFIELD Ecological Services in July 2019 and a copy of that Screening Report was placed on public display alongside the plans and particulars of the proposed development.

That screening found that significant effects to the Natura 2000 network as a result of the proposed development are not likely to arise, either alone or in combination with other plans or projects

4. List of Persons or Bodies who made Submissions or Observations

Nine submissions were received during the public consultation period from the following individuals:

- Sinead Hartley, Ballygunnerness, Waterford.
- Maria Sheehan, Bishops court, Waterford.
- Emer Aspel, Williamstown Road, Waterford.
- Maurice & Betty Phelan, Ballygunnerness, Waterford.
- Edmond Phelan, Ballygunner Cross, Waterford.
- Shane Phelan, Ballygunner Cross, Waterford.
- Emmet Phelan, Ballygunner Cross, Waterford.
- Sarah Phelan, Ballygunner Cross, Waterford.
- Breeda Phelan, Ballygunner Cross, Waterford.

5. Summary of the issues raised in submissions

- a) Concern regarding traffic levels and congestion particularly at peak school drop-off times.
- b) Existing bus connectivity between the site and the city centre, and Cork Road / WIT.
- c) Over-development of housing in the area.
- d) Lack of existing community facilities and amenities.
- e) Potential re-use of existing empty housing stock in lieu of this development.
- f) Potential of affordable housing scheme instead of social housing.
- g) Proposed car park provision.
- h) Existing accommodation in local nearby schools.
- i) Over-looking / over-shadowing of existing dwellings.
- j) Query regarding the density of the proposed development.
- k) Potential ecology and environmental impacts.
- l) Proximity of Ballygunner Castle and attendant grounds, to site.
- m) Request for Design & Development Impact Assessment.
- n) Request for additional Visual Impact views.
- o) Consideration regarding street lamp standards, and obtrusive light spill.
- p) Boundary treatments.

6. Response to the issues raised in submissions

Individual responses to the issues raised in the public submissions are set out in the table on the following pages.

I am satisfied that the issues raised have been adequately addressed in the design brought forward and through the public consultation process and I recommend no change to the layout and design of the proposed development from that placed on public display other than an amendment to the site boundaries to provide an appropriate level of security to adjacent farmland (to be agreed with the adjoining landowner) and to amend the site boundary so as not to encroach onto folio WD12539.

Response to Issues Raised in Submissions

Person/Group	Issues Raised	Consideration of Issues	Chief Executive Response
Maria Sheehan, Grantstown, Waterford	The impact of this development, plus others recently approved by WC&CC and ABP, will be devastating for all those who already live in Ballygunner / Bishopscourt areas; queries facilities, community hall, or areas for games for children, teenagers or adults. Not everyone likes hurling.	<i>The design for this proposed development meets the development Standard of the Waterford City Development Plan 2013-2019, and the Quality Housing for Sustainable Communities document, issued by the Department of the Environment, Heritage and Local Government.</i>	<i>No change to proposal</i>
Maria Sheehan, Grantstown, Waterford	Red Star FC recently celebrated their 50th year, and are still looking for their forever home; suggests locating them here would be an asset to the area and give boys / girls a chance to get involved in the community in a positive way.	<i>There is a significant fall in levels across the site which makes the site completely non-suited for a level-surfaced playing pitch. There is shallow rock which would make excavation and levelling of the site un-economic for use as a football pitch.</i>	<i>No change to proposal</i>
Maria Sheehan, Grantstown, Waterford	Current bus service doesn't work efficiently and is unreliable; there is no bus service from Ballygunner - WIT.	<i>Public bus route numbers 608 and 611 serve the Dunmore Road. Public transport services are under the remit of the National Transport Authority, and not WC&CC. There are six city bus services, connecting at the Clock Tower, and providing a service to the WIT on three of the routes.</i>	<i>No change to proposal</i>

