

**A.B.P. Ref:** 306977-20

**Planning Ref:** P20200027

**Applicant:** William Neville & Sons

**Location:** Carcur Park, Wexford, Co.Wexford

**Proposal:** Proposed Development: 413 no. residential units (182 no. houses, 205 no. apartments), childcare facility and associated site works. Carcur Park, Wexford.

Date: 05/08/2020

**RE: Report/Response to the Planning Authorities report of the 8<sup>th</sup> of May as requested by An Bord Pleanala 17<sup>th</sup> of June 2020, ABP issued Notice of Pre-Application Consultation Opinion**

## Background

Following an application to An Bord Pleanala for pre-applicant consultation with regards to the above mentioned development and prior to the taking place of the tripartite meeting between the applicant, the council and ABP, the council submitted a response to ABP for consideration in accordance with Section 5 of the Planning and Development (Housing) and Residential Tenancies Act 2016 dated the 8<sup>th</sup> of May.

Following the tripartite meeting which took place on the 17<sup>th</sup> of June 2020, ABP issued Notice of Pre-Application Consultation Opinion which required, *“pursuant to article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is hereby notified that, in addition to the requirements as specified in articles 297 and 298 of the Planning and Development (Strategic Housing Development) Regulations 2017, further information including”*

*“A response to matters raised within the PA Opinion submitted to ABP on the 08 May 2020.”*

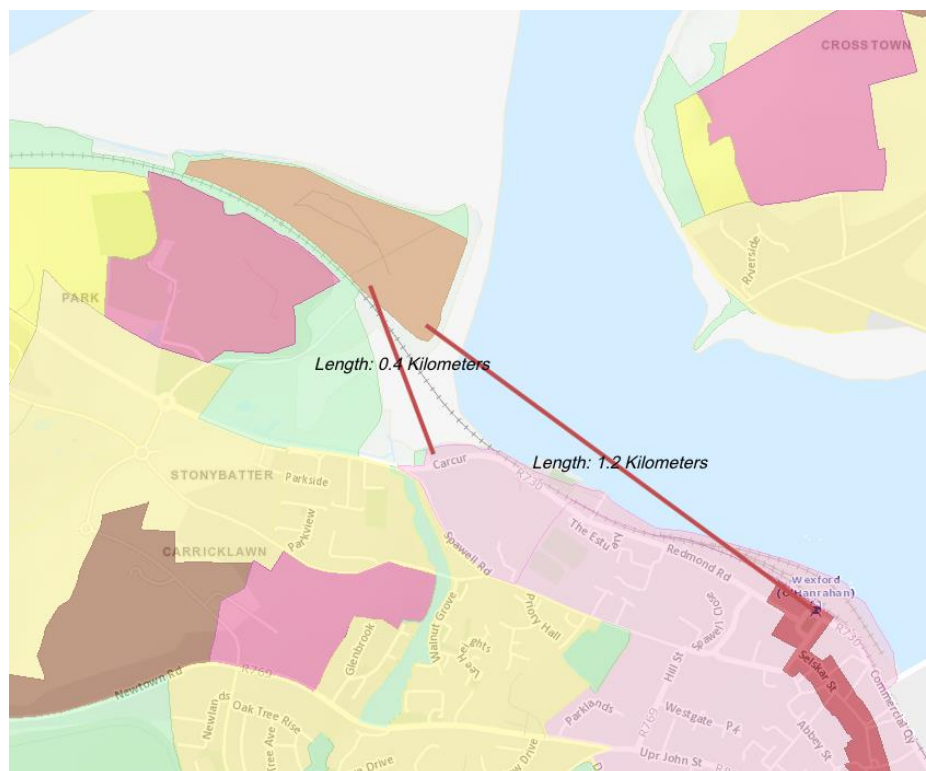
This report has been formulated in response to this request.

## Site Description:

The site located on the edge of Wexford Town is approximately 14.16ha in size and is bounded by the River Slaney along its Eastern, Northern and Western perimeter, and by a large portion of relatively undeveloped open space to the South, the site is separated from the main hinterland by the Dublin – Wexford Rail Line.

