



An  
Bord  
Pleanála

## Inspector's Report

### ABP-321195-24

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<b>Development</b>	Construction of 39 dwellings and all associated site works.
<b>Location</b>	Duffcarrick, Ardmore, Co. Waterford
<b>Planning Authority</b>	Waterford City and County Council
<b>Planning Authority Reg. Ref.</b>	2360615
<b>Applicant(s)</b>	Michael Ryan
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant Permission
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Olive Power & Anne Lawlor Clodagh Whelan Billy, John & Gerald Revins Michael & Ruth Lynch Paul Lynch Richard Lynch Patrick & Rebecca Keevers Kieran Henry

**Observer(s)**

Derry and Carmel Cotter

**Date of Site Inspection**

23<sup>rd</sup> January 2025

**Inspector**

Matthew McRedmond

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## 1.0 Site Location and Description

1.1. The subject site is located at Duffacrrick, Ardmore, Co. Waterford, on the northern approach to Ardmore village centre. The site is accessed via the R673, where a sod and stone embankment provides the western boundary of the site. An existing milk co-op monument is located along the western boundary road frontage of the site. The site is currently in agricultural use and is bounded to the south by the access road to a holiday park, to the northwest by existing detached dwellings, to the east by a holiday/caravan park and additional agricultural lands to the north. The site is approximately 1.856 hectares in area.

## 2.0 Proposed Development

2.1. The proposed development consists of 51 no. residential dwellings consisting of:

- 2no. 4-bed detached bungalow units
- 5no. 4-bed detached 2-storey units
- 18no. semi detached 3-bed units
- 6no. terraced 1-bed and 2-bed units (in 2 separate terraced blocks)
- 20no. terraced 2-bed and 3-bed units (in 5 separate terraced blocks)

2.2. The applicant reduced the number of dwellings to 40no. on foot of the Further Information request from Waterford City and County Council. The revised mix of units consisted of the following:

- 13no. 2-bed mid terraced/semi detached
- 20no. 3-bed semi detached/detached
- 7no. 4-bed detached

2.3. Condition 1 of the Planning Authority Grant of Permission required the omission of Units 16 and 17 and replaced with a single unit. This resulted in a total number of 39no. dwellings within the subject proposal, along with all associated site works.

## 3.0 Planning Authority Decision

### 3.1. Decision

- 3.1.1. On the 11<sup>th</sup> October 2024, Waterford City and County Council granted permission for the proposed development subject to 27no. conditions.
- 3.1.2. As referenced above, Condition 1 of the grant of permission required Units 16 and 17 to be omitted and replaced with a single 'Type K' unit. Condition 1 also required amendments to the parking layout for Unit 2.
- 3.1.3. Condition 21 required opaque glazing at bathroom and landing windows on Unit Types C, J and K.

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports

The Local Authority Planner had regard to the material submitted with the application, the locational context of the site, national and local planning policy, the referral responses received, and submissions made on the application. Their assessment included the following:

- The Development Plan envisaged a maximum of 20 units for Ardmore during the lifetime of the plan. Any proposal to provide numbers in excess of the Development Plan must be justified and must comply with the standards of the plan.
- PL Ref. 22/238 was for 21no. social and affordable houses at another site in Ardmore. The Development Plan states that social and affordable housing may be facilitated in addition to the requirements of the respective settlement class as set out in the settlement hierarchy.
- PL Ref. 21/604 (ABP Ref. 314043-22) was an application for 31no. dwellings. An Bord Pleanála granted permission for 29no. dwellings in July 2024.
- The proposed density of 27units per hectare (uph) is contrary to the Development Plan requirement of 20uph. The proposed development,

including character, is at odds with the planning guidance and provision of alternative sites for those who might construct rural one off housing.

- Finished floor levels are required to undertake a complete assessment of the proposal.
- Proposed Block 1 does not adequately address the Regional Road and does not have due regard to its location on the northern approach to the Village Centre.
- Overall design approach requires reconsideration in terms of building lines and incidental areas of open space left over in the design.
- The proposed open space complies with Development Plan Standards in terms of quantum.
- Separation distances are generally acceptable. Unit 51 is close to party boundary, and it is noted this is a bungalow with potential future attic conversion.
- Post and panel fence to be replaced with capped blockwork wall, to the north west, north and eastern boundaries. Detailed planting/boundary treatment required for any boundary treatment to the rear of dwellings served by Bothar na Trinse.
- The revised access arrangement via Bothar na Trinse is unclear in terms of pedestrian and vehicular safety for existing and future residents. The applicant must demonstrate that safe access can be provided in compliance with DMURS.
- Pre-connection confirmation of feasibility from Uisce Eireann is required.
- Further archaeological assessment is required in advance of any future development if permission is granted.
- The Planning Authority sought further information in relation to a number of items including a redesign, confirmation the development is serviceable and is safely accessible.

### Further Information Response

3.2.2. The applicant submitted a further information response in July 2024, which included the following:

- A Population and Housing Demand Assessment based on 2022 CSO figures, which justifies the proposal based on demographic data and supports the revised scheme of 40no. units, which is 0.8% of the total housing to be delivered during the life of the Development Plan. The Planning Authority note the 2022 census figures were not available at the time of the preparation of the Development Plan.
- A revised road, drainage and watermain arrangement. The revised roads layout included an additional crossing point at the access and provision of required sightlines of 55m in a 50kph zone and the relocation of the Milk Churn Memorial.
- The Planning Authority require that proposed attenuation tank is to be replaced with green/blue infrastructure Sustainable Drainage System. Revisions are also required for the parking serving proposed Unit 2.
- A DMURS Compliance statement has been provided by the applicant that states the four key design principles of DMURS and the 12 design criteria contained in the urban design manual have been addressed. Roadways of 5.5m are proposed within the development with 1.8m footpaths. A Quality Audit and Road Safety Audit Stage 1/2 will be provided through condition.
- A redesign of the proposed layout with units now realigned to face the public road. Long rows of terraced dwellings replaced. A more organic road layout provided that will help reduce traffic speed. Areas of incidental open space removed, and all open spaces are overlooked by proposed dwellings. The proposed layout is considered by the applicant to be more appropriate for a village setting.
- Revised boundary treatments to provide fair face block work walls with screen planting, including with the rear boundary of properties along Bothar na Trinse which will be 2m in height.

- Amended open space layout with two generous areas totalling 3,200sqm which is 18% of the residential site area.
- Revised site plan provides finished floor levels of adjoining properties, which do not give rise to residential amenity impacts. Adequate separation distances are noted for the majority of units. The Planning Authority required that Units 16 and 17 to be replaced with a single unit to provide adequate separation distances and protection of amenity.
- A confirmation of feasibility letter from Uisce Eireann, confirming servicing of the development is feasible without upgrades.

