



**Comhairle Cathrach  
& Contae Phort Láirge**  
Waterford  
City & County Council

## **PART 8 Report**

### **Housing Department**

**Planning & Development Act, 2000 (as amended)**

**Planning & Development Regulations 2001**

**(as amended), Part VIII**

**Presented to:** Waterford Metropolitan Meeting

**Date of Meeting:** Monday 16<sup>th</sup> January 2021

**Proposed Development:** Demolition of existing properties and construction of (a) 27 no. residential apartment units comprising of; (i) 16 no. 1-bed apartments, (ii) 9 no. 2-bed apartments (iii) 2 no. 3-bed apartments and (iv) a serviced ground floor unit (b) Supporting development works including (i) temporary construction signage, (ii) demolition of existing buildings on site, (iii) boundary treatments, (iv) landscaping, (v) ancillary accommodation and (vi) all associated site works on lands at Newgate Street/Browne's Lane/Butler Court & Castle Street, Waterford City.

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## SITE CONTEXT:

The overall site is located within the Waterford City Development Plan extents. The brownfield site is currently occupied by a commercial business and existing Brothers of Charity property, with a yard used as a car park to the rear of the property and a number of existing outbuildings. The site is accessed from Newgate Street (L90552) and Butler Court (L90554). The surrounding buildings primarily comprise residential properties i.e. apartments and townhouses, with some mixed use including commercial and community facilities.

## RELEVANT PLANNING HISTORY:

*PD 03500431 (August 2003)* for change of use from light industrial to training facility including ancillary facilities and associated offices at Newgate St. Also, alterations to elevations, upgrading existing external signage and demolition of an existing shed adjacent to the site.

*PD 03500374 (July 2003)* Change of use from light industrial to training facility with associated offices and ancillary facilities also permission to carry out external modification and associated works.

*PD 00506692 (February 1987)* Alterations to front and side of premises.

*PD 00504596 (October 1980)* Internal alterations.

*PD 00504447 (April 1980)* Warehouse unit.

## THE PART 8 PROCESS

The Part 8 process started on Monday 17<sup>th</sup> October 2022, with Notification of commencement at the Waterford Metropolitan District Meeting.

5 No. site notices were erected along the existing site boundary –

Site Notice 1- To the existing Brother of Charity vehicular entrance gateway onto Newgate Street

Site Notice 2 - Adjacent to medieval stone walls and French Tower on Browne's Lane

Site Notice 3 - To existing boundary wall and pedestrian walkway from Castle Street

Site Notice 4 - To existing boundary wall to yard area and Public Open Space, adjacent to existing Butler Court Apt. Development.

Site Notice 5 - Opposite existing pedestrian walkway and laneway to Butler Court Apt. Development.



An advert was placed in the News & Star newspaper informing the general public of the commencement of the process.

Plans and particulars of the proposed development were available for inspection, at the Customer Care Offices, Waterford City & County Council, Baileys New Street, Waterford, between the hours of 9.30 am - 4:00 pm Monday to Friday, for the period of 28<sup>th</sup> October 2022 up to and including 25<sup>th</sup> November 2022, (4 calendar weeks - including Bank and Public Holidays).

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

All submissions or observations with respect to the proposed development, dealing with the proper planning and sustainable development of the area in which the proposed development would be situated, were invited to be made in writing to the Director of Services, Housing Department, WC&CC, City Hall, The Mall or by emailing [part8housingsubs@waterfordcouncil.ie](mailto:part8housingsubs@waterfordcouncil.ie) either during the initial 4 week public display period outlined above, or alternatively during an additional 2 week period thereafter provided for such submissions, but in either case not later than 4.00 pm. on 9<sup>th</sup> December 2022.

#### **PUBLIC SUBMISSIONS:**

Prior to the 09<sup>th</sup> December 2022 deadline 3 public submissions were received. 1 further submission was received on the 15<sup>th</sup> December 2022 after the deadline;

1. Eamonn Murphy, Henry Halligan, Richard Ryan of the Convent Hill Residents Group, c/o 23 Convent Hill, Waterford City; letter received 23<sup>rd</sup> November 2022.  
- Further submission: letter received 15<sup>th</sup> December 2022.
2. Roads Department, Waterford City & County Council; email dated, 24<sup>th</sup> November 2022
3. John O'Donnell, 7a Newgate Street, Waterford City; letter dated, 24<sup>th</sup> November 2022.
4. Billy Hearne, No address given; email dated, 27<sup>th</sup> November 2022.
5. Development Applications Unit of the Department of Housing, Local Government and Heritage, Government Offices, Newton Road, Wexford, Y35 AP90; email dated, 09<sup>th</sup> December 2022.