## Response

The open space to the south of the subject lands is a developed formal facility including all weather playing fields, handball allies and a number of formal GAA pitches zoned for community uses. There is a former landfill site located to the southeast of the site which has been subject to numerous plans over the years for use as a public park to connect the subject lands to the town centre.



The site is not accurately described as being “on the edge” of Wexford Town as it is surrounded by zoned lands, sequentially there are other lands zoned for development further from the town centre. The site is 1.2km from Wexford train station and 400m from lands zoned town centre. The site is a former quarry and as such is consistent with the Sustainable Residential Development in Urban Areas definition as being “Brownfield”.

## Planning Policy Context

### Zoning

The site is currently zoned under the Wexford Town & Environs Development Plan 2009 – 2015 (as extended). The site is zoned as ‘Mixed Use Residential’

### Response

The site is zoned mixed use residential and the proposed development is in full accordance with the zoning provisions for the site. In addition, there are a number of site specific development objectives also incorporated into the proposal including the orbital inner relief road (Objecting T8), provision of access to a proposed river crossing and the requirement for the provision of a land mark buildings.

### Density

The current Wexford Town & Environs Development Plan 2009- 2015 (as extended) requires a residential density of 27units per hectare for this site, the Urban Design Manual requires a density of

30 units per hectare to maximise the investment in public infrastructure required to facilitate sustainable development. The proposal as discussed at pre-planning is for approximately 29 units per hectare, the density levels proposed are therefore considered consistent with appropriate Development Plan policies.

## Response

The location of the site relative to Wexford Town Centre is consistent with the Sustainable Residential Development in Urban Areas Guidelines definition of Outer Suburban defined as: *“open lands on the periphery of cities or larger towns whose development will require the provision of new infrastructure, roads, sewers and ancillary social and commercial facilities, schools, shops, employment and community facilities”*.

The net density provision for outer suburban sites as defined by the guidelines is “in the general range of 35-50 dwellings per hectare”. The guidelines also state that “net densities less than 30 dwellings per hectare should generally be discouraged”

The proposed development has a net density provision of 40 units per Ha which is considered more than the requirements of the Wexford Town & Environs Development Plan and is comfortably within the range recommended by the Sustainable Residential Development in Urban Areas Guidelines.

Site Area	138,400
Residential Density	40 Units per Ha
Plot Ratio	0.51
Site coverage (sq.m)	13.08%
Public Open Space (sq.m)	39,224
Large Open Space + road (from bridge to rail link)	36,334

## Biodiversity

The site is adjacent to a number of environmental designated sites, these include;

Designation	Site Name	Site Code
SAC	Slaney River Valley	000781
SPA	Wexford Harbour and Slobs	004076
pNHA	Wexford Slobs and Harbour	000712

Due to the above, particular attention will be required to protect the flora and fauna during both the construction and operational stage of the development. It is envisaged that a Stage 11 Natura Impact Statement would be required for this development.

## Response

A full Natura Impact Assessment has been prepared for the proposed development in addition to an Environmental Impact Assessment Report both of which conclude that subject to standard process's and achievable mitigation measures, the proposed development will have no impact on the Natura designated sites.

## Surface Water Disposal

- Applicant proposes to divert surface water to 6 no. connected gallery's which would attenuate stowmwater prior to discharge to ground water via an oil interceptor.
- Applicant is advised to contact the EPA / Environment Section Wexford County Council to clarify the requirement of a discharge licence to groundwater.
- The Planning Authorities preferred option if possible would be to discharge surface water via attenuation ponds (otter pond) and oil interceptors directly into the estuary.
- Applicant is advised to consult with the Department of Agriculture, Food & Marine and other relevant bodies to discuss the feasibility of a Foreshore Licence which would permit the discharge of treated surface water into the estuary.
- Surface Water Discharge licence if required to be submitted with the application.
- Surface water attenuation will be required to be included in the initial phase of development.