#### Planning Authority Response

3.2.3. The Local Authority Planner was satisfied with the information submitted by the applicant at further information stage and recommended a grant of permission subject to conditions.

#### 3.2.4. Other Technical Reports

- Environment Section – No objection to the proposed development subject to conditions.
- The P.A. report refers to reports from the District Engineer however, this does not form part of the planning file. According to the Local Authority Planner, concerns were noted by the District Engineer at application stage in relation to the proposed access, footpath widths and sightlines. No objection to the revised site layout submitted at FI stage, the District Engineer requires that the proposed attenuation tank is to be replaced with green/blue infrastructure Sustainable Drainage System. Revisions are also required for the parking serving proposed Unit 2 and raised pedestrian priority crossing point. Details to be agreed by condition.

### 3.3. **Prescribed Bodies**

Department of Housing, Local Government and Heritage – The Department agrees with the conclusions and recommendations outlined in the submitted archaeological report. A programme of pre-development testing is recommended to be attached by way of condition.



### 3.4. Third Party Observations

3.4.1. A number of submissions were made in relation to this application at both original application stage and at significant further information (FI) stage. The main issues raised can be summarised as follows:

- Development of proposed 51 units is approximately 250% greater than the c. 20 houses identified for Ardmore in the Development Plan.
- Proposed development is contrary to the Regional Spatial and Economic Strategy for the Southern Region (RSES) which promotes vacant sites in preference to greenfield development.
- Previous planning applications in 2006 and 2021 refused permission due to availability of other zoned land and excessive height.
- Proposed bungalows allow for attic conversion making the entire development 2-storey. 2-storey units could also have attics converted making 3-storey dwellings that are entirely at odds with the character of Ardmore, which is predominantly single storey.
- The proposed heights of 7.55m will detract from views within the village, such as to the round tower on the approach to the village and will block light to existing dwellings.
- Proposed units will overlook the beach and surrounding dwellings.
- Proposed landscaping will block views of Ardmore Bay, Mine Head, Old Parish and Cliff Walk and potentially impact boundary walls. Further details required in relation to boundary treatments.
- Proposed alterations to Bothar na Trinse unacceptable due to impacts on entry/exit to existing properties as well as turning point to re-enter the village, and as a parking facility for a farmers' market and the beach. Re-location of Milk Churn monument is alarming. This was a historic route of St. Declan to Cashel and should be preserved.
- Impact on water pressure, wastewater capacity and traffic volumes a concern. No Road Safety Audit or Traffic Impact Assessment submitted with the application. Traffic a particular concern during summer months.

- Proposed dwellings will not be affordable to local families. These houses will therefore be purchased as holiday homes, which at present represent over 50% of homes in Ardmore, and are vacant for the majority of the year.
- Ardmore does not need more holiday homes as they do not support the community or social infrastructure on a year-round basis. Ardmore needs houses for permanent residents with young families
- The proposed social housing units are not suitable for families. These should be affordable and for local families.
- Public lighting of this estate will bring additional cost to WCCC as it will be largely lighting a vacant estate.
- Impacts on wildlife such as hedgehogs and pheasants are unacceptable.
- The proposal will further exacerbate coastal erosion and flooding.
- Existing infrastructure should be upgraded first including shops, doctors and Irish Water issues.
- Flood events have been recorded in Ardmore, contrary to the submission of the applicant, including Main Street and Dungarvan Road up to the base of the hill adjacent to the site.
- Previous use of lands to north of site was for a quarry and dump. Suitability of housing adjacent to this previous use is questioned
- Existing housing estates such as The Heritage should be completed before new housing development takes place.

### 3.5. **Material Contravention**

- 3.5.1. Following the recommendation to Grant Permission by the Local Authority Planner, a notice of Material Contravention under Section 34(6) of the Planning and Development Act 2000 (as amended) was issued by the Planning Authority. The notice specified that the development would contravene materially the policies and objectives of the Waterford City and County Development Plan 2022-2028, as set out in the Core Strategy of the plan and in particular Core Strategy Policy Objective CS 16. Submissions were invited from the public over a 4-week period after which a

Senior Planner's Assessment and Chief Executive Officer (CEO) report were undertaken on submissions and the Proposed Material Contravention.

### Senior Planner's Assessment

- Senior Planner's Report sets out the details of several applications in Ardmore as well as the subject application for 40 units. The other applications are summarised as follows:
  - Ref. 24/60191 for 25no. units at The Heritage, Ardmore is at FI stage,
  - Ref. 21/604 granted permission in July 2024 (by An Bord Pleanala) for 29no. dwellings at The Cloister, Ardmore; and
  - Ref. 22/238 granted permission in October 2022 for 31 social and affordable units at Farrangarret, Ardmore.
- Including the subject application, this potentially amounts to 125 units in Ardmore since the adoption of the Development Plan in 2022.
- Ardmore is a Class 4A Settlement – Rural Town, as set out in the Development Plan and can support a maximum of c.20 houses. Where development is not forthcoming in any particular settlement, additional development may be facilitated in neighbouring settlements.
- Senior Planner is of the view that considering the 60 permitted units and 25 units in planning, an additional 40 units at Duffcarrick would result in a material contravention of the policies and objectives of the Waterford City and County Development Plan 2022-2028, in particular core strategy Policy Objective CS16.
- Refusal of permission is therefore recommended by the Senior Planner.

### CEO Report and Decision

- Having considered the foregoing recommendation of the Case Planner and Senior Planner, the Acting Director of Services requested that the process for material contravention be commenced given that the subject site is located within the settlement boundary of Ardmore on lands designated in principle for residential development and are readily serviced. Notice was therefore given to the public that WCCC considered granting permission for the proposed

development, which would materially contravene the Waterford City and County Development Plan, in particular Core Strategy Policy Objective CS16.

- During the 4-week consultation period, 4no. submissions were received from the public. The main issues raised can be summarised as follows:
  - The proposed development is in breach of the recommended housing supply for Ardmore in the Development Plan by 250%.
  - The proposal has the potential to have significant impacts on the local area in terms of visual appeal, heritage and village status.
  - The development will be priced out of reach for most locals and will therefore become a holiday home development.
  - Impacts on existing residential amenity.
  - Proposal will lead to increased traffic disruption and pressure on local utilities.
  - Local housing needs should be taken into consideration. Social and affordable housing is required, not holiday homes.
  - Unacceptable alterations to Bothar na Trinse, which is part of Ardmore's heritage.
- The Planning Authority's CEO Report responded to the main points of submissions as follows:
  - Given the current demographic, social and market needs and given the service/infrastructure available in Ardmore, it is considered that additional development, can be accommodated within the settlement.
  - The scheme is recommended to be reduced from 50 to 39 units to address impacts on residential amenity.
  - The application is not for holiday homes and is not designed as such.
  - The scheme is considered to be consistent with the proper planning and sustainable development of the area including impacts on local beauty, historical heritage and village status of Ardmore.

