



Comhairle Cathrach & Contae Phort Láirge
Waterford City & County Council

Chief Executive Report
Planning & Development Act, 2000 (as amended), Part XI
Planning & Development Regulations 2001 (as amended),
Part VIII

**Proposed Development at “The Munster Express”, 37 Merchant’s Quay,
extending along Hanover Street to 41, O’Connell St., Waterford.**

Description of Proposed Works – Consultation:

Summary of the Proposed Works

The nature and extent of the proposed works is as follows:

- Refurbishment works to 37 Merchant's Quay, including removal of internal partitions, new roof, removal of western chimney and newly constructed lift to rear.
- Construction of a three-storey building, connected with 37 Merchant's Quay, to provide exhibition, workshop and office spaces, with plant, data collection, and solar energy generation infrastructure at roof level.
- The development will require the removal of existing warehousing and commercial units along the eastern side of Hanover St. extending to, and including, 41 O'Connell St.
- Other works will include the provision of substation, lifts, hard landscaping, and public realm enhancements directly connected with the development proposals.

Site Context

The site includes 37, Merchant's Quay and extends back to, and includes, 41, O'Connell Street, running along Hanover Street, including the existing 20th Century structures of the 1950's and 1970's.



Consultation

Details of the proposed development were posted on site, advertised in the local press and placed on public display, in accordance with Part 8 of the Planning and Development Regulations 2001(as amended), and the Planning and Development Act, 2000 (as amended). The public consultation process ran from the 27th June 2023 to the 31st July 2023, with written submissions and observations with respect to the proposed development invited up until 15th August 2023.

Third Party Submissions Received

Three number public submissions were received in relation to the proposed development, the details of same have been considered in the assessment of the proposed works. One of the submissions stated that the retention of no. 41 O'Connell St. was preferable. In response to same it is noted that the building whilst somewhat unique in its form, presenting an unconventional building along the streetscape of O'Connell Street and Hanover Street, the existing envelope of 41 O'Connell St. dates from the 1960's, is unsuitable to modify and/or retrofit in any meaningful manner. The Munster Express site seeks to provide the technological office hub within the city centre but to also to enhance the Cultural Quarter of the city. The junction of Hanover Street and O'Connell Street provides this hub, retaining no. 41 O'Connell St. would sever the Munster Express site from O'Connell Street and restrict the maximum connectivity needed between the building and street. Thus having considered the detailed brief and the requirements of delivering a functioning building against the retention of a building which is not protected, or culturally significant and does not contribute to the heritage value of the Georgian and historic streetscape of the city, it was decided to remove the building from development proposals. Thus no modification to the proposed scheme is recommended.

A referral response was received from the Department of Housing, Local Government & Heritage the comments of same have been considered.

The main points of the Department of Housing, Local Government & Heritage response included comments which were previously noted in the Archaeological Impact Assessment report prepared by Dan Noonan Archaeology for Waterford City and County Council, that is:

- All mitigation measures in relation to archaeology as set out in the 'Archaeological Impact Assessment' shall be implemented in full.
- A programme of archaeological supervision/monitoring of demolition and site clearance works (licensed under the National Monuments Acts 1930-2014) followed by archaeological testing (also under licence) within the footprint of any approved development layout and well in advance of any construction works shall be required.
- The Construction Environmental Management Plan (CEMP) shall include the location of any and all archaeological or cultural heritage constraints relevant to the proposed development. The CEMP shall clearly describe all identified likely archaeological impacts, both direct and indirect, and all mitigation measures to be employed to protect the archaeological or cultural heritage environment during all phases of site preparation and construction activity.

All comments of the Department of Housing, Local Government & Heritage are noted and prior to the works commencing, Waterford City and County Council will adhere to the recommendations proposed by the Department.

Assessment & Evaluation

The buildings are zoned Town Core (TC) within the current Waterford City & County Development Plan 2022-2028. This zoning provides for the development and enhancement of town core uses including retail, residential, commercial, civic, and other uses.