## Response

The development proposal does NOT propose a surface water discharge system to ground. Details submitted to the council and ABP at pre planning are identical to that submitted at application stage. The proposed surface water system will discharge to the estuary. The proposed surface water system is described as follows:

*“There are five attenuation systems proposed within the development site, which have been designed for no flooding up to the 1 in 100 year rainfall event. The discharge from each of these attenuation systems shall be limited to Greenfield Runoff rates using a flow control device such as a ‘Hydrobrake’. The discharge pipes shall be fitted with tidal flaps and shall discharge to the estuary.”*

One of the 5 discharge pipes will discharge to the proposed otter pond and all surface water will be filtered via interceptors and attenuation tanks prior to discharge. As per the report prepared by Aquafact which accompanies the application, the water entering the estuary will be clean water.

With regards to a discharge licence, no discharge licence is required to facilitate this development. A foreshore licence will be required in the future as per department advice (Marine Planning, Policy and Development, Dept of Housing, Planning & Local Government) the foreshore application process is preferred post planning.

## SUD's

- Surface water attenuation measures are required due to rising sea levels and flood risk from the River Slaney on the low lying portion of the site.

- Details for surface water attenuation, designed in accordance with SuDS guidelines, will be required to be submitted as part of any subsequent planning application.

## **Response**

Full engineering drawing and associated calculations are included as part of the planning application and were also submitted as part of the pre planning application. To clarify, there are no “Low Level” portions of the site and the site is not subject to and nor does it have a history of flooding. A full Site Specific Floor Risk Assessment Report has been prepared for the site and all associated recommendations to prevent future flooding as a result of rising sea levels and flood risk from the River Slaney have been implemented in full.

The Site shall be levelled at a FFL of 3m above sea level to protect against future potential flooding.

As discussed above, the surface water attenuation system is in full compliance with SuDs.

## **Access**

Applicant must submit plans for access to the site, a key consideration will be the creation of a new bridge over the railway line to facilitate uninterrupted access to the site. In addition the site layout must take cognisance of the provision of the orbital inner route (T8) linking the Newtown Road with Park and to the lands reserved for a new bridge over the River Slaney

## **Response**

Full design details to access the site are submitted as part of the proposed development (and were included at pre planning stage). The bridge over the rail line has already been accommodated through the Part 8 process with full agreement from the council. The rail crossing bridge does not form part of the subject application however design details have been submitted in the interest of clarity. The proposed development has been designed to integrate fully with Objective T8 and the proposed river crossing.

## **Public Open Space**

In view of the environmental sensitivity of the site and the adjacent environmental designations, it is the opinion of the Planning Authority that the main bulk of public open space should be provided along the shoreline in order to provide an adequate buffer zone between the development and the SAC / SPA / pNHA. The proposed public open space should be designed so that it is fully integrated and linked into a future riverside walk that would link the proposed site with the town centre.

## **Response**

Open space provision is in accordance with best practice to serve a scheme of this scale. Three large areas of open space are proposed as close to the shoreline as possible. Other areas of open space

are provided at neighbourhood level to serve clusters of housing on an urban block basis.



It is an objective of the development plan to provide the following:

TO2—To ensure the full recreational potential of the River Slaney and its estuary is realised.

TO3—Provide a pedestrian walkway along the banks of the River Slaney estuary.