- Confirmation of feasibility from Uisce Eireann states connections to the development are feasible without upgrades.
  - The proposal in and of itself will not exacerbate traffic management issues on the public road network.
  - There will be a slight amendment to Bothar na Trinse which will see the island slightly enlarged and will allow sightlines to be provided at all junctions.
  - The proposed development provides for private residences available for year-round occupation which will add to the viability and vitality of the village and provide social and economic benefits.
  - Bungalow dwellings (Type H) will be appropriately conditioned to restrict attic conversion.
- The CEO Report on the proposed Material Contravention process recommended that permission be granted for the proposed development, subject to conditions.

## 4.0 Planning History

### Subject Site

**WCCC Ref. 20/1001** – Permission refused for the proposed development of 41no. residential units. Reasons for refusal related to prematurity subject to the zoning of the land, deficiencies in water supply and inappropriate design.

**WCCC Ref. 05/1776** – Permission refused for 55no. units due to constraints on public sewerage network and design and height of the proposal.

### Surrounding Area

The relevant planning permissions in the wider area of Ardmore village are as follows:

**WCCC Ref. – 22/238:** Permission was granted for 31no. social and affordable houses at Farrangarret, Ardmore.

**WCCC Ref. 21/604:** Following appeal, permission was granted in July 2024 by An Bord Pleanála for 29no. dwellings at The Cloisters, Ardmore.

**WCCC Ref. 24/60191:** Planning application for 25no. residential units at The Heritage, Ardmore. This application is currently at further information stage with the Planning Authority.

## 5.0 Policy Context

### 5.1. National Planning Policy

- 5.1.1. The NPF is the Government's high-level strategic plan for shaping the future growth and development of the country to the year 2040. A key element of the NPF is a commitment towards 'compact growth', which focuses on a more efficient use of land and resources through reusing previously developed or under-utilised land and buildings. National Strategic Outcome No. 1 is 'Compact Growth'. Activating strategic areas and achieving effective density and consolidation, rather than more sprawl of urban development, is a top priority.
- 5.1.2. The NPF contains several policy objectives that articulate the delivery of compact urban growth as follows:
- NPO 3 (c) aims to deliver at least 30% of all new homes targeted for settlements other than the five cities, to be within the existing built-up footprints.
  - NPO 11 outlines a presumption in favour of development in existing settlements, subject to appropriate planning standards.
  - NPO 27 seeks to integrate alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility.
  - NPO 33 prioritises new homes that support sustainable development at an appropriate scale relative to location.
- 5.1.3. Relevant national policy also includes Sustainable Residential Development and Compact Settlements: Guidelines for Planning Authorities, 2024 ('the Compact Settlement Guidelines') which does not state a density range for 'Areas and Density Ranges for Rural Towns and Villages' but rather states that new development should

be tailored to the scale, form and character of the settlement and infrastructural capacity.

5.1.4. SPPR 1 of the Compact Settlement Guidelines relates to Separation Distances. A separation distance of at least 16 metres between opposing windows serving habitable rooms at the rear or side of houses, duplex units and apartment units, above ground floor level shall be maintained. Reduced separation distances can be provided where there are no opposing windows and where privacy measures are designed in. The Compact Settlement Guidelines supersede the Guidelines on Sustainable Residential Development in Urban Areas and accompanying Urban Design Manual.

5.1.5. It is worth noting the National Planning Framework is currently undergoing a comprehensive review to reflect changing population and demographic projections for Ireland, which will necessitate revised housing targets countrywide. 50,500 new dwellings per annum are required to meet demand, scaling up to 60,000 homes in 2030.

## **5.2. Rebuilding Ireland – Action Plan on Housing and Homelessness 2016**

5.2.1. This is a government initiative which identifies the critical need for accelerating housing supply.

## **5.3. National Biodiversity Action Plan (NBAP) 2023-2030**

5.3.1. The NBAP includes five strategic objectives aimed at addressing existing challenges and new and emerging issues associated with biodiversity loss. Section 59B(1) of the Wildlife (Amendment) Act 2000 (as amended) requires the Board, as a public body, to have regard to the objectives and targets of the NBAP in the performance of its functions, to the extent that they may affect or relate to the functions of the Board. The impact of development on biodiversity, including species and habitats, can be assessed at a European, National and Local level and is taken into account in our decision-making having regard to the Habitats and Birds Directives, Environmental Impact Assessment Directive, Water Framework Directive and Marine Strategy Framework Directive, and other relevant legislation, strategy and policy where applicable.

#### **5.4. Design Manual for Urban Roads and Streets (DMURS), DoTTS, March 2013**

- 5.4.1. In terms of the design of the proposed development, including the entrance and access to the site, it is a requirement that they be considered against the Design Manual for Urban Roads and Streets (DEMURS), DoTTS, March 2013. This Manual replaces DMRB in respect of all urban roads and streets and it does not differentiate between public and private urban streets, where a 60kph speed limit or less applies. The implementation of DMURS is obligatory and divergence from same requires written consent from relevant sanctioning authority (NRA, NTA or DTT&S). The Manual seeks to address street design within urban areas (i.e. cities, towns and villages) and it sets out an integrated design approach.

#### **5.5. Waterford City and County Development Plan 2022-2028**

- 5.5.1. The Waterford City and County Development Plan 2022-2028 (WCCDP) is the relevant statutory plan that applies to the subject site. The Plan designates Ardmore as a Class 4A Settlement – Rural town and village less than 1,500 population, within the County Settlement hierarchy.

##### **Zoning**

- 5.5.2. The appeal site has a land use zoning of ‘Rural Village’ – ‘Protect and promote the character of the Rural Village and promote a vibrant community appropriate to available physical and community infrastructure.’ Residential is permitted in principle under this zoning. It is worth noting that the whole village of Ardmore is zoned ‘Rural Village’ including the built up area and a number of vacant agricultural lands surrounding the village.

##### **Core Strategy Policy Objectives**

- 5.5.3. The following policies and objectives of the Plan are of relevance:
- CS 03 Compact Growth - In a manner consistent with NPO 34 and 35, we will promote and support an efficient, equitable and sustainable pattern of residential and other development that delivers compact growth and critical mass for sustainable communities in Waterford, by managing the level of growth in each settlement.



- CS 16 Settlement Strategy - In addition to compliance with other policy objectives and development management standards of the Development Plan, development proposals for all land use types within rural towns and villages will be required to demonstrate consistency with the number of housing units appropriate to the typology of settlement, is compatible with the context of the site in terms of character and will contribute to general/residential amenity.