GDPR regulations restrict Waterford City & County Council from issuing copies of the original submissions within this Report, however the spreadsheet at the back of this Report itemizes all the topics raised in the submissions received by WC&CC, during the Part 8 Public Consultation period.

#### **SUMMARY AND MAIN EXTRACTS FROM SUBMISSIONS:**

1. Car Parking;
2. Anti-Social Behaviour.
3. Public Lighting.
4. Construction.
5. Structural Impact and Conservation.
6. Materials & Finishes.
7. Archaeological Impact and Strategy.

## **REFERRALS:**

Referrals received include the following;

- Irish Water – Received following pre-connection enquiry; Part 8 proposal can be facilitated. All infrastructure is to be designed and installed in accordance with the Irish Water Codes of Practice and Standard Details. A detailed design proposal for the water and/or wastewater infrastructure is to be submitted to Irish Water for assessment.
- Conservation - This proposal has been reviewed and discussed with the Waterford City & County Council Executive Conservation Officer, Ms. Rose Ryall. Any concerns raised were addressed during design development prior to the completion of the Part 8 planning proposals.
- Roads -
  - Public Lighting was requested to be completed in accordance with the Waterford City & County Council General Public Lighting Specification.
  - Proposed changes to parking onto Newgate Street to include disabled parking for two spaces, removal of loading bay and conversion of remaining spaces to pay and display parking.
- Development Applications Unit of the Department of Housing, Local Government and Heritage, Government Offices, Newton Road, Wexford, Y35 AP90; email dated, 09<sup>th</sup> December 2022 –
  - Archaeological Impact Assessment should include a detailed visual impact assessment completed by a suitably qualified Conservation Architect.
  - An archaeological mitigation strategy should be prepared by a suitably qualified and experienced archaeologist, to include a programme of archaeological supervision/monitoring of demolition and site clearance works (licensed under the National Monuments Acts 1930-2014/Section 14 Ministerial Consent) followed by archaeological testing (also under licence/Section 14 Ministerial Consent) within the footprint of any approved development layout and well in advance of any construction works.
- Water Services – No comment.
- Building Control – No comment.

## **COUNCILLORS WORKSHOP:**

WC&CC Housing met Waterford Metropolitan District Councillors for a Workshop review on 07<sup>th</sup> October 2022.

## **PLANNING DEPARTMENT'S CONSIDERATIONS:**

The purpose of the proposed development is to deliver 27 residential apartment units. The proposed development will support the policies and objectives of the current Waterford City & County Development Plan 2022-2028 and complies with ministerial guidelines, government policies and with the Regional Planning Guidelines. It is considered therefore that the development is in accordance with the proper planning and sustainable development of the area.

Refer to separate Planning Report.

## **HOUSING DEPARTMENT RECOMMENDATION:**

The objective of the proposal is to provide the provision of 27 residential apartment units in Waterford city. The proposed scheme meets the objectives of Waterford City & County Council and DHLGH. The proposed scheme has been approved in principle and funding-approved by DHLGH.

The proposal provides for the objectives and aims of Housing for All by delivering social housing, supporting social inclusion, improving options and supports for people with a disability and the elderly, tackling vacancy and enabling a sustainable housing development in a central location.

The statutory requirements of the Part 8 planning process have been completed and complied with.

3 Public Observations were received within the deadline date and 1 after the deadline date – full consideration to these submissions has been given and certain amendments are proposed.

See main items below.

### Public Observations

1. **Issue;** *Car parking – Newgate Street.*

**Amendment:** The proposed car parking is appropriate and in accordance with the requirements of the Waterford City & County Council Development Plan, however WC&CC have taken comments / observations onboard with further considered and developed design of the car parking onto Newgate Street. The amended design includes for the provision of 2 nr. disabled car parking spaces, removal of the existing loading bay and conversion of remaining spaces to pay & display parking for visitors / general public use.

2. **Issue;** *Public Lighting*

**Amendment:** Public Lighting is to be completed in accordance with the Waterford City & County Council General Public Lighting Specification.

3. **Issue;** *Structural Impact and Conservation.*

**Amendment:** A detailed structural engineering/conservation assessment is to be prepared by a suitably qualified and experienced archaeologist in advance of any site preparation and/or construction works.

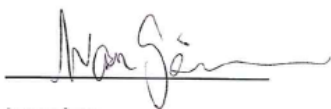
4. **Issue;** *Archaeological Impact and Strategy.*

**Amendment:** An archaeological mitigation strategy is to be prepared by a suitably qualified and experienced archaeologist in advance of any site preparation and/or construction works. A detailed visual impact assessment is also to be prepared by ROJO-Studio Architects Conservation Architects in advance of any site preparation and/or construction works.