No. 37 Merchant's Quay is not a protected structure, however it is listed in the National Inventory of Architectural Heritage which states the building is "*an attractive and substantial composition of balanced proportions that retains most of the early features dating to a nineteenth-century period of renovation. The house, together with a house of similar appearance immediately to south-east (22500328/WD-5632-16-318), is an important component of the streetscape of Merchant's Quay, forming the corner leading to Hanover Street*". The proposed development seeks to retain and refurbish the building. The development is situated within an Architectural Conservation Area, the proposal is considered to not conflict with same and to be in accordance with the policies and objectives outlined in the Waterford City & County Development Plan 2022-2028 regarding same.

The site is situated within an identified archaeological zone of potential, an archaeological impact assessment has been prepared and the comments and recommendations of same and those of the Department of Housing, Local Government & Heritage will be adhered to.

The potential for future economic development across the City and County is set out in Chapters 3 and 4 of the Waterford City & County Development Plan 2022-2028. These identify a range of policy objectives to facilitate economic expansion through support for indigenous SMEs and FDI across all sectors of employment and provision of, and support for, enabling infrastructure while outlining how the City and County will be positioned to maximise opportunities to ensure sustainable economic growth and enhanced economic resilience for all urban and rural areas.

The proposed development of smartSE as a technological, urban lab, with the opportunity to create a building of regional importance which underpins the objectives of Waterford and the South-East region as a driver of economic change; facilitating increased investment and wider benefits in support of both national and regional policy objectives (RSES). Significant work is required to develop projects with regional significance in the three Metropolitan areas which will achieve the targets set out in the National Planning Framework (NPF) and ensure balanced national growth and population increases.

Through the delivery of *smartSE* in the South-East region, the project has transformative capacity to create an innovative, dynamic and progressive facility for the city.

- Project Ireland 2040 identifies infill and regeneration opportunities as a key growth enabler to intensify housing and employment development throughout city centre and inner suburban areas which will allow intensification through a wider, engaging mix of land uses.
- National Policy Objective 5 of the NPF states that the development of cities and towns of sufficient scale and quality to compete internationally will be the drivers of national and regional growth, investment, and prosperity.

- National Policy Objective 11 of the NPF outlines that in meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth.

The site is also located within flood Zone A and B, however given its City Centre location, within the urban settlement targeted for growth and the zoning and development of the lands is required to achieve the proper planning and sustainable development of the urban settlement and the existing flood defences which are on place on the riverside the development is considered appropriate and to be in accordance with “The Planning System & Flood Risk Management, Guidelines for Planning Authorities, 2009.

The proposed development will not contravene the policies and objectives of the Waterford City & County Development Plan 2022-2028.

Environmental Assessment

The proposed development is not a type of development included for under Schedule 5 of the Planning and Development Regulations 2001, as amended. Based on the information submitted with the application, Waterford City and County Council has considered the nature, size and location of the proposed development in the context of the criteria set out in Schedule 7 to the 2001 Regulations and is satisfied that EIA is not required.

Habitats Directive

A Habitats Directive Screening Assessment Report is attached, which concluded that significant impacts can be ruled out for Natura 2000 sites.

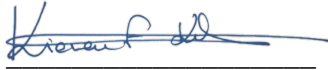
Recommendation

The purpose of the proposed development, smartSE, is to deliver a technological, urban lab, creating a building of regional importance which underpins the objectives of Waterford and the South-East region as a driver of economic change; this will facilitate increased investment and wider benefits in support of both national and regional policy objectives (RSES).

Development such as that currently proposed would be in accordance with the policy objectives of the Waterford City & County Development Plan 2022-2028.

The proposed development will support the policies and objectives of the current City & County Development Plan 2022 – 2028, the National Planning Framework, and complies with Ministerial Guidelines, Government policies and with the Regional Spatial & Economic Strategy. It is considered therefore that the development is in accordance with the proper planning and sustainable development of the area.

Thus having regard to the report and details submitted, and submission and referral responses received I would have no objection to the proposal and would recommend that it proceed as outlined.