Maria Sheehan, Grantstown, Waterford	Current road structure is the same size as 100 years ago; the Bishopscourt Road (along from St. Mary's Ballygunner, to Kilcarragh Cross) is a small rural road with the traffic and speed of a motorway. It is the victim of many serious accidents every winter. Existing local roads cannot sustain this traffic.	<i>WC&CC Roads Department currently undertaking a review of the area, for proposed road re-alignment works to help alleviate these issues. This will be a separate process outside this particular Part 8 application, however there have been substantial realignments of roads in the area generally over the last 10 years.</i>	<i>No change to proposal</i>
Maria Sheehan, Grantstown, Waterford	Re-use existing empty housing stock in the city.	<i>WC&CC are actively pursuing the process of existing empty housing stock in the city and county, with over 50 empty properties currently being refurbished and put back into use, through the Repair and Lease Scheme, and other funding streams. New housing supply is being provided in tandem with re-use.</i>	<i>No change to proposal</i>
Maria Sheehan, Grantstown, Waterford	Why is WC&CC spending money it hasn't got on new houses, when we had to wait weeks for a massive pot-hole to be filled at Kilcarragh Cross, as we were told the 'budget would not allow for it to be filled any sooner'.	<i>The scheme has funding approval from the Department of Housing, Planning & Local Government. Funding for roads and road improvements comes from other funding streams.</i>	<i>No change to proposal</i>
Emer Aspel, Ballygunnercastle	Has WC&CC considered building something else besides housing in this site?	<i>Provision of housing is consistent with the zoning of the site, and WC&CC must offer priority to the social housing requirement at this time.</i>	<i>No change to proposal</i>
Emer Aspel, Ballygunnercastle	Existing congestion and delay during peak traffic hours due to excessive traffic all travelling in the same directions, with no future-proofing considered.	<i>Existing traffic issues, i.e.; congestion and delay, are associated with local school drop off and collection times. As such, the level of disruption can be linked to school times. Introduction of a Mobility Management Plan by schools in the area would help heighten awareness of alternative modes of transport serving the area, and possibly investigate other innovative ideas to help lessen the impact of this issue.</i>	<i>No change to proposal</i>

Emer Aspel, Ballygunnercastle	Has WC&CC considered using the site as an educational amenity, e.g. a community centre, to promote the use of Irish and culture to the wider public; for example, conduct workshops / adult courses through Irish to reflect the location of local Gaelscoils, and effectively have our own Gaeltacht area with a modern slant and create employment in the area at the same time).	<i>There is the potential that a significant facility can be built here as part of future development on the middle portion of the site, pending re-zoning of same in the next Development Plan. The use of same is then open for multi-purpose activity by all residents and pupils in the Ballygunner area.</i>	<i>No change to proposal</i>
Emer Aspel, Ballygunnercastle	Relocate the existing Gaelcholaiste Secondary school from its temporary setting to a new location on this site; it could be expanded to be a feeder school from local primary schools, and thereby take pressure off traffic having to travel to work and to other schools in the area.	<i>The provision of housing is consistent with the zoning of the site, and WC&CC must offer priority to the social housing requirement at this time.</i>	<i>No change to proposal</i>
Emer Aspel, Ballygunnercastle	Proposes affordable housing instead of social housing, to attract new people to move here and help it grow and prosper; Ballygunner already has a large social housing development which is very close proximity to this proposed development.	<i>The proposed development site at Ballygunner has been appraised as being suitable for social housing by WC&CC and the Department of Housing, Planning and Local Government.</i>	<i>No change to proposal</i>
Emer Aspel, Ballygunnercastle	WC&CC needs to take an overall view of traffic congestion on this side of the city and its impact on safety, and consider all potential housing developments in one single report;	<i>WC&CC Roads Department currently undertaking a review of the area, for proposed road re-alignment works to help alleviate these issues. This would be a separate process outside this particular Part 8 application.</i>	<i>No change to proposal</i>
Emer Aspel, Ballygunnercastle	Proposed development has 57 car park spaces allocated for 49 units; this appears insufficient as most households have more than one car, and then there are visitor spaces. Cars on curbs make it unsafe for children.	<i>Car parking standards, as defined in the Waterford Development Plan, states '1 space per unit' for dwellings, apartments and flats, for both Zone 1 (city centre and within 250m of a public transport route), and Zone 2 (all other areas) developments. The number provided complies with that standard.</i>	<i>No change to proposal</i>