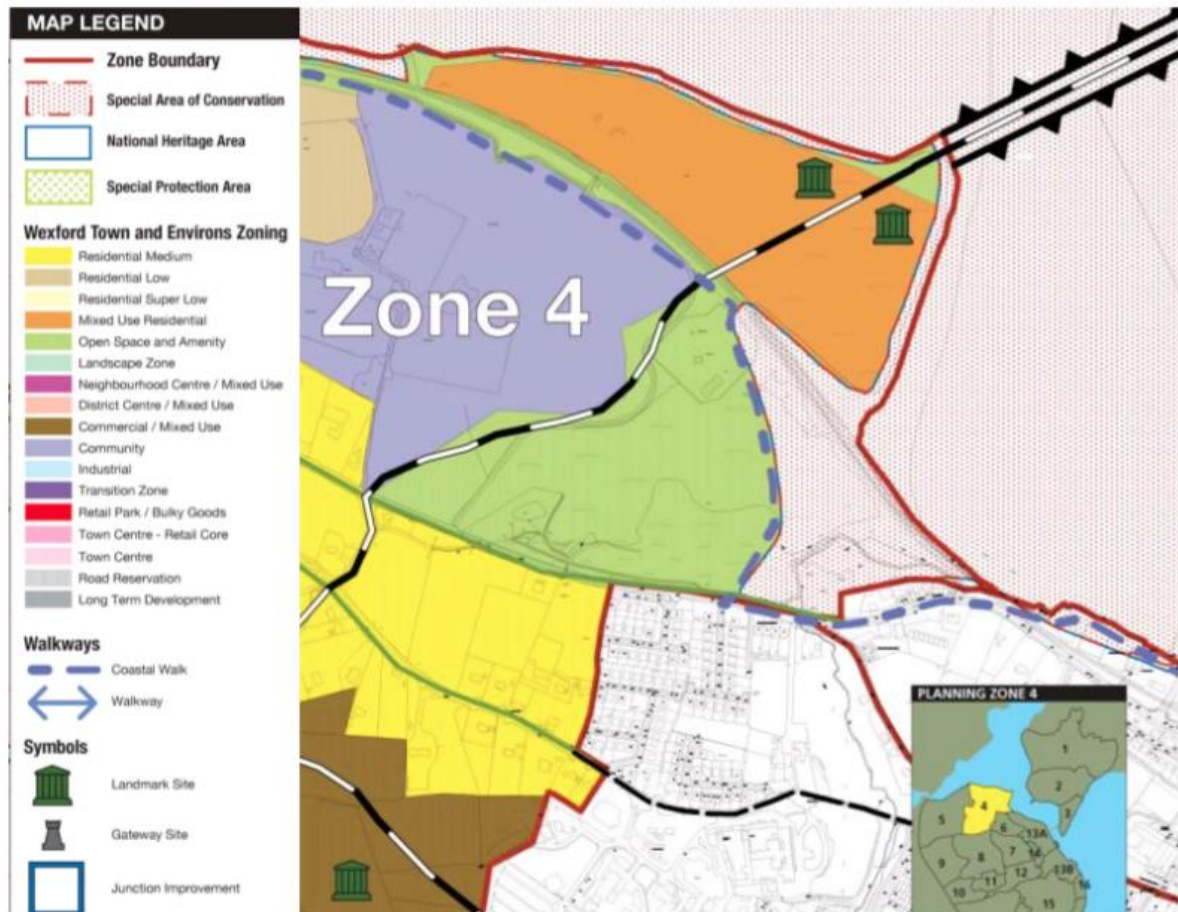
While the preservation of habitat associated with wintering birds and the protection of the existing otter population take precedent, proximity to the river has been exploited insofar as is possible. A linear park with a bird viewing platform form part of the proposal in addition to walkways through the site with views of the river and estuary. All hard fencing required to protect both the Otter and wintering bird habitats will be suitably screened with planting.

The EIAR states the following with regards to provision of and integration with Coastal Walks:

*'The development of coastal walks has the potential to cause disturbance impacts to waterbirds and otter. However, the routes identified in the Wexford Town and Environs Development Plan 2009-2015 (Figure 8) are all either in areas with existing coastal access (Ferrybank-Ardcavan shoreline and Wexford Town), or in areas with narrow intertidal zones and low waterbird utilisation (shorelines*

east of Ferrycarrig Bridge and north of Crosstown) where any disturbance impacts are not likely to affect significant numbers of waterbirds.

No access to the shoreline will be provided within the development site. However, footpaths and cycling paths within the development site may link with other coastal walk if proposals proceed. Within the development site, the use of the footpaths and cycling paths as part of a coastal walk would not be anticipated to result in additional disturbance impacts to wintering birds or otter as the fence will prevent direct access to the shoreline and the boundary vegetation will visually shield the activity from the shoreline.'