### **General Housing Policy Objectives**

5.5.4. Other policies of the development Plan of relevance to the subject proposal are summarised as follows:

- H02 – Ensure new developments are appropriate in terms of scale, form, character and location in relation to services and amenities and that proposals are designed in accordance with applicable guidance and standards.
- Trans 09 – Connectivity and permeability: Ensure all developments provide connectivity/permeability to the adjacent road network and adjoining zoned lands.
- DM04 – Applications are required to adhere to best practice urban design guidelines ‘Urban Design Manual – A Best Practice Guide’.
- Section 3.2 of the Development Pam sets out that *“In the application of densities, it is also important to recognise and reflect the function and character of the urban area (i.e. city, towns, villages and settlement nodes), as set out in the settlement hierarchy in Volume 1: Section 2.9 - Table 2.2”*
- DM05 – A range of criteria will be considered in relation to residential proposals including proximity to public transport and services, design and layout, size and scale of the proposed development and ability to propose its own density among other physical features of the site such as topography.
- Table 3.1 of the Development Plan sets out a range of standards for new residential developments including 15% public open space, private open space quantum, separation distances of 22m, car parking standards (2 spaces per 3-bed or more units), sightlines of 70m in 50kph areas, and compliance with DMURS.

## 5.6. Natural Heritage Designations

The subject site is not within or immediately adjacent to any designated or Natura 2000 sites. The site is circa 1km to the northwest of Ardmore Head Special Area of Conservation (SAC) (Site Code 002123) and circa 3.2km southwest of Helvick Head to Ballyquin SPA (Site Code 004192). The site is circa 7km to the east of the Blackwater River (Cork/Waterford) SAC (Site Code 002170) and the Blackwater Estuary SPA (Site Code 004028).

## 5.7. EIA Screening

I have had regard to the determination of the Planning Authority in relation to EIAR requirements. Having regard to the nature of the proposed development comprising the development of 39no. residential units, within an established urban area and where infrastructural services are available, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required. See completed Form 1 and 2 at Appendix 1.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

A Third-Party Appeal has been submitted against the decision made by Waterford City and County Council to grant permission for the proposed development.

The grounds of appeal can be summarised as follows:

- Even before the current application is considered, permission has already been granted for 60 units in Ardmore since the current Development Plan came into effect. This significantly exceeds the recommended c. 20 units identified for Ardmore in the Development Plan and is contrary to national planning guidance where rural settlements are not identified for significant growth.

- Permitted developments (101 units including the subject development) in Ardmore exceed the Development Plan recommendation of c.20 units by 505%. Other applications currently in the planning system would result in a total of 128 units and would exceed the recommended maximum number by 640%. Given this level of exceedance, the proposal would be contrary to the proper planning and sustainable development of the area and contrary to the Waterford City and County Development Plan, and the Board should refuse permission for the proposed development.
- The proposed character and design of the proposed development is at odds with the mainly single storey dwellings in the locality of Ardmore, which is an important heritage town. The proposal is contrary to Policy Objective H02 as it is not appropriate in terms of type, character, scale, form and density. Previous refusals at the subject site reflect this reasoning (Ref. 05/1776).
- Proposed alterations to Bothar na Trinse, which was used as a trench during the World War, and to the Milk Churn Monument, are not acceptable from a visual, cultural and heritage value perspective.
- Unit No. 1 in the subject proposal will have a negative impact on residential amenity of an existing dwelling immediately adjacent to the north, by virtue of being located c.5 metres from the southern side of this property.
- The Planning Authority provided no justification or rationale for why the proposal should be granted permission, despite the Senior Planner recommending refusal. The approach to materially contravene the Development Plan to allow this development to proceed is undesirable without a reasoned review of the Core Strategy and possibly a variation of the plan if appropriate.
- It is unreasonable to permit this development because housing units have not been delivered in Ardmore on foot of other permissions. Housing delivery takes time and in the case of Ref. 21/604, this was only granted permission in July 2024.

- The subject proposal, along with other permitted developments in Ardmore cannot be considered to represent proportionate growth of the settlement, in line with Policy Objective H 26.
- The proposed development materially contravenes the Development Plan and no justification for such a contravention has been provided. On this basis alone, permission should be refused.

## 6.2. Applicant Response

The applicant provided a response to the grounds of appeal, which can be summarised as follows:

- The proposed development was the subject of a refinement at FI stage and at Material Contravention stage was supported by all 32no. elected representatives of Waterford City and County Council.
- To address the fact the proposal exceeds the number of housing units afforded to Ardmore, the Planning Authority had regard to the demographic, social and market needs and given the service/infrastructure available in Ardmore. This is allowed under Section 2.9 of the WCCC Development Plan.
- To address concerns in relation to residential amenity impact the Planning Authority has recommended the scheme is reduced from 40 to 39 units and certain unit types are removed to protect adjoining residential amenity.
- The Planning Authority confirmed a number of details in their review of the proposal including:
  - Subject proposal is not for a holiday home development, as noted by the Planning Authority.
  - Confirmation of feasibility received from Uisce Eireann.
  - The proposal will not be of a scale that would add significantly to traffic or the public road network.
  - Part V will be complied with in terms of providing social and affordable homes.

- The slight amendment to Bothar na Trinse is acceptable to provide sightlines and pedestrian safety.
- The applicant submits that the revised layout is more suitable by providing an appropriate density, reduced car parking, usable open space and greater sensitivity to neighbouring properties and changes to layout and distribution of units across the application site.
- The submitted Population and Housing Demand Assessment found that Ardmore's population grew slower than the County and the national average between 2011 and 2022. Housing occupancy is less than half of Co. Waterford and the national average suggesting housing supply is constrained here. The population of Ardmore is also ageing, suggesting fewer opportunities for housing for younger people.
- The Development Plan includes a provision that allows social and affordable housing schemes on Rural Village zoned land, in addition to the requirements of the respective settlement class. The applicant submits that the subject proposal will be delivered at an affordable level to enable those renting locally or those from Ardmore originally, to return to their roots.
- The scale of the development is not considered to be significant and equates to 0.8% of total planned housing growth up to 2028 in the County. This is consistent with the Compact Settlement Guidelines that requires growth of Rural Towns and Villages to be at a limited pace that is appropriate to the service and employment function of the settlement.
- The subject proposal is well connected to the built-up area of Ardmore, is appropriately serviced and will support existing services in Ardmore including public transport. The proposed supply of units will also provide an alternative to traditional one-off houses in the countryside.
- Proposed density, character, design and layout responds in a positive way and is consistent with, the established design and density context of Ardmore. The development includes a mix of detached and semi-detached homes with private rear gardens which is characteristic of residential development throughout Ardmore.

### 6.3. Planning Authority Response

None received in relation to appeal.

