

## Response to WCCC Pre-Application Consultation Opinion

For Development at a site fronting on to the Cork Road, Kilbarry Road and Ballybeg Drive at Kilbarry, Cork Road, Waterford.

on behalf of Noel Frisby Construction Ltd.

February 2024



McCutcheon Halley  
CHARTERED PLANNING CONSULTANTS

# Document Control Sheet

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# 1. Introduction

This report addresses the specific information requirements and issues raised by Waterford City and County Council in their Opinion under Section 32D of the Act issued on 14<sup>th</sup> December 2022 in relation to the proposed Large Scale Residential Development at a site fronting on to the Cork Road, Kilbarry Road and Ballybeg Drive at Kilbarry, Cork Road, Waterford.

The Opinion issued by the Local Authority was subsequent to Section 247 which took place on the 18<sup>th</sup> July 2023 and Section 32B meetings which took place on the 21st of November 2023.

Following the pre-planning meetings, the Council issued an Opinion in accordance with Section 32D of the Planning and Development (Housing) and Residential Tenancies Act (as amended) and advised that the following issues need to be addressed in order to result in them constituting a reasonable basis for an application for permission for the proposed LRD. The issues raised by Waterford City and County Council and our response to same, is outlined in Section 2 of this report.

## 2. Issues to be addressed and Information to be submitted with the LRD Application

The specific information requested by Waterford City and County Council (***bold italics***) and our response to same, is as follows:

### ***1. Site Levels and Boundary Treatments at Lacken Road***

***The Planning Authority considers that the proposed treatment of the Lacken Road as presented requires further consideration /amendment in order for the submitted documents to constitute a reasonable basis on which to make an LRD application.***

***The Lacken Road will be an urban street and proposals should reflect this, ensuring passive surveillance and a safe, attractive space for pedestrians. The current drawings and details submitted indicate a steep gradient with stone gabions, a gradual change in gradient and more open character would be more appropriate ensuring a sense of security and passive surveillance.***

***The lowering of existing ground levels in this area to be given consideration in order to aid with achieving same. The proposed steeply sloping change in levels and associated gabions are not considered acceptable. Softer treatment is required -- more open landscaping reflecting the proposed treatment of the area to the south of Block D. It may be necessary to pivot Building C in a northern direction to allow for more gentle sloping of the ground to address this issue.***

***Detailed specification including existing and proposed levels, a series of sections through the site detailing proposed treatments and contiguous elevations / images to show the Lacken Road, proposed boundary treatments and the proposed development are required. The treatment of***

***the Lacken Road and the relationship between the development and the public realm in this area should be in accordance with requirements of Waterford City & County Council Development Plan, 2022 - 2028, with particular regard given to Policy Objectives Place 02, Place 03, Place 04 and Place 05, the Sustainable Residential Development in Urban Areas Guidelines (2009) and the Urban Development and Building Heights Guidelines (2018).***

***The planning authority considers that the current details submitted does not meet the requirements of the aforementioned documents and further consideration/amendment of these issues is required in order for the submitted documents to constitute a reasonable basis on which to make an LRD application.***

The relationship between the development and Lacken Road has been re-considered to enhance the urban street creating a safer space for pedestrians. A design proposal which reduces the steep gradient by lowering existing ground levels in this area to create a landscaped bank is proposed by the Design Team. Malone O'Regan Engineering Consultants prepared Drawing 'W22076 / P858 / Rev P1 Site Sections' submitted with this response provides additional updated sections through the site and Lacken Road in terms of the proposed levels and gradients.

Due to topographical restraints, gabion baskets are required along the sloped area, however they have been used to help achieve this open space character area whilst creating a safe attractive space for pedestrians. Section Drawing 2-201 – Landscape Sections prepared by Cunnane Strattan Landscape Architects illustrates the approach to this area.

Viewpoint 8 of the photomontages also demonstrates that Lacken Road will be an urban street with a very high level of passive surveillance and will be a safe, attractive space for pedestrians, with a more gradual change in gradient and more open character which will ensure a sense of security and passive surveillance.

The revised treatment of the Lacken Road and the relationship between the development and the public realm in this area is in accordance with requirements of Waterford City & County Council Development Plan, 2022-

2028, including Policy Objectives Place 02<sup>1</sup>, Place 03<sup>2</sup>, Place 04<sup>3</sup> and Place 05<sup>4</sup>, in that a high quality design and public realm, prioritising pedestrian and cyclists has been provided on to Lacken Road has been provided.



Figure 1: Proposed view along Lacken Road looking west

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<sup>1</sup> Policy Objectives Place 02: Ensure that all development is of high quality design with a focus on placemaking consistent with NPO 2, 4, 6, 7 16,18a, 18b, 26 and 27 of the NPF, and RPO 31 – Sustainable Place Framework, RPO 34 – Regeneration, Brownfield and Infill Development, Section 4.7 Placemaking for enterprise development, RPO 61 – Health Place Audit for Placemaking, RPO 176 – “10-minute City and Town Concepts” and Good Practice example 10-minute city and town neighbourhoods at Section 3.9 of the RSES.

<sup>2</sup> Policy Objectives Place 03: Promote the guidance principles set out in relevant Ministerial Guidelines especially the ‘Urban Design Manual – A Best Practice Guide’ (2009), and in the ‘Design Manual for Urban Roads and Streets’ (2020) and Permeability Best Practice NTA (2015).