Emer Aspel, Ballygunnercastle	The green area is too small to be used to play ball, games, etc. The green is located very near the traffic lights and the crossroads making it potentially unsafe for stray balls, running children, etc.	<i>There is a significant fall in levels across the site which makes the site non-suited for a level-surfaced playing pitch as such. There will be considered boundary treatment and safe separation between the green area and the road.</i>	<i>No change to proposal</i>
Sinead Hartley, Ballygunnermore	Absence of amenities included in the plan; building houses with no thought as to where children and teenagers are to hang out is leading to vandalism, graffiti and arson in the Ballygunner area. This is one of 4 or 5 new housing estates to go ahead in the area and none improve the infrastructure of Ballygunner, or provide any amenities - no playground, green areas suitable to play, no shop, no new school places, etc.	<i>Lands are already zoned Community Facilities in the centre of the site, and this development will provide infrastructure for future development of these lands, i.e.; roads and utilities. The design for this proposed development will meet the development standard of the Waterford City Development Plan 2013-2019, and the Quality Housing for Sustainable Communities document, issued by the Department of the Environment, Heritage and Local Government.</i>	<i>No change to proposal</i>
Sinead Hartley, Ballygunnermore	Two existing primary schools in the area do not have enough spaces to accommodate children already living in the area; is there a proposal to deal with this problem?	<i>The provision of housing on the site is in accordance with the Waterford City Development Plan zoning objectives, and identified housing need.</i>	<i>No change to proposal</i>

Sinead Hartley, Ballygunnermore	Traffic lights in Ballygunner are extremely dangerous; I have witnessed several accidents at the junction - drivers seem to lose confidence when they go through a green light, as if they wonder if they will make it to the other side. They stop at various stages in the middle of the junction or at the next red light which was not intended for them. I have gone through the lights on Green only to encounter small children crossing to school also with a green man. The problem here is that it takes so long to go through the junction that the lights are sometimes ahead. In the morning time the junction is usually blocked by cars travelling to Ballygunner primary school and An Gael Cholaiste secondary school by bumper to bumper traffic. Therefore, the traffic travelling from the Dunmore East direction towards town cannot proceed.	<i>WC&CC Roads Department currently undertaking a review of the area. This would be a separate process outside this particular Part 8 application.</i>	<i>No change to proposal</i>
Sinead Hartley, Ballygunnermore	Despite the reduced speed limit of 50kms per hour, very few drivers are keeping their speed under the limit and this goes unchecked; the speed on the Ballygunnycastle road is not monitored.	<i>Road use and speed enforcement is under the remit of An Garda Siochana, not WCCC.</i>	<i>No change to proposal</i>

<p>Sinead Hartley, Ballygunnermore</p>	<p>Ballygunner is sometimes referred to as 'The Village' although less now than a number of years ago; we are 3 miles from Waterford city and originally would have been a village but now because of building houses with no facilities it has become a giant suburb of Waterford. I believe WC&CC has an opportunity to future proof the area by providing a village centre. A centre of the community. We need our community to work together to make our area a great place to live. We need the help of our council to make this happen.</p>	<p><i>Lands are already zoned Community Facilities in the centre of the site, and this development will provide infrastructure for future development of these lands (i.e. roads and utilities). The provision of housing on the site is in accordance with the Waterford City Development Plan zoning objectives, and identified housing need.</i></p>	<p><i>No change to proposal</i></p>
<p>Edmond Phelan, Ballygunner Cross. (Duplicate submitted by; Breeda Phelan, Sarah Phelan, Emmet Phelan & Shane Phelan)</p>	<p>Proposed development is not in keeping with the surrounding area and as it stands there is a lack of need for development in this area.</p>	<p><i>The proposed development, while actually considered and positively responding to its surroundings, does not blatantly copy surrounding developments in form or detail, and will positively contribute to the identity and sense of place of the new development. The 2016 Housing Needs Assessment carried out in Waterford City and County identified a net housing need of 188 households seeking either 1, 2, 3, or 4-bed social housing accommodation. On that basis there is need for the development. Provision of housing on the site is in accordance with the Waterford City Development Plan zoning objectives, and identified housing need.</i></p>	<p><i>No change to proposal</i></p>