### 6.4. Observations

A single observation was received in relation to the subject appeal. The main points raised in the submission may be summarised as follows:

- Based on the applicant's Population and Housing Demand Assessment, the subject proposal will likely be purchased by single or joint owners, with no children, and will become a holiday home.
- The proposal will have an unacceptable impact, including on privacy of beach goers, on the beach/coastline due to excessive heights of 12.56m above the beach (7.5m houses, on land approximately 5m above the level of the beach). The proposed two-storey dwellings are particularly unsuitable in this regard. Coastal erosion is an additional concern.
- The proposed development will add to flooding, water pressure and traffic issues in Ardmore. The proposal will also remove a green field that is home to a range of wildlife.
- Contrary to the RSES due to utilisation of a greenfield site.
- At least 31 of the units in the proposed development will become holiday homes, similar to other recently completed developments in Ardmore. It is claimed the development of these units will lead to a shortfall in skilled labour for other developments to come forward and result in an overall shortfall in family homes.
- Submitted census information does not include holiday homes in the vacancy rates highlighted. When holiday homes are included, the vacancy rate in Ardmore is 52%, almost 5 times the national average of 11%.
- There are currently more holiday homes than family homes in Ardmore and the village does not need any more. Examples of other estates in Ardmore that are vacant during winter months are provided at Russell Court, Chapel Row and Duffcarrig.

- Photo evidence of recent flooding in April 2024 are provided as an example of inundation in the area. The subject proposal will exacerbate this issue.
- Reference is made to the refusal of permission for 55 units, which was refused due to design and proposed heights, which is contrary to the character of the area. The observer submits this reason for refusal is also relevant to the subject proposal.
- Another entrance on to the Dungarvan Road would add to the existing traffic situation that is particularly emphasised during the summer months. Access for emergency vehicles in this regard, is also a concern.
- Proposal to alter Bothar na Trinse is unacceptable given the cultural and heritage significance of this road. The road is used by a variety of pedestrians to reach a range of destinations.
- Water pressure in Ardmore will be additionally impacted by another residential development.
- Overall, the proposal will be of minimal benefit to the local area as even school numbers will not be supported based on the projected owner type as submitted by the applicant.
- The proposal will result in an excessive level of growth for this rural village. There are no services in the village to support the proposal, with just one shop and an at capacity medical centre.
- Additional information should be sought in relation to environmental impacts such as coastal erosion and adverse impacts on conservation. An independent flood risk assessment should be sought on the basis of climate change and global warming impacts.
- There are more suitable sites for residential development in Ardmore such as The Heritage, the Cloisters and Farrangarret.

## 6.5. Further Responses

None.

## 7.0 Assessment

7.1. Having reviewed the details and appeal documentation on the file, the submissions made, having inspected the site, and having regard to relevant local and national policy and guidance, I conclude that the main issues are the following:

- Procedural Clarification
- Principle of Development
- Layout Design and Impact on Residential Amenity
- Impact on the Character of the Area
- Traffic and Transport
- Water Services
- Other Issues

### 7.2. Procedural Clarification

7.2.1. The development as originally proposed was for 50no. units and following the receipt of significant further information, the number of units proposed was reduced to 40no.

7.2.2. The Planning Authority recommended the replacement of 2no. dwellings with a single dwelling to reduce the total number of units to 39no. which was granted permission, following a Material Contravention process. My assessment is based on the permitted number of 39no. units.

### 7.3. Principle of Development

7.3.1. The subject site is zoned 'Rural Village' (RV), which has an objective to: *'Protect and promote the character of the Rural Village and promote a vibrant community appropriate to available physical and community infrastructure.'* The development is located on lands that are zoned for residential use and the applicant is in effect extending the rural settlement of Ardmore.

7.3.2. Table 2.2 of the City and County Development Plan identifies Ardmore as a Class 4A 'Rural Town'. These are identified as: *'Rural towns and villages less than 1,500 pop and the wider rural region. While rural in scale these towns provide a range of employment along with commercial, cultural and community services.'*



- 7.3.3. Section 2.9 of the CDP states that *‘during the lifetime of the Development Plan, we will monitor the level of development across these rural settlements and where development is not forthcoming in any particular settlement for whatever reason we may facilitate additional development in neighbouring settlements. In addition, settlements with service/infrastructure capacity and those within and adjacent to the Waterford City MASP area may facilitate additional growth to a scale consistent with the proper planning and sustainable development of the area. In all cases the developer will be required to demonstrate that the proposal is in compliance with the principles of proper planning and sustainable development and the policy objectives and development management standards of the Development Plan.’*
- 7.3.4. The Core Strategy of the County Development Plan has a minimum target of 350 units for Rural Towns and Villages in Waterford up to 2028. Having regard to the zoning of the site for residential purposes, the serviced nature of Ardmore Village and the proposed density of 22 units per hectare that is suitable in this rural village location, I am satisfied that some level of residential development would be appropriate at the subject site.
- 7.3.5. However, the settlement strategy for the County states: *‘These settlements which have developed historically as strong rural market town serving their immediate rural hinterlands can support a maximum of c.20 houses during the life of the Development Plan, subject to compliance with the policies and standards of the Development Plan.’*
- 7.3.6. The Planning Authority sought to circumvent the recommended 20no. units for Ardmore by invoking the Material Contravention process, which was duly advertised to the public and voted on by elected members, who voted in favour of the material contravention and granting of permission for the proposed development of 39no. units. The Acting Director of Services noted the report of the Senior Planner expressing concerns about the oversupply of residential units in Ardmore as a result of the subject proposal, but further noted that no residential schemes have been delivered in Ardmore and the c.20 house target is unrealistic for Ardmore given housing demand.
- 7.3.7. The Population and Housing Demand Assessment submitted by the applicant notes a vacancy rate of 3% of a total 369 households in Ardmore. The appeal correctly

highlights that Holiday Homes are not included in this level of vacancy and when it is included, Holiday Homes represent a 48.7% vacancy rate of all homes in Ardmore.

- 7.3.8. CSO define Holiday Homes as *‘dwellings which are unoccupied at the time of the census and are only occupied periodically during the year, typically during the summer. Enumerators class unoccupied dwellings as holiday homes based on information sourced locally. Holiday homes tend to be more highly concentrated in coastal and rural areas.’* There are total of 66,956 holiday homes in Ireland as of the 2022 Census information.
- 7.3.9. Holiday Homes do not fit into their own sub-category of residential development for the purposes of Core Strategy figures or the calculation of housing targets. Any available residential dwelling for sale could potentially become a holiday home and it is not the purpose of the planning process to restrict this possibility. Holiday Homes do appear to be a prominent feature in Ardmore, which is understandable, given the attractiveness of the local setting including the beach, heritage sites and village setting. I consider holiday homes to be a part of the dynamic of a seaside town and they do provide a necessary critical mass of accommodation at key times during a given year. The applicant has submitted that the proposal is not to provide holiday homes, and the development is not designed as such. Notwithstanding the limited ability to prevent a potential purchaser from treating one of these units as a holiday home, I am satisfied that the principle of holiday home development is not particularly relevant to the merits of the proposal as currently put forward.
- 7.3.10. As set out in the appeal documents submitted, the observation to the appeal and the Senior Planner’s Assessment of the proposed Material Contravention, a number of units have been granted permission or are in the planning process for the village of Ardmore. The various applications are worth reiterating here:
- Ref. 24/60191 for 25no. units at The Heritage, Ardmore is at FI stage,
  - Ref. 21/604 granted permission in July 2024 (by An Bord Pleanála) for 29no. dwellings at The Cloister, Ardmore; and
  - Ref. 22/238 granted permission in October 2022 for 31 social and affordable units at Farrangarret, Ardmore.