<sup>3</sup> Policy Objectives Place 04: Provide for a high-quality public realm and public spaces by promoting quality urban design that accommodates creative patterns of use having regard to the physical, cultural, and social identities of individual settlements.

<sup>4</sup> Policy Objectives Place 05: Ensure that development proposals are cognisant of the need for proper consideration of context, connectivity, inclusivity, variety, efficiency, distinctiveness, layout, public realm, adaptability, privacy and amenity, parking, way finding and detailed design.



## **2. Culverts at Existing Watercourse**

***The size of the proposed culverts at the existing watercourse at both the Cork Road and the Lacken Road are not considered adequate. The size of the proposed culverts at both the Cork Road and the Lacken Road are required to be increased in size from that of the existing culverts at these locations - larger culverts are required. Additional details regarding the proposed culverts i.e. detailed specification including exact dimensions are required.***

***An assessment of the capacity of the existing culverts to be undertaken. The Site-Specific Flood Risk Assessment should address the issue of the culverting of the existing watercourse and the proposed culvert upgrades and the impact of same on potential flooding in the wider area in particular the displacement of water outside of the site as part of the overall assessment.***

The proposed culverts at the Lacken Road and Cork Road have been coordinated with Waterford City & County Council Roads Department and with Malone O' Regan Consulting Engineers and IE Consulting.

Malone O'Regan Engineering Consultants (MOR) have prepared Drawings P853 (Surface Water Drainage Layout), P858 (Site Sections) and P865 (details of existing culvert at Lacken Road) which includes details of the existing culverts and the proposed culverts. The existing culverts at the Lacken Road is 3.2m wide and 1.2m deep, as shown on MOR Drawing P865 / Rev P1 / Details of Existing Culvert at Lacken Road. This culvert is proposed to be extended by 5m to accommodate the proposed widened access road and new footpath. It is not proposed to increase the capacity of this culvert. The culvert has sufficient hydraulic capacity to convey the 2% AEP, 1% AEP and 0.1% AEP fluvial flood volumes as noted in the Site-Specific Flood Risk Assessment and the report prepared by IE Consulting submitted as part of this application.

It is proposed to culvert the existing watercourse along the Cork Road over a length of approximately 50m, under the new public plaza area. This culvert is also proposed as 3.2m wide x 1.2m deep, which matches the existing culvert dimensions at the Lacken Road. As described for the Lacken Road culvert, the proposed Cork Road culvert also has adequate hydraulic capacity to convey the above flood volumes.

The Site-Specific Flood Risk Assessment (SSFRA) completed by IE Consulting has been taken into account in the development of these civil engineering works. The culverts have been assessed for the 1 in 50-year, 1 in 100-year, and 1 in 1000-year flood volumes for the proposed dimensions, and both culverts have adequate capacity. Refer to the SSFRA and the response within Section 2 of the report prepared by IE Consulting.

### **3. Flood Risk Assessment**

***The submitted Site Specific Flood Risk Assessment has assessed flood risk based on the CFRAMS flood maps and not the Waterford City & County Development Plan 2022-2028 flood maps. The flood risk assessment submitted as based on CFRAMS mapping does not indicate the site to be located in any flood zone, however the Waterford City & County Development Plan mapping identifies parts of the northern and eastern areas of the site to be located within Flood Zone A. As per Waterford City & County Council mapping, the site is partially located within NCFHM High End Future Scenario 1 in 1000-year flood Extent.***

***As the submitted flood risk assessment concluded that the site is not located within the flood zones, there is no Justification Test submitted. The Site-Specific Flood Risk Assessment should assess flooding based on Waterford City & County Council development plan flood mapping. A Justification Test should also be undertaken as part of the flood risk assessment. It appears that Blocks B and C of the proposed development are partially located within Flood Zone A, as per Waterford City & County Council mapping systems. A revised flood risk assessment taking account of the foregoing to be prepared and a justification test to be undertaken.***

A meeting was held between Waterford City and County Council, Malone O'Regan Consulting Engineers and IE Consulting to agree to the scope of the flood risk assessment.

A Site Specific Flood Risk Assessment Addendum prepared by IE Consulting forms part of this LRD Application. Section 1 and 3 of the report provides the proposals presented at the meetings with Waterford City and County Council and the response to each item provided by IE Consulting.

The report outlines that the Waterford City & County Development Plan flood maps at the location of this site are based on the 2011 OPW PFRA indicative flood maps. These maps are not based on the results of any detailed hydrological assessment or hydraulic modelling undertaken along the reach length of the Lisduggan watercourse at this location and are intended to be indicative only and not intended to be used to assess potential flood risk at the site-specific scale. The OPW CFRAMS maps are based on the results of a hydraulic modelling exercise of the Lisduggan watercourse at this location, therefore these maps provide a significantly more accurate and up to date representation of potential flood risk at this location in comparison to the OPW PFRA (and hence Development Plan) flood maps at this location. The OPW CFRAMS flood maps are intended to supersede the OPW PFRA flood maps.

As outlined in the submitted report, the proposed development site does not fall within a predictive fluvial Flood Zone 'A' or Flood Zone 'B'. As such, the development as proposed is not subject to the Justification Test as per The Planning System & Flood Risk Management Guidelines.