Kieran Kehoe,
Director of Services
Corporate Services, Culture & Planning

September 2023

Habitats Directive Project Screening Assessment

Table 1: Project Details

Application	Details	
Development Consent Type	Part 8	
Development Location	37 Merchants Quay, extending along Hanover St. to 41 O’Connell St. Waterford	
Description of the project	<ul style="list-style-type: none"> • Refurbishment works to 37 Merchant’s Quay, including removal of internal partitions, new roof, removal of western chimney and newly constructed lift to rear. • Construction of a three-storey building, connected with 37 Merchant’s Quay, to provide exhibition, workshop and office spaces, with plant, data collection, and solar energy generation infrastructure at roof level. • The development will require the removal of existing warehousing and commercial units along the eastern side of Hanover St. extending to, and including, 41 O’Connell St. • Other works will include the provision of substation, lifts, hard landscaping, and public realm enhancements directly connected with the development proposals. 	

Table 2: Identification of Natura 2000 Sites (SACs and SPAs) which may be impacted by the proposed development

Please answer the following five questions in order to determine whether there are any Natura 2000 sites which could potentially be impacted by the proposed development.

Number	Question	Response
1	Impacts On Freshwater Habitats Is the development within a Special Area of Conservation whose qualifying interests include freshwater habitats, or in the catchment of same? Sites to consider: Blackwater River, Lower River Suir Habitats to consider: Rivers, Lakes and Lagoons.	N/A
2	Impacts On Wetland Habitats Is the development within a Special Area of Conservation whose qualifying interests include wetland habitats, or within 1 km of same? Sites to consider: Comeragh Mountains Habitats to consider: Bogs, Fens, Marshes and Wet Heaths.	N/A
3	Impacts on Intertidal and Marine Habitats Is the development located within a Special Area of Conservation whose qualifying interests include intertidal and/or marine habitats and species, or within the catchment of same. Sites to consider: Tramore Dunes and Backstrand, River Suir (Tidal Section as far as Carrick on Suir), River Blackwater (Tidal Section as far as Cappoquin), Waterford Estuary Habitats to consider: Mudflats, Sandflats, Saltmarsh, Estuary; Shingle, Reefs, Sea Cliffs.	N/A
4	Impacts On Woodlands , Grasslands and Dry Heaths Is the development within a Special Area of Conservation whose qualifying habitats include woodlands or grasslands habitats, or within 200m of same. Sites to consider:	N/A

	Glendine Wood Nire Valley Woods, Ardmore Head, Helvick Head Habitats to consider: Woodlands, Grasslands or Dunes.	
5	Impacts On Birds Is the development within a Special Protection Area, or within 1 km of same. Sites to consider: Tramore Backstrand, Dungarvan Bay, Blackwater Callows, Blackwater Estuary, Helvick Head –Ballyquin Coast, Mid Waterford Coast	N/A

Conclusion Table 2:
 If the answer to all of these questions is No, significant impacts can be ruled out for Natura 2000 sites. No further assessment is required, proceed to the Habitats Directive Conclusion Statement.

Habitats Directive Screening Conclusion Statement

Question	Answer
Development Type	Part 8
Development Location	37 Merchants Quay, extending along Hanover St. to 41 O’Connell St. Waterford
Natura 2000 sites within impact zone	

Description of the project	<ul style="list-style-type: none"> • Refurbishment works to 37 Merchant’s Quay, including removal of internal partitions, new roof, removal of western chimney and newly constructed lift to rear. • Construction of a three-storey building, connected with 37 Merchant’s Quay, to provide exhibition, workshop and office spaces, with plant, data collection, and solar energy generation infrastructure at roof level. • The development will require the removal of existing warehousing and commercial units along the eastern side of Hanover St. extending to, and including, 41 O’Connell St. • Other works will include the provision of substation, lifts, hard landscaping, and public realm enhancements directly connected with the development proposals.
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Describe how the project or plan (alone or in combination) could affect Natura 2000 site(s). n/a

If there are potential negative impacts, explain whether you consider if these are likely to be significant, and if not, why not.

Conclusion of assessment Having regard to the location of the subject site and to the nature of the proposed development, and the intervening distance with the identified Natura 2000 Sites, I consider that no appropriate

assessment issues arise in this case. In my opinion the proposed development either individually or in combination with other plans or projects, would not be likely to have a significant effect on a Natura 2000 Site.

Documentation reviewed for making of this statement.	Waterford City & County Development Plan 2022 – 2028, the Part 8 plans and particulars
Completed By	Hazel O’Shea, Senior Executive Planner
Date	12 th September 2023