- 7.3.11. When taken with the proposed development of 39no. units, this potentially amounts to 124 units in Ardmore since the adoption of the Development Plan in 2022.
- 7.3.12. Permitted developments in Ardmore already amount to 60no. permitted units within this rural village. The applicant points to the fact that the subject proposal will be affordable units, and the Development Plan allows for Social and Affordable housing units above what is allowed for in the Settlement Strategy allocation. While I note 8 no. units have been identified to satisfy Part V requirements in relation to Social and Affordable Housing, I do not consider all the proposed units to fall into this category, as some units would inevitably end up on the open market without a specific agreement with a designated housing body.
- 7.3.13. Objective CS16 requires development proposals for all land use types within rural towns and villages to demonstrate consistency with the number of housing units appropriate to the typology of settlement. 350 units are allowed for across all Class 4A Settlements in the Waterford Development Plan, which is 20 settlements in total. While I acknowledge Section 2.9 of the WCCC Development Plan that allows for where development is not forthcoming in any particular settlement, additional development may be facilitated in neighbouring settlements. There has been no analysis provided of permitted developments or rates of planning applications in other rural villages across the county that would justify such an exceedance of housing allocation for Ardmore. Overall, I am not satisfied that the applicant has provided sufficient justification for the proposed material contravention of the Waterford City and County Development Plan that would amount to at least 5 times what is allocated in the Core Strategy, when taken with other permitted and proposed developments. This is in direct contravention of Policy Objective CS16, where the overall allocation of 350 units across Class 4A Settlements have not been appropriately addressed in the application. For this reason, I recommend that permission be refused for the subject proposal.

#### **7.4. Layout Design and Impact on Residential Amenity**

- 7.4.1. The issue of impact on the residential amenities of neighbouring properties has been raised in the appeal. Concern was expressed in relation to potential overbearing on properties to the north of Unit 1, which is also to the west of Units 16 and 17 within the proposed development. Reference was made to the loss of privacy and access

to sunlight/daylight due to the distance between the proposed houses in the scheme and neighbouring properties. These issues substantively relate to the layout of the subject proposal and the associated impacts on residential amenity.

7.4.2. I note the requirements of the Waterford County Development Plan 2022-2028 and the zoning of the site. The Compact Settlement Guidelines state that settlements of less than 1500 people are not identified for significant growth. The revised development submitted by way of further information, proposed a density of 22 units per hectare. The Planning Authority Case Officer considered that the proposed density was appropriate, having been reduced from 27 dwellings per hectare.

7.4.3. The revised layout, submitted by way of further information, provides a redesigned layout that orientates the open space towards the sea, reduces the number of dwellings and provides a more suitable layout. I would agree that the redesign of the proposal is appropriate as it was very evident that 50no. units would be overly subscribed on this village site.

7.4.4. The subject site is surrounded by a caravan park and Ardmore beach to the east, existing residential dwellings to the north and west, to the south on the opposite side of the caravan park access road and further residential dwellings on the west side of the R673. The proposed layout responds to all of these parameters, while also providing an acceptable density of development to make best use of available infrastructure.

7.4.5. The two areas of proposed open space are focused along the eastern boundary of the site providing separation to the beachfront and the caravan park adjacent. Both areas of open space are accessible and usable and are connected with a thin strip along the eastern boundary. Proposed units along the southern boundary are located a minimum of 20m from existing dwellings which is in excess of the 16m recommended in the Compact Settlement Guidelines.

7.4.6. The internal road layout provides a legible street environment with appropriate footpath widths, consistent with the provisions of DMURS.

7.4.7. Unit No.1 is highlighted in the appeal as having a particular impact on the residential amenity of an immediately adjacent residential dwelling to the north. The separation distance between these units is given as c.5m. Units 16 and 17 are also shown as being located c.11m to the east of this property.

- 7.4.8. The provisions of the Waterford County Development Plan 2022-2028 refer to separation distances between the rear of residential properties in Table 3.1 of Volume 2, specifying that a minimum distance of 22 metres, in general, is required, between opposing windows in the case of reciprocal housing types. However, it is advised that in certain instances, depending on design and circumstances, reduced separation distances may be acceptable.
- 7.4.1. The 2009 Guidelines on Sustainable Residential Development in Urban Areas have now been replaced by the Sustainable Residential Development and Compact Settlements – Guidelines for Planning Authorities (2024). Section 5 of the Compact Settlement Guidelines refers to Development Standards for Housing and section 5.3.1. refers to Separation Distances. It is set out in the guidelines that a requirement for a minimum separation of 22 metres between opposing upper floor rear window has formed part of suburban housing design since the early 20th century. The guidelines further advise that through careful massing and positioning of blocks, positioning of windows and the integration of open space at multiple levels it is possible to achieve a high standard of residential amenity and good placemaking with separation distances of less than 22 metres.
- 7.4.2. The planning authority recommended the removal of units 16 and 17 and replacement with a single 'Type K' unit to provide appropriate setback and protect existing residential amenities to the west. Should the Board be minded to grant permission, I consider this alteration to be a positive outcome for the residential amenity of the area and the overall design layout of the proposal. This will provide an additional setback to the boundary with the adjoining property to the west and I consider the absence of windows on the western gable of the Type K unit type, will remove any overlooking to the side gable of the neighbouring property. As the relationship between these dwellings will be side separation, rather than opposing rear windows, this further mitigates and allows for a reduced separation distance at this location.
- 7.4.3. Further to the removal and replacement of Units 16 and 17, I consider the proximity of Unit 1 to the property to the north to be unduly overbearing when the layout and orientation of the existing dwelling is taken into consideration. The front door of the existing dwelling faces south towards the location of the proposed Unit 1, with

additional modern addition glazing at the south east corner of this dwelling.

Proposed Unit 1 also directs the front door northwards towards this dwelling, with an additional kitchen living area window also facing this direction. A proposed 2m high block wall is proposed to separate the proposed development from the existing dwelling at this boundary interface.