It is also presented in Item 3 of the LRD opinion above that the proposed development site is partially located with a National Coastal Flood Hazard Mapping (NCFHM) High End Future Climate Change Scenario 0.1% AEP (1 in



1000 year) coastal flood zone. It is noted that the digital terrain model (DTM) used to generate the OPW NCFHM coastal flood extents at this location are based on ground surface data capture from 2006. In recent years the area of the proposed development site has been significantly infilled and ground levels have been raised, therefore in consideration of the existing topography of the site, the site does not partially fall within a (NCFHM) High End Future Climate Change Scenario 0.1% AEP (1 in 1000 year) coastal flood zone.

#### **4. Drainage & Attenuation**

***Sustainable Drainage Systems (SuDS) approach to be implemented. Additional details regarding design calculations and including capacity of the proposed attenuation ponds is required. Additional information regarding the safety aspects of the proposed attenuation ponds to be outlined in detail showing proposals for toddler fencing and planting. Attenuation ponds should be designed in accordance with Dublin City Council Guidance document, "Sustainable Drainage Design & Evaluation Guide", 2021, details should demonstrate how the pond will be graded, maximum level of water, and expected level of water, etc. Full details to be submitted regarding the required maintenance (process, schedule etc) for the attenuation and proposed permeable paving.***

Sustainable Drainage Systems (SUDS) approach has been implemented in the surface water management plan for the site. Malone O'Regan (MOR) Consulting Engineers, Drawing No. W22076/P854/Rev P – outlines the SuDS Strategy Layout. The primary methods incorporated into the SuDS measures for the site have also been detailed in the Infrastructure Report prepared by Malone O'Regan.

Safety aspects for the proposed attenuation ponds are included on MOR Drawing W22076 / P854 / Rev P1 – Bio Retention Ponds Sections. Toddler fencing will be provided to the full perimeter of both Bio Retention Ponds. In accordance with Dublin City Council Guidance Document, "Sustainable Drainage Design & Evaluation Guide" 2021, toddler fencing will be a 700mm bow-top fence as this stops most toddlers and allows adults to easily step over the fence. Additionally, the ponds are graded to include a shelf which will be dry the majority of times, as another safety feature. This shelf will remain dry for the 1-year return period and is at the same level as the maximum water level for the 30-year return period (+30%). The 100-year storm (+30%) results in a water depth of 250mm at this raised shelf. Reference should be made to the Planting Schedule submitted as part of the Landscape Architect's Masterplan prepared by Cunnane Stratton Reynolds in relation to the proposed planting at these ponds.

#### **5. Pedestrian Crossing at Lacken Road**

***Additional details are required regarding the proposed pedestrian crossing at Lacken Road. Sightlines at the pedestrian crossing shall comply with DMURS and should be sufficiently wide to accommodate buses. The type of pedestrian crossing proposed to be clarified - i.e. a raised pedestrian crossing or kerb to be dropped.***

The drawings prepared by Malone O' Regan Consulting Engineers - Drawing W22076 / P859 / Rev P1 provides additional details of the proposed pedestrian crossing at the Lacken Road. The southern Bio Retention Pond embankment has been modified to ensure the required sightlines are achieved. Malone O' Regan Consulting Engineers - Drawing P859 - Line Marking and Vehicle Access highlights the envelope of clear visibility to be maintained at the raised crossing in accordance with DMURS and also provides a vehicle swept path analysis for various vehicle types, which ensures the road is sufficiently wide to accommodate buses.

The proposed crossing will be a raised crossing (Cycle Design Manual TL605) and the details are further clarified on MOR Drawings P859 Line Marking and Vehicle Access - and P861 - Site Development Sheet 2.

#### **6. Servicing of Proposed Commercial Unit (Deliveries)**

***The proposed commercial ground floor unit at the Cork Road in terms of deliveries to the unit, shall be serviced via Ballybeg Drive and not the Cork Road.***

It is noted that servicing of the commercial units will be via Ballybeg Drive and the Vehicle Access Layout, Drawing P859 prepared by Malone O' Regan Consulting Engineers includes an analysis for a delivery vehicle using this route.

***Furthermore pursuant to Article 16 A(7) of the Planning and Development Regulations 2001 (As Amended), the prospective applicant is hereby notified that, in addition to the requirements as specified in articles 20A, 22 and 23 the following specific information should be submitted with any application for permission:***

- 1. A Site-Specific Flood Risk Assessment to include assessment of the culverting of the existing watercourse and the proposed culvert upgrades and the impact of same on potential flooding in the wider area particularly the displacement of water outside of the site as part of the overall assessment. The Flood Risk Assessment should also consider and take account of all surface water management and SuDS proposals to be implemented on site. A Justification Test for Development Management in accordance with Box 5.1 of the Planning System and Flood Risk Management Guidelines for Planning Authorities 2009 to be complied with.***

A Site-Specific Flood Risk Assessment has been prepared by IE Consulting to accompany this LRD application. This report concludes that the development will not result in any adverse impacts to the existing hydrological regime of the area, nor increase the flood risk to the proposed development site or surrounding area.

- 2. A phasing plan for the delivery of the overall development and a taking in charge layout plan. Provide clear identification in plan between private and public space.***

A phasing plan for the delivery of the overall development has been prepared by Fewer & Harrington Partners Architects, please refer to Drawing No. PP-1.03 and PP1.04 – Phase 1 Site Layout and Phase 2 Site Layout.

