

# Preliminary Planning Report

## Proposed Development:

Refurbished of a pair of terraced two-bay 3 and 4 story properties at No.70 O’Connell Street and No.71 O’Connell Street, Waterford to provide (a) 3 No. studio apartments at First, Second and Third Floors which includes an extension over three floors to the rear of No. 70 O’Connell Street and 2 No. 2 Bedroom 3 person apartments to First & Second Floor at No. 71 O’Connell Street. (b) Commercial/retail unit to the ground floor area of No. 71 O’Connell Street with associated back of house/ancillary accommodation and enclosed courtyard seating area to the rear of No.70 O’Connell Street to serve commercial area (c) Alterations to the front facades of No.70 and No.71 including alterations to existing windows and doors and additional windows.

The subject site is zoned Town Core as designated in the Waterford City & County Development Plan 2022-2028 with the objective to “ Provide for the development and enhancement of town core uses including retail, residential, commercial, civic and other uses”. The site is situated within a zone of archaeological potential, a designated ‘Architectural Conservation Area’ and ‘General Conservation Area’. No.69 O’Connell street is included in the Record of Protected Structures and No. 72-73 O’Connell are included in the National Inventory of Architectural Heritage (NIAH) but are not included in the Record of Protected Structures.

Flood - Site situated within Flood Zone: 0.1% AEP (1 in 1000 year) Flood Extent - High-End Future Scenario (Source: OPW National Coastal Flood Hazard Mapping 2021). The introduction of a ground floor residential use to No.70 O’Connell Street should be reviewed against ‘The Planning System and Flood Risk Management, Guidelines for Planning Authorities November 2009’ (flood risk assessment however regard shall be had to Section 28 of the guidelines in relation to a commensurate assessment of the risks of flooding).



Special attention/consideration should be given to the potential impact, if any, of the proposed extension to the rear of No. 70 and the relationship with No.69 O'Connell Street.

The hours of operation of the outdoor dining/hospitality area should have regard to the sites location and existing land uses adjoining the site.

### **Environmental Impact Assessment**

The proposed development is for not a type of development included for under Schedule 5 of the Planning and Development Regulations 2001, as amended. 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. The following are the nearest instances of an SAC, SPA, Wetland, Fresh Water Pearl Mussel Catchment Area, and River:

- The site is 0.08km South of the Lower River Suir SAC Special Area of Conservation (Site Code: 002137 Version: 1.08000004292)
- The site is 167.42m South West of the Suir river, which is a tributary of Sea
- The site is 9.96km North of the Tramore Back Strand SPA Special Protection Area (Site Code: 004027 Version: 1.02)
- The site is 11.79km East of the Clodiagh (Portlaw) Fresh Water Pearl Mussel Catchment Area

### **Water Framework Directive**

Water Framework Directive Assessment Report. The following are High Status Objective Water Bodies that fall within 1km buffer of the application site boundary. The layers checked against are HSO Rivers, HSO River Subbasins, HSO Transitional, HSO Lakes, and HSO Coastal:

- No High Status Objective Water Bodies were found within 1km of the site.

Having regard to the location of the subject site and to the nature of the development, it is considered the proposed development will not give rise to significant effects for objectives under Water Framework Directive.

### **Conclusion**

The principle of the development such as that currently proposed would be in accordance with the broad policy objectives of the Waterford City & County Development Plan 2022-2028 subject to compliance with the objectives and standards as set out in:

- Volume 1 of the Waterford City & County Development Plan 2022-2028 – Written Statement.
- Volume 2 of the Waterford City & County Development Plan 2022-2028 - Development Management Standards



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B Cullinan  
Executive Planner  
13<sup>th</sup> October 2023

**Table 1: Project Details**

Application	Details
Development Consent Type	Part 8
Development Location	70 & 71 O'Connell Street, Waterford,
File Ref	Part 8
Description of the project	Refurbished of a pair of terraced two-bay 3 and 4 story house at No.70 O'Connell Street and No.71 O'Connell Street, Waterford to provide (a) 3 No. studio apartments at First, Second and Third Floors and includes an extension over three floors to the rear of No. 70 O'Connell Street and 2 No. 2 Bedroom 3 person apartments to First & Second Floor at No. 71 O'Connell Street. (b) Commercial/retail unit to the ground floor area of No. 71 O'Connell Street with associated back of house/ancillary accommodation and enclosed courtyard seating area to the rear of No.70 O'Connell Street to serve commercial area (c) Alterations to the front facades of No.70 and No.71 including alterations to existing windows and doors and additional windows.

**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.	
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.	
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.	
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: 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,	

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. If the answer to any of these questions is Yes, please refer to tables 3 and 4 below.

**Table 3: Determination of Possible Impacts On Natura 2000 Sites.**

Where it has been identified that there is a Natura 2000 site within the potential impact zone of the proposed development, it is necessary to try to determine the nature of the possible impacts. Please answer the following questions as appropriate.