<p>Edmond Phelan, Ballygunner Cross. (Duplicate submitted by; Breeda Phelan, Sarah Phelan, Emmet Phelan & Shane Phelan)</p>	<p>The location of 2-storey houses is in direct proximity to a row of bungalows, which is a clear violation of privacy as the new buildings, will overlook and overbear existing homes which ultimately affects the living standards of local residents.</p>	<p><i>There are no windows on the end-gable to the proposed 2-storey houses referred to, so there will be no overlooking and no violation of privacy to the existing row of bungalows, as suggested.</i></p>	<p><i>No change to proposal</i></p>
<p>Edmond Phelan, Ballygunner Cross. (Duplicate submitted by; Breeda Phelan, Sarah Phelan, Emmet Phelan & Shane Phelan)</p>	<p>There is need to review amenities in the immediate area; the site lacks room for recreational space and the open area that is located in the middle ground of the plans will undeniably be further developed in the next decade.</p>	<p><i>Lands are already zoned Community Facilities in the centre of the site, and this development will provide infrastructure for future development of these lands (i.e. roads and utilities). Provision of housing on the site is in accordance with the Waterford City Development Plan zoning objectives, and identified housing need.</i></p>	<p><i>No change to proposal</i></p>
<p>Edmond Phelan, Ballygunner Cross. (Duplicate submitted by; Breeda Phelan, Sarah Phelan, Emmet Phelan & Shane Phelan)</p>	<p>There is very poor infrastructure and very poor road access to the site at present; in the immediate locality, there are no shops, pharmacies, doctors or any general public services sector that is available in any other locality. It can be argued that the adjacent Dunmore Road area serves the locality of Ballygunner, however if WC&CC continues to develop an area thus increasing the population density, it is within the interests of WC&CC to seek development for the aforementioned services.</p>	<p><i>WCCC do not develop commercial private properties but would obviously welcome and encourage same. Lands are already zoned Community Facilities in the centre of the site, and this development will provide infrastructure for future development of these lands, i.e. roads and utilities.</i></p>	<p><i>No change to proposal</i></p>

<p>Edmond Phelan, Ballygunner Cross. (Duplicate submitted by; Breeda Phelan, Sarah Phelan, Emmet Phelan & Shane Phelan)</p>	<p>There are 3 existing schools in the local vicinity of the site and no room to expand at either of them.</p>	<p><i>The provision of housing on the site is in accordance with the Waterford City Development Plan zoning objectives, and identified housing need.</i></p>	<p><i>No change to proposal</i></p>
<p>Edmond Phelan, Ballygunner Cross. (Duplicate submitted by; Breeda Phelan, Sarah Phelan, Emmet Phelan & Shane Phelan)</p>	<p>Current bus route is inadequate and unreliable; it does not serve the greater area and only serves one direct route through town and across the bridge to Ferrybank. It does not serve WIT.</p>	<p><i>Public bus route numbers 608 and 611 serve the Dunmore Road. Public transport services are under the remit of the National Transport Authority, and not WC&CC. There are six city bus services, connecting at the Clock Tower, and providing a service to the WIT on three of the routes.</i></p>	<p><i>No change to proposal</i></p>
<p>Edmond Phelan, Ballygunner Cross. (Duplicate submitted by; Breeda Phelan, Sarah Phelan, Emmet Phelan & Shane Phelan)</p>	<p>At present the traffic on Williamstown Road is already mayhem; traffic from new housing developments in the area will cause an increased safety risk on the roads. With an increased population comes an increased number of cars on the road. The current speed limit is 50km/h locally - an increased traffic flow is not only hazardous but the volume of traffic without improved infrastructure will require a decreased speed limit.</p>	<p><i>WCCC Roads Department currently undertaking a review of the area, for proposed road re-alignment works to help alleviate these issues. This will be a separate process outside this particular Part 8 application.</i></p>	<p><i>No change to proposal</i></p>

<p>Edmond Phelan, Ballygunner Cross. (Duplicate submitted by; Breeda Phelan, Sarah Phelan, Emmet Phelan & Shane Phelan)</p>	<p><i>Why this site? Why not a site elsewhere? There are no job opportunities, infrastructure or amenities in the immediate area.</i></p>	<p><i>WCCC are currently progressing this and other sites around the city and county, not only green-field sites, but brown-field sites, as well as the refurbishment of existing derelict housing stock. As regards 'no job opportunities... in the immediate area', many people, mostly by choice, do not want to live immediately next to their place of work. As regards infrastructure and amenities, refer to other responses included here.</i></p>	<p><i>No change to proposal</i></p>
<p>Edmond Phelan, Ballygunner Cross. (Duplicate submitted by; Breeda Phelan, Sarah Phelan, Emmet Phelan & Shane Phelan)</p>	<p>The proposed development will decrease the value of property in the local and wider area.</p>	<p><i>This is a blanket statement and the objector has provided no basis for same.</i></p>	<p><i>No change to proposal</i></p>
<p>Edmond Phelan, Ballygunner Cross. (Duplicate submitted by; Breeda Phelan, Sarah Phelan, Emmet Phelan & Shane Phelan)</p>	<p>Urge WCCC hold a community meeting to discuss future developments; it is within our democratic rights to be consulted as our home is directly affected.</p>	<p><i>The Part 8 process is a consultation process which allows the public to make their observations to the WCCC for review and consideration.</i></p>	<p><i>No change to proposal</i></p>