Fewer & Harrington Partners Architects have also prepared a Taken in Charge Drawing, please refer to Drawing 'No. L-02' for detail.

**3. Detailed specification of all hard and soft landscaping proposals throughout the site to include all proposed boundary and surface treatments.**

Cunnane Stratton Reynolds Landscaping Architects have prepared a detailed landscaping proposal which includes details of the proposed boundary and surface treatments, please refer to the landscape masterplan for further details which is submitted as part of this LRD application.

**4. Heritage requirements;**

- a) A Natura Impact Statement (NIS);** Russell Environmental and Sustainability Services Ltd., have prepared an NIS to accompany this LRD application.
- b) Surface Water Management Strategy;** Surface Water Management Strategies have been incorporated within the Design of the proposed scheme and are outlined in the reports by Malone O Regan Consulting Engineers and Russell Environmental and Sustainability Services Ltd.
- c) Ecology Assessment and Proposals;** Please refer to the assessment prepared by Russell Environmental and Sustainability Services Ltd., which include an Ecological Impact Assessment (EclA) and NIS.
- d) Biodiversity Compensation;** Please refer to the biodiversity compensatory measures in Section 6 of the Ecological Impact Assessment by Russell Environmental and Sustainability Services Ltd. As outlined in the report, an area will be landscaped adjacent to the development where native trees will be planted together, and a meadow seed mix sown. This area will connect to the student village via a pathway and will remain unmown during the summer months to provide a habitat for pollinators, invertebrates, birds and mammals. As a result of the landscape plan and the compensatory measures, overall, there will be a net gain of biodiversity for the development and accompanying green area.
- e) An Ecological Impact Assessment;** Please refer to the Ecological Impact Assessment prepared by Russell Environmental and Sustainability Services Ltd and submitted as part of this LRD application.

**f) Riparian Zone to be incorporated into landscape plan and to connect to Nature Park.** Cunnane Stratton Reynolds Landscape Architects have prepared a Landscape Masterplan (Drawing Ref No: 22238-2-101) which illustrates the Riparian Zone within the proposed scheme.

**5. Consult with the Development Applications Unit (DAU) of Department of Housing, Local Government and Heritage regarding archaeology, with requirements for archaeological assessment to be submitted with any future application, dependent on the outcome of consultation with DAU.**

A letter was issued to the Development Application Units (DAU) of the Department of Housing, Local Government and Heritage and prior to lodgement of the LRD application, no response was received.

As outlined in the EIA Screening Report prepared by Russell Environmental and Sustainability Services Ltd and a search was made of the National Inventory of Architectural Heritage and the National Monuments Service and there are no protected structures or archaeology sites or monuments recorded on the development site. The report notes three records within the vicinity of the site and there are no anticipated impacts on the historic sites listed as a result of the proposed development. As outlined in the response to Item 3 (flood risk assessment) above, the proposed development site has been significantly infilled and ground levels have been raised, so the potential for any archaeological impact will be minimal.

**6. Demonstrate the proposed bin storage area have adequate storage for the number of bins required to serve the proposed development. No bins should be visible from any public aspect.**

Fewer Harrington & Partners Architects, Drawing Ref No: PP-1.06 - Site Details illustrates the proposed bin storage details to serve the proposed development. Please refer to the Compliance Statement by Fewer Harrington & Partners Architecture which outlines the adequate bin storage with a size of 70.7m<sup>2</sup> on site. The bin storage will be screened by a timber secure access gate and a 1.9 high block wall.



LRD 2023/1

Ms, Andrea McAuliffe,  
McCutcheon Halley,  
Planning Consultants  
6 Joyce House,  
Barrack Square,  
Ballincollig,  
Cork

**Re:- LRD - Proposed Development: 85 student accommodation residential units (582 no. student beds) and commercial unit and associated works at site fronting on to the Cork Road, Kilbarry Road and Ballybeg Drive at Kilbarry, Cork Road, Waterford**

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A Chara,

In connection with above please find enclosed:-

1. LRD Opinion
2. Record of Section 247 meeting
3. Record of Section 32B LRD meeting

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For Director of Services, Corporate Services, Culture & Planning





## Large-scale Residential Development

Reference Number:

LRD23/1

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### Notice of LRD Opinion

Planning and Development Act 2000 (as amended)

Planning and Development Regulations 2001 (as amended)

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**Proposed Development: 85 student accommodation residential units (582 no. student beds) and commercial unit and associated works at site fronting on to the Cork Road, Kilbarry Road and Ballybeg Drive at Kilbarry, Cork Road, Waterford**

**Prospective Applicant: Noel Frisby Construction Ltd.**

The planning authority refers to your LRD meeting request pursuant to section 32B of the Planning and Development Act 2000 (as amended) and subsequent meeting held in accordance with section 32C of said Act. Section 32D(1) of the Act provides that the planning authority shall provide an opinion as to whether or not the documents submitted for the purposes of the meeting constitute a reasonable basis on which to make an application for permission for the proposed LRD.