Number	Question	Response
<b>1</b>	Impacts on designated freshwater habitats (rivers, lakes streams and lagoons). Sites to consider: Blackwater River, Lower River Suir. Please answer the following if the answer to question 1 in table 2 was yes. Does the development involve any of the following:	N/A
	Works inside the boundary of designated site	
<b>1.1</b>	All works within the boundary of any SAC whose qualifying features include freshwater habitats/species, excluding small extensions/alterations to existing buildings.	N/A
	Works outside the boundary of designated site	N/A
<b>1.2</b>	Discharge to surfacewater or groundwater within the boundary of an SAC whose qualifying features include freshwater habitats/species.	N/A
<b>1.3</b>	Abstraction from surfacewater or groundwater within 1km of the boundary of an SAC whose qualifying features include freshwater habitats or species.	N/A
<b>1.4</b>	Removal of topsoil within 100m of the boundary of an SAC, whose qualifying features include freshwater habitats/species.	N/A
<b>1.5</b>	Infilling or raising of ground levels within 100m of the boundary of any SAC whose qualifying features include freshwater habitats/species.	N/A
<b>1.6</b>	Construction of drainage ditches within 1km of the boundary of an SAC whose qualifying features include freshwater habitats/species.	N/A
<b>1.7</b>	Installation of waste water treatment systems; percolation areas; septic tanks within 100 m of the boundary of an SAC site whose qualifying features include freshwater habitats/species.	N/A
<b>1.8</b>	Construction within a floodplain of EU designated watercourse whose qualifying features include freshwater habitats/species.	N/A
<b>1.9</b>	Crossing or culverting of rivers or streams within 1km of the boundary of any SAC whose qualifying features include freshwater habitats.	N/A
<b>1.10</b>	Storage of chemicals, hydrocarbons or organic wastes within 100 m of the boundary of an SAC whose qualifying features include freshwater habitats/species.	N/A
<b>1.11</b>	Development of a large scale, within catchment of an EU designated watercourse or waterbody, which involves the production of an EIS.	N/A
<b>1.12</b>	Development or expansion of quarries within catchment of an EU designated watercourse or waterbody.	N/A
<b>1.13</b>	Development or expansion of windfarms within catchment of an EU designated watercourse or waterbody.	N/A
<b>1.14</b>	Development of pumped hydro electric stations within catchment of an EU designated watercourse or waterbody.	
<b>3</b>	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), River Blackwater (Tidal Section), Waterford Estuary.	
	Please answer the following if the answer to question 1 in table 3 was yes.	N/A
	Works inside the boundary of designated site	
3.1	All works within the boundary of any SAC whose qualifying features include intertidal or marine habitats, excluding small extensions/alterations to existing buildings.	N/A
	Works outside the boundary of designated site	
3.2	Coastal protection works within 5km of any SAC whose qualifying features include intertidal or marine habitats.	N/A
3.3	Development of piers, slipways, marinas, pontoons or any other infrastructure within 5km of any SAC whose qualifying features include intertidal or marine habitats.	N/A
3.4	Dredging within 5km of any SAC whose qualifying features include intertidal or marine habitats.	N/A
3.5	Works within 1km of any SAC whose qualifying features include intertidal or marine habitats, which will result in discharges to rivers or streams directly connected to the designated site.	N/A
3.6	Infilling of coastal habitats within 500m of any SAC whose qualifying features include intertidal or marine habitats.	N/A
3.7	Removal of topsoil or infilling of terrestrial habitats within 100m of any SAC whose qualifying features include intertidal or marine habitats.	N/A
3.8	Development of a large scale within 1km of any SAC whose qualifying features include intertidal or marine habitats, which involves the production of an EIS.	N/A

Conclusion

Table

3:

If the answer to all of the above is no or n/a, significant impacts on Natura 2000 sites can be ruled out. No further assessment is required, proceed to the Screening Conclusion Statement.

## Habitats Directive Screening Conclusion Statement

Question	Answer
<b>Development Type</b>	Part 8
<b>Development Location</b>	70 & 71 O'Connell Street, Waterford,
<b>Natura 2000 sites within impact zone</b>	<ul style="list-style-type: none"> <li>• The site is 0.08km South of the Lower River Suir SAC Special Area of Conservation (Site Code: 002137 Version: 1.08000004292)</li> <li>• The site is 167.42m South West of the Suir river, which is a tributary of Sea</li> <li>• The site is 9.96km North of the Tramore Back Strand SPA Special Protection Area (Site Code: 004027 Version: 1.02)</li> <li>• The site is 11.79km East of the Clodiagh (Portlaw) Fresh Water Pearl Mussel Catchment Area</li> </ul>
<b>Planning File Ref</b>	Part 8
<b>Description of the project</b>	<p>Refurbished of a pair of terraced two-bay 3 and 4 story house at No.70 O'Connell Street and No.71 O'Connell Street, Waterford to provide (a) 3 No. studio apartments at First, Second and Third Floors and includes an extension over three floors to the rear of No. 70 O'Connell Street and 2 No. 2 Bedroom 3 person apartments to First &amp; Second Floor at No. 71 O'Connell Street. (b) Commercial/retail unit to the ground floor area of No. 71 O'Connell Street with associated back of house/ancillary accommodation and enclosed courtyard seating area to the rear of No.70 O'Connell Street to serve commercial area (c) Alterations to the front facades of No.70 and No.71 including alterations to existing windows and doors and additional windows.</p>
<b>Describe how the project or plan (alone or in combination) could affect Natura 2000 site(s).</b>	N/A
<b>If there are potential negative impacts, explain whether you consider if these are likely to be significant, and if not, why not.</b>	N/A
<b>Conclusion of assessment</b>	<p>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.</p>
<b>Completed By</b>	Brendan Cullinan, Executive Planner
<b>Date</b>	