<p>Maurice & Betty Phelan, Ballygunnycastle (agent - Peter Thompson Planning Consultant)</p>	<p>Ecology – Contrary to the conclusion of the Screening Report for Appropriate Assessment accompanying the proposals which is based on the site having no hydrological links with any EU Habitat site, my clients’ knowledge of the drainage in the area strongly suggests that the site is hydrologically linked to the Lower River Suir SAC (site code: 002137) and should have been subject of a Natura Impact Assessment.</p>	<p><i>Openfield Consultants have confirmed that contrary to the statement made within the observation, the AA states that there are hydrological links, however it was determined that no significant effect is likely to occur, there is therefore no requirement to progress this further to Natura Impact Assessment as suggested in the received observation.</i></p>	<p><i>No change to proposal</i></p>
<p>Maurice & Betty Phelan, Ballygunnycastle (agent - Peter Thompson Planning Consultant)</p>	<p>Zoning - The southern-most portion of the site on which it is proposed to develop a mix of single, 2 and 3 storey houses (22 dwellings) is at the outer-most edge of the Waterford City Development Plan boundary and bounded to the north east by “Agriculture” zoned land and to the southeast and southwest by “Greenbelt” zoning; the development of such high-density housing at the outer limits of the city introduces a very abrupt edge between the urban area and the adjoining countryside and has no regard to the rural setting beyond the site, including my clients’ house and Ballygunner Castle and its protected attendant grounds.</p>	<p><i>The site lies within the Waterford City Development plan, and whilst the site is on the edge of the city through site analysis and reference to the zoning, scale and massing were indeed considered. In regard to transitional zoning, the higher units (Type D-duplex with apartments above) were positioned at the lower point of the site and set back from the local road. In this regard we do not consider the edge to be abrupt as described within the observation presented. This housing provides presence and frontage to the road. The density is comparable to neighbouring residential developments at 31 units per Hectare.</i></p>	<p><i>No change to proposal</i></p>

<p>Maurice & Betty Phelan, Ballygunnercastle (agent - Peter Thompson Planning Consultant)</p>	<p>Archaeology – Further justification for avoiding the development of the southern part of the site is the potential for archaeological finds on the site given the proximity to Ballygunner Castle and its attendant grounds.</p>	<p><i>A desk-top study was under-taken by VDA Consultants during the early stages of the project. This involved reviewing historical OS maps available to them. It was determined that there was no reason to believe that the site itself held significance in terms of triggering an archaeological survey by a third party. Furthermore, the Waterford City Development Plan indicates zones of archaeological potential, the area of the site and the surrounding area is not captured in this. Refer to design teams Architects Further Information, section 2 of Design and Development Impact Assessment.</i></p>	<p><i>No change to proposal</i></p>
<p>Maurice & Betty Phelan, Ballygunnercastle (agent - Peter Thompson Planning Consultant)</p>	<p>Design and Development Impact Assessments - No Design or Development Impact Assessments have been prepared to accompany the application to justify the design of the scheme and assess availability of services, facilities, etc. to serve the proposal.</p>	<p><i>Refer to design teams Architects Design and Development Impact Assessment – attached within this Report.</i></p>	<p><i>No change to proposal</i></p>
<p>Maurice & Betty Phelan, Ballygunnercastle (agent - Peter Thompson Planning Consultant)</p>	<p>Visual Impact – Requests additional views from in the vicinity, including from Williamstown Rd.</p>	<p><i>Refer to design teams Architects additional views – attached within this Report.</i></p>	<p><i>No change to proposal</i></p>