**Following consideration of the issues raised during the consultation process, the planning authority is of the opinion that the documentation submitted requires further consideration and amendment to constitute a reasonable basis for an application for permission for the proposed Large-scale Residential Development (LRD) under section 34 of the Act.**

In the opinion of the planning authority, the following issues need to be addressed in the documents submitted to which Section 32B of the Act relates that could result in

them constituting a reasonable basis for an application for large-scale residential development:

### **1. Site Levels and Boundary Treatments at Lacken Road**

The Planning Authority considers that the proposed treatment of the Lacken Road as presented requires further consideration /amendment in order for the submitted documents to constitute a reasonable basis on which to make an LRD application.

The Lacken Road will be an urban street and proposals should reflect this, ensuring passive surveillance and a safe, attractive space for pedestrians. The current drawings and details submitted indicate a steep gradient with stone gabions, a gradual change in gradient and more open character would be more appropriate ensuring a sense of security and passive surveillance. The lowering of existing ground levels in this area to be given consideration in order to aid with achieving same. The proposed steeply sloping change in levels and associated gabions are not considered acceptable. Softer treatment is required – more open landscaping reflecting the proposed treatment of the area to the south of Block D. It may be necessary to pivot Building C in a northern direction to allow for more gentle sloping of the ground to address this issue.

Detailed specification including existing and proposed levels, a series of sections through the site detailing proposed treatments and contiguous elevations / images to show the Lacken Road, proposed boundary treatments and the proposed development are required. The treatment of the Lacken Road and the relationship between the development and the public realm in this area should be in accordance with requirements of Waterford City 7 County Council Development Plan, 2022 – 2028, with particular regard given to Policy Objectives Place 02, Place 02, Place 04 and Place 05, the Sustainable Residential Development in Urban Areas Guidelines (2009) and the Urban Development and Building Heights Guidelines (2018).

The planning authority considers that the current details submitted does not meet the requirements of the aforementioned documents and further consideration/amendment of these issues is required in order for the submitted documents to constitute a reasonable basis on which to make an LRD application.

### **2. Culverts at Existing Watercourse**

The size of the proposed culverts at the existing watercourse at both the Cork Road and the Lacken Road are not considered adequate. The size of the proposed culverts at both the Cork Road and the Lacken Road are required to be increased in size from that of the existing culverts at these locations – larger culverts are required. Additional details regarding the proposed culverts i.e. detailed specification including exact dimensions are required.

An assessment of the capacity of the existing culverts to be undertaken. The Site Specific Flood Risk Assessment should address the issue of the culverting of the existing watercourse and the proposed culvert upgrades and the impact of same on potential flooding in the wider area in particular the displacement of water outside of the site as part of the overall assessment.

### **3. Flood Risk Assessment**

The submitted Site Specific Flood Risk Assessment has assessed flood risk based on the CFRAMS flood maps and not the Waterford City & County Development Plan 2022-2028 flood maps. The flood risk assessment submitted as based on CFRAMS mapping does not indicate the site to be located in any flood zone, however the Waterford City & County Development Plan mapping identifies parts of the northern and eastern areas of the site to be located within Flood Zone A. As per Waterford City & County Council mapping, the site is partially located within NCFHM High End Future Scenario 1 in 1000 year flood Extent.

As the submitted flood risk assessment concluded that the site is not located within the flood zones, there is no Justification Test submitted. The Site Specific Flood Risk Assessment should assess flooding based on Waterford City & County Council development plan flood mapping. A Justification Test should also be undertaken as part of the flood risk assessment. It appears that Blocks B and C of the proposed development are partially located within Flood Zone A, as per Waterford City & County Council mapping systems. A revised flood risk assessment taking account of the a foregoing to be prepared and a justification test to be undertaken.

### **4. Drainage & Attenuation**

Sustainable Drainage Systems (SuDS) approach to be implemented. Additional details regarding design calculations and including capacity of the proposed attenuation ponds is required. Additional information regarding the safety aspects of the proposed attenuation ponds to be outlined in detail showing proposals for toddler fencing and planting. Attenuation ponds should be designed in accordance with Dublin City Council Guidance document, "Sustainable Drainage Design & Evaluation Guide", 2021, details should demonstrate how the pond will be graded, maximum level of water, and expected level of water, etc. Full details to be submitted regarding the required maintenance (process, schedule etc) for the attenuation and proposed permeable paving.

### **5. Pedestrian Crossing at Lacken Road**

Additional details are required regarding the proposed pedestrian crossing at Lacken Road. Sightlines at the pedestrian crossing shall comply with DMURS and should be sufficiently wide to accommodate buses. The type of pedestrian crossing proposed to be clarified – i.e. a raised pedestrian crossing or kerb to be dropped.

#### **6. Servicing of Proposed Commercial Unit (Deliveries)**

The proposed commercial ground floor unit at the Cork Road in terms of deliveries to the unit, shall be serviced via Ballybeg Drive and not the Cork Road.