7.4.4. I therefore recommend the removal of Unit 1 from the scheme to allow adequate separation distances to be provided between Unit 2 and the existing dwelling to the north. Unit 2 may be relocated further north to allow for reconfiguration of the proposed car parking, which in the submitted format, is too close to the proposed stop line at the proposed extension of Bothar na Trinse. Any relocation of Unit 2 further north should be cognisant of the residential amenities of adjoining dwellings that are existing and be to the agreement of the Planning Authority. This removal of Unit 1, along with replacement of Units 16 and 17 with a single dwelling, would reduce the overall number of units to 38, if the Board were minded to grant permission for the subject proposal.

## **7.5. Impact on Character of the Area**

- 7.5.1. In varying capacities, the appeal and submissions on file raise concerns with the character and visual amenity of the proposed development.
- 7.5.2. I note Policy Objective H02 that states: *'In granting planning permission, we will ensure new residential development is appropriate in terms of type, character, scale, form and density to that location.'*
- 7.5.3. The applicant has proposed a mix of detached and semi-detached houses on this site. The existing development of Ardmore, including edge of settlement housing estates, consists of terraced, detached and semi-detached houses, so the proposed development would integrate effectively with this form of housing. It is considered that the design of the proposed houses is generally acceptable and subject to agreement on finishes, the proposed design is generally consistent with the character, scale and form of existing residential developments in Ardmore. The use of selected brick and render as part of the finish allows the proposed development to assimilate into the existing built context.
- 7.5.4. The appeal observation makes reference to impacts on the character of the area caused by encroachment on the coastline, impacts on the privacy of beach goers, as

well as unacceptable alterations to Bothar na Trinse, which is also referenced in the appeal.

- 7.5.5. The proposed dwellings are setback over 150m from the beach and would be separated by the existing caravan park and an extensive area of open space as proposed in the subject development. Notwithstanding the general heritage values of Ardmore as they relate to the Round Tower and surrounding area, the general form and layout of the proposed development will not contrast significantly with the immediate locality, which primarily consists of two storey modern dwellings of single but also two storey dwellings. The area immediately surrounding the site is not specifically an architecturally sensitive area and I consider the proposed built form and character to be acceptable in this context.
- 7.5.6. In relation to impacts on the beach, as I have already alluded to, the proposed development is setback a significant distance from this interface. With the intervening development, proposed landscape strategy and boundary treatments, I do not consider there to be any real possibility of intrusion of privacy on beach goes as a result of the proposed development and overall consider the proposed development to be consistent with Policy H02 of the Development Plan.
- 7.5.7. Bothar na Trinse is variously referred to in the file documents as being previously used as a trench during World War, an ancient path used by St. Declan and as a walking path for recreational walkers as they arrive to Ardmore village. Issues are raised in the appeal in relation to the impact of the proposed changes to Bothar na Trinse and the associated relocation of the Milk Churn monument that is currently located at a central location along the western boundary of the site.
- 7.5.8. The proposed layout of the entrance to the subject site has to address a number of constraints including sightlines, which is related to the issue of proximity to other entrances in the vicinity. The proposed entrance strategy for the site allows for improvements to the road network, while also being adequately removed from the entrance to the caravan park, approximately 25m to the south. The proposed changes to Bothar na Trinse are not significant and allow for an enhanced junction layout that will improve vehicle safety at this location. Additionally, the revised and enhanced footpath arrangement will improve pedestrian safety along this important link. The relocation of the Milk Churn monument, adjacent to a proposed footpath,

will allow pedestrians time to linger and view the monument, which is considered a positive improvement on the existing situation.

- 7.5.9. If the Board were minded to grant permission, a revised and detailed landscape plan could be requested by way of condition, to provide some reference to historical uses in the extended 'island' area of Bothar na Trinse, which is a space that is clearly given great care and attention by those responsible for the upkeep of the area.

## **7.6. Traffic and Transport**

- 7.6.1. The amended proposal as assessed in the preceding sections entails the provision of a total of 38 no. dwelling units. Vehicular access is proposed onto the R673. The grounds of appeal refer to the additional vehicular traffic the scheme would generate and the impact it would have on the existing roads and already constricted road network, particularly during busy holiday periods.
- 7.6.2. The application documents highlight that the site is within walking distance of Ardmore Village Centre with a host of amenities and public transport connections. The applicant proposes to upgrade the R673 to provide improved vehicular and pedestrian connections to the village as part of the subject development proposal.
- 7.6.3. The proposal comprises 38 no. dwellings with a total of 76 no. car parking spaces. Cycle parking can also be accommodated within the curtilage of individual units proposed as well as additional spaces within the proposed open spaces.
- 7.6.4. In terms of the trips generated by the proposed development, the proposal in and of itself will not result in a significant number of additional vehicle trips on the local road network, owing to the low number of units proposed. WCCC Road Section raised no objection to the contents of the submitted application. Accordingly, I am satisfied the proposed development will not adversely impact the operational performance of the local junctions and road network as they relate to the subject proposal.
- 7.6.5. In relation to pedestrian, cycle and road layout improvements as indicated on submitted drawings, a 2m pedestrian path is proposed along the roadside boundary on the east side of the R673. The design proposed also comprises road junction improvements to provide enhanced sightlines at this location.



7.6.6. I consider the proposed road layout changes will significantly benefit the wider area in terms of access, vehicular safety and pedestrian connectivity by adding a new footpath and junction layout upgrades.

7.6.7. In relation to the matter of transport and traffic issues associated with the proposed development, the proposed installation of a public footpath, junction upgrade works, pavement realignment and pedestrian crossing point improvements will significantly enhance safety for a range of travel modes, particularly pedestrians. The proposal will not result in a significant number of additional vehicular movements during peak times, nor will it impact significantly on the capacity of junctions in the vicinity. I am therefore satisfied with the proposed scheme in respect of traffic and transport considerations.

### 7.7. **Water Services**

7.7.1. Water supply is raised in the grounds of appeal and specifically the issue of water pressure that is already existing in the local area.

7.7.2. In relation to this matter, I note the content of the report from Uisce Eireann dated 19/01/2024 which confirms that the developer liaised with Uisce Eireann and a confirmation of feasibility was issued. Uisce Eireann stated that they have no objection to the proposed development and connection to water and wastewater infrastructure is feasible without upgrade.

7.7.3. Part of the Further Information Response prepared by the applicant refers to water supply and consultation with Uisce Eireann. This sets out the Irish Water reference number for the Confirmation of Feasibility is CDS23005801. This confirms that the proposed connection to Uisce Eireann infrastructure can be put in place without the need for infrastructure upgrade. A copy of the Confirmation of Feasibility document is appended with the engineer's report.