As clearly identified by the zoning and objectives for the subject site highlighted by May 4 of the Wexford Town & Environs Development Plan, The proposed Coastal walk is outside the site boundaries. The proposed development will link with the coastal walk in terms of footpaths and cycle lanes, at the point of access to the site at the proposed railway crossing.

## Part V

Part V requirements as per County Development Plan standards in addition to 20% of the residential units designed as 'lifetime' homes as per Section 18.10.11 of the Wexford County Development Plan 2013 – 2019

## **Response**

The applicant has complied in full with the requirements of Part V.

## **Flood Risk**

Although not located within a designated floodplain, the site is subject to coastal flooding and therefore a full Flood Impact Risk Assessment is required for the entire site.

## **Response**

The site is not located in a designated floodplain and is NOT subject to coastal flooding. A full site specific flood risk assessment report has been prepared for the proposed development and accompanies the subject planning application. The recommendations of which have been implemented in full.

## **Childcare**

The Childcare Facilities Guidelines for Planning Authorities recommend a minimum provision of 20 childcare places per 75 no. dwellings. The proposal includes two crèche facilities on the ground floors of block 2 (phase 2) and block 10 (phase 4), both crèche facilities are designed to accommodate 30 children. Applying the general standards of minimum floor areas for pre-school children, the proposed scale of the childcare facility is acceptable.

## **Gateway Buildings**

A gateway building is a term used to describe structures of significant scale, mass or design that provides a strong visual introduction to a particular environment. In this instance there is ample opportunity for the provision of gateway buildings at either the entrance to the site or adjacent to lands reserved for the proposed bridge over the River Slaney.

## **Response**

Both primary and secondary gateway buildings are proposed. The design of the proposed development remains almost identical to that previously proposed save for additional consideration of cycle movement throughout the scheme. It is noted that no design element was considered unacceptable by the previous determination and design did not form an aspect of the reasons for refusal. It is assumed therefore that the design of the proposed development and the associated provision of Gateway buildings is acceptable.

## **Construction Phase**

The planning permission requires a Construction Management Plan to be agreed with the Planning Authority prior to the commencement of development. The purpose of this plan is to minimise any potential disruption during the construction stage.



## Response

A construction management plan has been prepared for the subject site and has been submitted as part of the planning application.

## Invasive Species

- The presence of Japanese Knotweed on the proposed site has been noted. Having regard to the Regulations 49 and 50 of the European Communities (Birds and Natural Habitats) Regulations 2011 which make it an offence to plant, disperse, allow dispersal or cause the spread of Japanese Knotweed, the applicant should submit programme for the removal, control and monitoring of Japanese Knotweed on site, with a detailed site management plan with the areas of Japanese Knotweed clearly identified.

## Response

An invasive species management plan will be drawn up by contractors experienced in the treatment of Knotweed, three cornered leek and winter heliotrope to include, but not limited to:

- Repeated herbicide treatment to control and remove the species
- No growth of the species for one growth season prior to preparation of the area for construction
- Post construction monitoring of the site to check for re-establishment of the species on the site

## EIAR

Full EIAR is required under Section 10, Schedule 5, Article 93 of the Planning and Development Regulations

## Response

A full EIAR has been submitted as part of the subject application.

## Other Issues,

- A portion of the site is adjacent to an historic 'landfill' and as such gas monitoring will be required.
- Consideration should be given to the provision of charging points for electric vehicles on site. These charging points should be Triple Standard AC/DC 50kW Rapid Charge points.

## Response

Gas monitoring has been ongoing. Details of all past and proposed monitoring are submitted via a separate report which deals specifically with this issue.

Charge points are proposed

**Conclusion and Opinion**

The proposed development is compliant with the policies and objectives of the Wexford Town & Environs Development Plan 2009 – 2015 (as extended) and the Wexford County Development Plan 2013 - 2019