Furthermore, pursuant to article 16A(7) of the Planning and Development Regulations 2001 (as amended), the prospective applicant is hereby notified that, in addition to the requirements as specified in articles 20A, 22 and 23, the following specific information should be submitted with any application for permission:

1. A Site Specific Flood Risk Assessment to include assessment of the culverting of the existing watercourse and the proposed culvert upgrades and the impact of same on potential flooding in the wider area in particular the displacement of water outside of the site as part of the overall assessment. The Flood Risk Assessment should also consider and take account of all surface water management and SuDS proposals to be implemented at the site. A Justification Test for development management in accordance with Box 5.1. of “The Planning System and Flood Risk Management, Guidelines for Planning Authorities”, 2009 to be complied with.
2. A phasing plan for the delivery of the overall development and a Taking in Charge layout plan. Provide clear identification in plan between private and public space.
3. Detailed specification of all hard and soft landscaping proposals throughout the site to include all proposed boundary and surface treatments.
4. Heritage requirements;
  - a) A Natura Impact Statement (NIS),
  - b) surface water management strategy,
  - c) ecology assessment and proposals,
  - d) biodiversity compensation.
  - e) An Ecological Impact Assessment.
  - f) Riparian zone to be incorporated into landscape plan and to connect to Nature Park.

5. Consult with the Development Applications Unit (DAU) of the Department of Housing, Local Government and Heritage regarding archaeology, with requirements for archaeological assessment to be submitted with any future application, dependent on outcome of consultation with DAU.
  
6. Demonstrate that proposed bin storage areas have adequate storage for the number of bins required to serve the proposed development. No bins should be visible from any public aspect.

The following reports are required to be submitted as part of an LRD application, please note this is not an exhaustive list of reports required;

- Design Statement
- Climate Resilient Housing (Policy Objective H18)
- Flood Risk Assessment (FRA)
- Natura Impact Assessment (NIS)
- Ecological Impact Assessment
- Environmental Impact Assessment (EIA) screening
- Traffic Impact Assessment (TIA)
- Landscaping Plan
- Phasing Plan
- Construction Waste Management Plan
- Social Infrastructure Audit
- Quality Audit (as per DMURS)
- Report indicating compliance with '*Guidelines for Residential Development for Third Level Students*'
- Visual Impact Assessment
- Waste Management Plan
- Irish Water connection agreements

**PLEASE NOTE:**

Under sections 32E and 247(3) of the Planning and Development Act 2000 (as amended), neither the carrying out of pre-application consultations nor the taking place of an LRD meeting and the provision of an LRD opinion (where applicable) shall prejudice the performance by the planning authority of its functions under this Act or any Regulations under this Act or any other enactment and cannot be relied upon in the formal planning process or in legal proceedings.

H. O'Shea

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Hazel O'Shea  
Senior Executive Planner

Date: 14<sup>th</sup> December 2023



**Waterford City & County Council**

**Planning Department**

**Pre-Planning Report**



Ref. No.

PQ2023/

Date:

18/07/23

Section 247 Planning and Development Act 2000 (as amended)

<b>Applicant(s)</b>	Noel Frisby, Zach Daly, Darryl O'Neill, William West, Tom Halley, Andrea McAuliffe, Brian Coakley, Brian O'Hanrahan, Corwin O'Brien, Claudia Tautenhahn, Dorothy Lynch, Ger Hudson & Jane Russell
<b>Local Authority Reps</b>	Hazel O'Shea (Planning), Kevin Phelan, Michael Murphy (Active Travel), Alan Kirwan (Roads), Eoin Curran (Water), Niall Kane (Environment), Eileen Grace (Planning Admin).
<b>Townland / Address</b>	Kilbarry, Cork Road, Waterford
<b>Proposed Development</b>	Large-Scale Residential Development (LRD) for a student accommodation development on a site fronting on to the Cork Road, Kilbarry Road and Ballybeg Drive at Kilbarry, Cork Road, Waterford

**Comments**

Pre-planning record of Section 247 meeting, it was advised following receipt of the minutes of this meeting a request can be made for a formal LRD meeting which the Planning Authority will facilitate within 4 weeks of the date of request. Following on from the aforementioned formal LRD meeting an opinion will be issued within 4 weeks.

The site is zoned Regeneration & Opportunity in the Waterford City & County Development Plan 2022 - 2028 with the following identified zoning objective/vision;

*Development on this infill site should provide strong architectural design as a key landmark/gateway to Waterford City; Create a mixed use medium/ high-density development on the site with an emphasis on apartments and residential city living; Any development on the site must adhere to the specific objectives highlighted in the Appendix 6 City South West Design Framework; Any development on this site must provide for adequate open space and facilitate the development of a walkway/ cycle route and green infrastructure links connecting the TUSE with Kilbarry Nature Park. Provide a strong architectural response and be designed to an exceptional standard with a desirable street edge addressing the Cork Road, Nature Park and the Kilbarry/Lacken; The site has potential to accommodate taller building(s) and has a potential yield of c. 170 units.*

A part of the site is situated within Flood Zone A, a site specific flood risk assessment will be required with any planning application. The development should take cognisance of the details /vision set out in Appendix 6 of Waterford City & County Council Development Plan 2022 – 2028 for the future development of this area, any planning application will need to demonstrate same - compliance with UD03 & UD07, requiring a link to Waterford nature park etc. The boundary treatments of the development and interface with the Lacken Road

are very important aspects of the proposed development. The Lacken Road will be an urban street and should be treated as such, it was noted that the developer does not wish to provide another access point at this location proposals will be required demonstrating how the area will be dealt with, sections showing transition between development finished floor level, ground levels and that of the Lacken Road, with the relationship between same carefully considered, ensuring passive surveillance is provided. Whilst details submitted in relation to how the development will address the Cork Road are noted, the image submitted does not reflect the commercial entity and drawings at next stage should show this clearly.