The proposed development complies with and meets all of the relevant national and local standards, requirements and guidelines.

The Planning Authority supports the proposed housing development and concludes that the development is in accordance with the proper planning and sustainable development of the area.

It is therefore recommended that the Council adopt and approve the proposed development as originally presented and with modification as outlined above.



**Ivan Grimes**

*Director of Services,*

*Housing Community & Emergency Services*



## ***Observations - Summary Spreadsheet***

Item	Topic	Observations	Consideration by Housing Department	Response
1	Car Parking	<p><u>Car park used by businesses and residents and the development will add to the existing shortage of parking.</u></p> <p><u>Carparking amendments suggested to Newgate Street by Roads Department of Waterford City &amp; County Council.</u></p>	<p><i>Appropriate consideration was given to provision of car parking on the site. It was noted the provision of surface or underground car parking would negatively impact the surrounding area. The part 8 submission has been completed in accordance with the car parking standards for Waterford City Centre areas.</i></p>	<p>Amend layout to Newgate Street to provide 2 nr. disabled car parking spaces, removal of the existing loading bay and conversion of remaining spaces to pay &amp; display parking for visitors / general public use.</p>

Item	Topic	Observations	Consideration by Housing Department	Response
2	Anti-Social Behaviour	<u>Development will significantly increase the amount of anti-social behaviour in the area.</u>	<i>The proposed development has been designed in accordance with the development management standards as noted in Waterford City &amp; County Council Development Plan 2022-2028 and 'Sustainable Residential Development in Urban Areas' (2009) The design of the apartment building ensures there is passive surveillance provided at all times.</i>	No change.
3	Public Lighting	<u>Public lighting should be designed in accordance with Waterford City &amp; County Council General Public Lighting Specification</u>	<i>Appropriate consideration will be given to this during detailed design development of the project.</i>	<i>Public Lighting is to be completed in accordance with the Waterford City &amp; County Council General Public Lighting Specification.</i>
4	Construction	<u>The proposed development will have an adverse effect on adjoining properties during the construction period with temporary road closures and diversions, noise and air</u>	<i>The appointed main contractor will be required to mitigate measures for noise and air pollution to protect the adjoining owner's premises. Any temporary road closures or works near existing boundaries will be completed in consultation with adjoining neighbours. Details of intended construction practice for</i>	No change.



Item	Topic	Observations	Consideration by Housing Department	Response
		<u>pollution, and a deterioration of the public realm in the area.</u>	<i>the development, including onsite storage arrangements, construction traffic, construction parking, and road cleaning of access/egress routes to/from the site will be agreed with the appointed contractors prior to commencement on site.</i>	
5	Structural Impact and Conservation	<u>Concerns raised over potential damage to the Medieval City walls, during the construction works.</u>	<i>A detailed structural engineering/conservation assessment is to be prepared by a suitably qualified and experienced archaeologist in advance of any site preparation and/or construction works.</i>	No change.
6	Materials & Finishes	<u>Alternative finishes proposed and concerns raised over the building's cheap modern construction. Proposed a more sympathetic approach to its surroundings, especially to walls and towers</u>	<i>Appropriate consideration has been given to the selection of materials and finishes proposed during the design development of the project. The materials and finishes selected are deemed to be appropriately sympathetic to their surroundings and have been agreed in consultation with the planning department and Conservation Officer of Waterford City &amp; County Council.</i>	No change.
7	Archaeological Impact and Strategy	<u>The Archaeological Impact Assessment should include a detailed visual impact assessment completed by a suitably qualified Conservation Architect. An archaeological mitigation strategy should also be prepared by a suitably qualified and experienced archaeologist, to include a programme of archaeological supervision/monitoring of</u>	<i>A detailed visual impact assessment is to be prepared by ROJO-Studio Architects Conservation Architects in advance of any site preparation or construction works. An archaeological mitigation strategy, to include a programme of archaeological supervision/monitoring of demolition and site clearance works followed by archaeological testing is also to be prepared by a suitably qualified and experienced archaeologist in advance of any site preparation and/or construction works.</i>	No change.

Item	Topic	Observations	Consideration by Housing Department	Response
		<u>demolition and site clearance works (licensed under the National Monuments Acts 1930-2014/Section 14 Ministerial Consent) followed by archaeological testing (also under licence/Section 14 Ministerial Consent) within the footprint of any approved development layout and well in advance of any construction works.</u>		