7.7.4. There is no reference to water pressure issues in the Uisce Eireann correspondence. I further note that the District Engineer for WCCC raised no objection in this regard. Based on the foregoing, subject to appropriate conditions, I am satisfied the subject proposal can accommodate appropriate levels of water supply that will not impact on existing residents or water supply in the area.

### 7.8. **Other Issues**

- 7.8.1. Other issues raised in the appeal and observation on the appeal refer to potential impacts of the proposed development on coastal erosion, flooding and on conservation and wildlife in the area.
- 7.8.2. In relation to coastal erosion and flood risk, I note the setback of the proposed development from the beach is over 150m. The site has been zoned for residential development in the County Development Plan, is not located within a flood zone, and an appropriate drainage strategy for the site has been provided, including the management of surface water run off by way of an attenuation tank within the development. I note the Planning Authority advised in their assessment of the application that provision of an attenuation tank is no longer in line with best practice green/blue infrastructure. A Sustainable Drainage System would be a preferable solution to surface water run off, as opposed to the proposed attenuation tank. This matter could be addressed by way of condition if the Board were minded to grant permission. In either scenario, the instance of surface water run off adding to the erosion of the existing coastline or flooding in the area, is not expected to arise as a result of the subject proposal.
- 7.8.3. In the context of conservation and wildlife, while some local species may have been intermittently observed at the subject site, the site has been in agricultural use and is therefore unlikely to provide a significant habitat for protected species on an ongoing basis. The site is within a built up village setting, and given the existing agricultural use, I am satisfied that no protected species or habitats would be negatively impacted by the proposed development.

## 8.0 AA Screening

- 8.1.1. The site is not located within any designated site. The closest Natura 2000 site is the Ardmore Head SAC (Site Code: 002123) which is located approximately 1km to the east of the site. The Helvick Head to Ballyquin SPA (Site Code: 004192) is located approximately 3.2km, also to the northeast of the site.
- 8.1.2. Other European Sites within 15km of the subject site are:
- Blackwater Estuary SPA – 7km west
  - Blackwater River (Cork / Waterford) SAC - 7km west

8.1.3. I have had regard to the AA screening assessment undertaken by the Planning Authority. Overall, I consider it is reasonable to conclude on the basis of the information available that the proposal, individually or in combination with other plans or projects, would not adversely affect the integrity of a Natura 2000 site having regard to the nature and scale of the proposed development and separation distances involved to adjoining Natura 2000 sites, and the absence of an identifiable hydrological connection. It is also not considered that the development would be likely to have a significant effect individually or in combination with other plans or projects on a European Site, in view of the Conservation Objectives of those sites an Appropriate Assessment (and submission of a NIS) is not therefore required.

## 9.0 Recommendation

I recommend that permission be refused for the following reasons and considerations.

## 10.0 Reasons and Considerations

10.1. Having regard to Policy Objective CS 16 of the Core Strategy of the Waterford City and County Development Plan 2022-2028, all land use types within rural towns and villages are required to demonstrate that the scale of the proposed housing development is consistent with the number of housing units appropriate to the class/typology of settlement as set out in Section 2.9 and Table 2.2 of the plan. Ardmore is categorised as a Class 4A Settlement (Rural Town) where the Development Plan provides for the development of a maximum of c.20 houses during the life of the Development Plan, subject to compliance with the policies and standards of the Development Plan. Having regard to already permitted residential development in Ardmore since the adoption of the Development Plan, and the number of units proposed in the subject application, the proposed development would materially contravene the Core Strategy of the Waterford City and County Development Plan 2022-2028 and would therefore be contrary to the proper planning and sustainable development of the area.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

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Matthew McRedmond  
Senior Planning Inspector

11<sup>th</sup> February 2025

# Form 1

## EIA Pre-Screening

<b>An Bord Pleanála</b>	ABP-321195-24		
<b>Case Reference</b>			
<b>Proposed Development Summary</b>	Development of 39no. residential units and all associated site works.		
<b>Development Address</b>	Duffcarrick, Ardmore, Co. Waterford		
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b> (that is involving construction works, demolition, or interventions in the natural surroundings)		<b>Yes</b>	√
		<b>No</b>	Tick if relevant. No further action required
<b>2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?</b>			
<b>Yes</b>	√	Class 10 (b) (i)	Proceed to Q3.
<b>No</b>	Tick or leave blank		Tick if relevant. No further action required
<b>3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?</b>			
<b>Yes</b>	Tick/or leave blank	State the relevant threshold here for the Class of development.	EIA Mandatory EIAR required
<b>No</b>	√		Proceed to Q4

<b>4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?</b>			
<b>Yes</b>	√	Proposed 39 unit development does not meet or exceed 500 dwelling threshold	Preliminary examination required (Form 2)

<b>5. Has Schedule 7A information been submitted?</b>		
<b>No</b>	√	<b>Pre-screening determination conclusion remains as above (Q1 to Q4)</b>
<b>Yes</b>	Tick/or leave blank	<b>Screening Determination required</b>

**Inspector:** \_\_\_\_\_ **Date:** \_\_\_\_\_

## Form 2

### EIA Preliminary Examination

<b>An Bord Pleanála Case Reference</b>	<b>ABP-321195-24</b>
<b>Proposed Development Summary</b>	39no. residential dwellings and all associated site works
<b>Development Address</b>	Duffcarrick, Ardmore, Co. Waterford
<p><b>The Board carried out a preliminary examination [ref. Art. 109(2)(a), Planning and Development regulations 2001, as amended] of at least the nature, size or location of the proposed development, having regard to the criteria set out in Schedule 7 of the Regulations.</b></p> <p><b>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</b></p>	
<p><b>Characteristics of proposed development</b> (In particular, the size, design, cumulation with existing/proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).</p>	<p>Proposed 39-unit residential development is not out of context at this urban location and will not result in any significant waste or pollutants.</p>
<p><b>Location of development</b> (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).</p>	<p>Site is adequately removed from the Ardmore Head SAC and Helvick Head to Ballyquin SPA and is adequately setback from protected structures in the vicinity to minimise any potential impacts.</p>

<p><b>Types and characteristics of potential impacts</b> (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).</p>	<p>Proposed 39-unit residential development is not likely to give rise to any significant impacts locally or transboundary. Construction impacts will be short term and temporary and can be adequately mitigated and managed.</p>
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**Conclusion**

Likelihood of Significant Effects	Conclusion in respect of EIA	Yes or No
There is no real likelihood of significant effects on the environment.	EIA is not required.	No
<del>There is significant and realistic doubt regarding the likelihood of significant effects on the environment.</del>	<del>Schedule 7A Information required to enable a Screening Determination to be carried out.</del>	
<del>There is a real likelihood of significant effects on the environment.</del>	<del>EIAR required.</del>	

**Inspector:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**DP/ADP:** \_\_\_\_\_

**Date:** \_\_\_\_\_

(only where Schedule 7A information or EIAR required)