The proposed building heights are considered acceptable, in relation to the treatment of the facades in particular the finish and proposed material change around sections e.g. treatment of ground and first floor of Ballybeg Drive elevations, the use of plaster/render bands as opposed to brick/uniform finish should be re-considered, the use of a varying palette of materials between the blocks would be welcomed. The façade facing onto the Cork Road should read more like an entrance to the development and this should be revisited.

All boundaries should be very clearly shown on all site layouts and elevations and CGI's so the treatment of all site boundaries can be considered. The importance of passive surveillance, landscaping and security for the entire development on all facades was emphasised. It was clarified that a 2 metre high railing would be provided with at the Lacken Road with a gradual bank up to it.

Roads & Transportation, Waterford City & County Council has stated that the proposed 90 degree bend is to be realigned with some swept path analysis to prove that trucks can take the corner without crossing over the white line. The corner of the site fronting onto the Cork Road was discussed. Active Travel, stated that the current arrangement showing two pedestrian crossings, one either side of the junction, was not appropriate. It was further stated that the layout of the junction will be dealt with as part of the proposed Cork Road cycleway works and the developer should liaise with active travel and Roads & Transportation regarding same.

Roads and Transportation noted that the drawings showed 3 No. 850 culverts and suggest that one larger box culvert in place of same. In relation to phasing of the works on the Lacken Road Roads and Transportation stated that can only see work being delivered correctly on Lacken Road if all completed in Phase 1, further stated that work not being done until future phases could have a negative visual impact. Planning concurred with same and added that WCCC are very keen to deliver connection to nature park and it is very important that it be done in the short term rather than long term. In relation to civic amenity site Environment Section indicated that there are no current plans to relocate this but he would be open to discuss if a temporary arrangement could be made to deliver access into the park with the adjoining landowner. WCCC require the Lacken road for the entire portion adjoining / fronting the landowners site to be delivered as part of Phase .

In relation to attenuation, it was stated that it is intended to have nature-based solutions, SUDS, bio retention with outfall to Lisduggan and no underground tanks. WCCC stated that attenuation allow for flood risk. Culverts – Ecological comments of Heritage Officer to be accounted for.

Active Travel, distributed drawings of the proposed Cork Road cycleway being developed by WCCC that are currently in the public arena. The cross section shown on the drawing is a

typical cross section for the overall scheme. While this shows a 2 way cycleway of minimum 3m width, the cycleway on the Cork Road opposite the proposed development, is likely to have a width of approximately 4m.

Requirements of Heritage Officer, are as follows;

- Heritage Officer advised Natura Impact Statement (NIS) is required, surface water management, ecology, biodiversity compensation, Ecological Impact Assessment is required
- Riparian zone to be incorporated into landscape plan and to connect to Nature Park

The following reports are required to be submitted as part of LRD application:

- Design Statement
- Climate Resilient Housing (Policy Objective H18)
- Landscaping Plan
- Phasing Plan
- Construction Waste Management Plan
- Social Infrastructure Audit
- Quality Audit (as per DMURS)
- Report indicating compliance with '*Guidelines for Residential Development for Third Level Students*'
- Visual Impact Assessment
- Flood Risk Assessment (FRA)
- Natura Impact Assessment (NIS)
- Ecological Impact Assessment
- Waste Management Plan
- Traffic Impact Assessment (TIA)
- Environmental Impact Assessment (EIA) screening
- Irish Water connection agreements

It was stated that worked up final plans, details and required reports would be required to be submitted as part of any further stage in the LRD process. It was stated that Uisce Eireann Connection Feasibility will be acceptable at next meeting. It was further stated that drawings for next meeting should be the final drawings and that photo montages would be useful. It was agreed that 4 or 5 can be submitted and locations agreed with Planning in advance of next meeting.

In relation to query of numbers of bicycle parking required and request for reduction in terms of quantity WCCC confirm that the quantities stated in the development plan will be required.

In relation to waste management Environment stressed that it is important that the Waste Plan provides details of quantities and costings and bin storage should include glass recycling.

Signed:

*M. O'Shea*

Title: Senior Executive Planner

Note

It is advisable to consult with a suitably qualified professional in the interpretation of this pre-planning consultation report. The report should be read in conjunction with the accompanying rural housing advice notes.

The purpose of this pre-planning consultation in relation to the proposed development is to enable the person concerned to be advised by the Planning Authority of the procedures involved in considering a planning application, including any requirements of the Planning and Development Regulations, 2001 (as amended) and to, as far as possible, indicate the relevant objectives in the current statutory Development Plan, which are relevant to the proposed development and which may have a bearing on the decision of the Planning Authority.

The carrying out of this consultation in relation to the proposed development shall not prejudice the performance by Waterford City & County Council as Planning Authority of any of its functions under the Planning and Development Act 2000 (as amended), or any Regulations made under the Act, and cannot be relied upon in the formal planning process or in legal proceedings. The matters discussed at this consultation shall not prejudice any decision which may be made by the Planning Authority in relation to any planning application on the subject site. Furthermore, the advice offered is only relevant in so far as the applicable Planning and Development Act 2000 (as amended), the Regulations made there under, and the appropriate statutory Development Plan current on the date of the report.