<p>Maurice & Betty Phelan, Ballygunnycastle (agent - Peter Thompson Planning Consultant)</p>	<p>Alternative – If housing at the south end of the site is to be progressed... this part of the site could be amended / redesigned; the housing facing the side of my clients’ house and kitchen window and rear garden should be reduced to single-storey to avoid overlooking.</p>	<p><i>Refer to design teams Architects Clarification of Information drawing section, figure 02; as the proposed housing is to be cut into the site, the buildings will in effect, be at a significantly lower height than the query claims, and excessive overlooking is negated. Also note on the Part 8 drawings as originally issued the reciprocal distance between the existing property and the new housing is indicated at over 33m - this is in excess of the minimal amount required of 22m in planning legislation.</i></p>	<p><i>No change to proposal</i></p>
<p>Maurice & Betty Phelan, Ballygunnycastle (agent - Peter Thompson Planning Consultant)</p>	<p>Care also needs to be taken with the introduction of high street lamp standards into this rural setting; if housing is to be developed in the southern portion of the site, consideration should be given to installing low bollard type lighting along the road edge.</p>	<p><i>Hayes Higgins Partnership comment as follows; "The area lit by modern LED lanterns can be very accurately controlled to ensure that there is no obtrusive light spill as defined in the Institution of Lighting Professionals publication GN-01 "Guidance Notes for the Reduction of Obtrusive Light". WC&CC do not support the installation of bollard lighting and are unlikely to take over estates with bollard lighting, due to the risk of vandalism to bollard lighting, which would not occur with lighting poles above 4 meters.</i></p>	<p><i>No change to proposal</i></p>
<p>Maurice & Betty Phelan, Ballygunnycastle (agent - Peter Thompson Planning Consultant)</p>	<p>In terms of the potential impact of development on the structural stability of my clients’ home which is built on rock, they would expect the developer to commission an independent structural condition survey of their property before and after works and a commitment from the Council that this will be done at its expense.</p>	<p><i>Noted - a dilapidation survey can be arranged and carried out pre-commencement of work, and post-completion of work.</i></p>	<p><i>No change to proposal</i></p>

<p>Maurice & Betty Phelan, Ballygunnycastle (agent - Peter Thompson Planning Consultant)</p>	<p>The developer should also be required to agree a Construction Management Plan for whatever development is permitted on this site to minimise construction impacts during construction; this should include measures to protect my clients' on-site well which is their only water supply. Such a plan should be prepared in full consultation with neighbours.</p>	<p><i>A Construction Management Plan to minimise construction impact during construction phase-would be standard procedure, and would be prepared prior to works commencing on site and in compliance with any planning conditions applied.</i></p>	<p><i>No change to proposal</i></p>
<p>Maurice & Betty Phelan, Ballygunnycastle (agent - Peter Thompson Planning Consultant)</p>	<p>Impact on farming activities – The boundary between the site and part of the lands my clients' son farms immediately to the east comprises post and electric wire fencing; there are no hedgerows.</p>	<p><i>Proposed boundary treatments to be agreed.</i></p>	<p><i>Revised boundary treatment to provide an appropriate level of security to adjacent farmland to be agreed.</i></p>
<p>Maurice & Betty Phelan, Ballygunnycastle (agent - Peter Thompson Planning Consultant)</p>	<p>Also, when the housing and open space is complete it be will essential for safety and security reasons to have solid boundary structures along all boundaries with farmland.</p>	<p><i>Proposed boundary treatments to be agreed.</i></p>	<p><i>Revised boundary treatment to provide appropriate security to adjacent farmland to be agreed.</i></p>

<p>Maurice & Betty Phelan, Ballygunnycastle (agent - Peter Thompson Planning Consultant)</p>	<p>Ownership – There appears to an error in the site boundary at the southernmost tip of the site; this is shown on the site layout encroaching onto my clients’ property (Folio WD12539).</p>	<p><i>Boundary line to be revised accordingly</i></p>	<p><i>Boundary line to be revised so as to ensure that the development does not to encroach onto adjacent third party lands</i></p>
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7. Recommendation

Having regard to the foregoing, I am satisfied that the proposed development would be in accordance with the provisions of the Waterford City Development Plan 2013-2019 (as extended) and with proper planning and sustainable development of the area. I therefore recommend that the proposed development should be proceeded with as initially proposed, subject to an amendment to the site boundaries to provide an appropriate level of security to adjacent farmland (to be agreed with the adjoining landowner) and subject to a minor amendment to the site boundary and proposed site layout so as to ensure that the development does not encroach onto adjacent third party lands.

Michael Quinn,
Director of Economic Development and Planning
Thursday, 13 February 2020