**A copy of this record should be submitted with any planning application in respect of the proposed development.**

<b>For Office Use Only</b>	
Has this consultation been recorded on the pre-planning database?	
Yes <input type="checkbox"/>	No <input type="checkbox"/>
Has this consultation been recorded on the GIS mapping database?	
Yes <input type="checkbox"/>	No <input type="checkbox"/>
Was a site inspection conducted to inform this pre-planning report?	
Yes <input type="checkbox"/>	No <input type="checkbox"/>
If Yes:      Date: _____	Time: _____
Persons Present:	

Notes on Section 32B LRD meeting Frisby on 21<sup>st</sup> November, 2023 in Maritana Room, The Mall, Waterford.

In attendance

Hazel O'Shea, Senior Executive Planner, WCCC  
Kevin Phelan Executive Planner, WCCC  
Eileen Grace, Staff Officer, Planning Department WCCC  
Nicola Kintsch, Assistant Staff Officer, Planning Department.  
Alan Kirwan, Executive Engineer, Roads, WCCC  
Roger Noonan, Senior Executive Engineer, Roads, WCCC  
Paul McAndrew, Executive Engineer, Environment  
Michael Murphy, Senior Engineer , Active Travel, WCCC  
Morris Conway, Senior Executive Architect, WCCC  
Brian Coakley, Coakley Engineering Via Teams  
Claudia Tautenhahn. CSR via Teams  
Darryl O'Neil, FHP Architects  
Andrew Hayden FHP Architects  
William West FHP Architects  
Dorothy Lynch, CSR Planning Via Teams  
Andrea McAuliffe, McCutcheon Halley Planning  
McCutcheon Halley Planning  
Tom Halley. McCutcheon Halley Planning  
Noel Frisby Jnr.

Hazel O'Shea opened the meeting and informed that there was a period of 8 weeks to fully complete the 32B meeting process and that 4 weeks from the date of this meeting that an opinion will issue and the opinion will be valid for 6 months for submission of a planning application.

Darryl O'Neill from FHP Architects displayed the drawings as submitted on the screen and gave an overview of the proposals.

Hazel O'Shea requested clarification in relation to proposed treatment of the Lacken Road. A gradual gradient between the site and the Lacken Road had been requested for safety and surveillance and current proposal was for gabion banks. Concerns regarding the character of the road, Lacken Road will be an urban street, passive surveillance required.

Andrew McAuliffe - The gabion walls were chosen from a biodiversity point of view. Tom Halley asked if there was a middle ground that could be achieved example half gabion.

Morris Conway stated there seems to be a possibility to slope and grade the area, enquired about possibility of pivoting block north to provide space to grade and provide a gradual transition. He asked about need to maintain levels and look at possibly lowering same and planting.

Tom Halley stated that section with river may need to be treated differently and they will look at something softer.

A discussion ensued with explanations for current proposal and suggestion that the gradients need to be less harsh.

Alan Kirwan, District Engineer raised a question about site lines to pedestrian crossing from the bend on Lacken road and mentioned that the drawings needs to show that they are being met to the relevant standards. Brian Coakley responded that DMURS is being used and it looks quite tight but can be achieved and corners can be softened. He said they have tried to keep it tight to reduce speed. Alan Kirwan also asked about pedestrian crossing – raise or bring footpath down – whatever proposed to be clearly shown on drawing. Brian Coakley recommended raising crossing to slow traffic for pedestrians and cyclists. Alan Kirwan also mentioned that the ped crossing should be wide enough to facilitate buses. Alan Kirwan queried 3.3m width for footpath and cycle lane and Noel Frisby informed that this was on guidance given by Michael Murphy. Michael Murphy mentioned that footpath to be concrete and cycle path tarmac. Alan Kiwan also stated that the 2 culverts be increased in size than those already there. Relevant designs to be carried out by Frisby. In relation to attenuation/drainage Alan Kirwan requested relevant design calculations for same, to include capacity calculations for the attenuation ponds.

Roger Noonan, SEE Roads, stated that full details on the required maintenance (process, schedule etc) for the permeable paving to be provided at application stage. Same should apply for the attenuation ponds. It was also stated that a clear differentiation between the private and public space on the drawings be made, as this was currently unclear on documentation submitted.

In relation to SUDS Hazel O'Shea stated that the safety aspects to be outlined in detail showing proposals for fencing and planting and details as to at what point it would become wet underfoot. Porposals to be in compliance with the Dublin City Council Guidance, entitled "Sustainable Drainage Design & Evaluation Guide", 2021.

Dorothy Lynch CSR Landscaping stated that an Ecologist had an input into the plans.

Hazel O'Shea raised the question re deliveries and was informed that they will come in from Ballybeg Drive as distinct from Cork Road.

Kevin Phelan, Executive Planner stated that Flood Risk Assessment to address culverts.

Paul McAdrew , Engineer Environment stated that bin storage area should have adequate storage for number of bins.

Bernie Guest, Heritage Officer stated that NIS submitted and she is satisfied with plans.

In relation to finishes Hazel O'Shea stated that those proposed are of a high quality and make a positive contribution.

Brian Coakley stated that items had been fully agreed with design team and had been revised to address all points.



Darry O'Neill stated that that they will look at Lacken Road treatment.

The meeting then concluded.

