

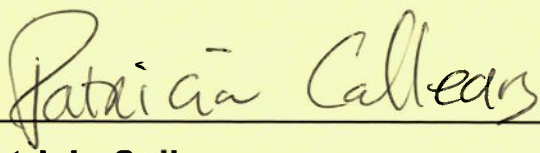
An
Coimisiún
Pleanála

Commission Direction
CD-001238
PL-501394-WD-26

The submissions on this file and the Inspector's report were considered at a meeting held on 10 September 2026.

The Commission decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Planning Commissioner:


Patricia Calleary

Date:

14th day of September 2026

DRAFT WORDING FOR ORDER

Reasons and Considerations

1. The site is located within the Ardmore Head Coastal Landscape which is designated as 'Most Sensitive' within the Landscape Character Assessment of the Waterford City and County Development Plan 2022 - 2028. These areas are described as very distinctive features with a very low capacity to absorb new development. Having regard to the pattern of residential development in this

sensitive area comprising an established cluster of dwellings to the north-west of the site of the proposed replacement dwelling, to the siting of the proposed replacement dwelling at a distance significantly removed from the established cluster of dwellings, and within an undeveloped, elevated and exposed area of the coastal landscape, it is considered that, notwithstanding the high standard of architectural design presented, the proposed development, including the extent of new driveway access required to serve the proposed house, would adversely impact the rural character of the area and would seriously injure the visual amenity and high scenic value of this 'Most Sensitive' coastal landscape. Accordingly, it is considered that the proposed development would be contrary to Policy Objective L02 (Protecting Our Landscape and Seascape), Policy Objective L03 (Landscape and Seascape Character Assessment) and Policy Objective C&M05 (Scenic Coastal Areas) of the Waterford City and County Development Plan 2022-2028. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

2. Having regard to the location of the proposed development within Helvick Head to Ballyquin Special Protection Area (Site Code 004192), to the qualifying interests and conservation objectives for this site, in particular, the objective to restore the favourable condition of Chough and other bird species as qualifying interests (Cormorant, Peregrine, Herring Gull and Kittiwake), it is considered that the proposed development would result in loss and disturbance of potential foraging habitat and would introduce residential activity and associated disturbance within this SPA. The Commission was not satisfied that the limited surveys carried out were adequate with respect to the use of the site by the Chough species. Overall, the Commission was not satisfied, beyond reasonable scientific doubt, that the proposed development, individually or in combination with

other plans or projects, would not adversely affect the integrity of this European site in view of the sites' conservation objectives. The proposed development would be contrary to the requirements of the Habitats Directive and to Policy Objectives BD05 and BD05 of the Waterford City and County Development Plan 2022-2028 which seek to ensure the protection and integrity of European sites and their conservation objectives and would therefore be contrary to the proper planning and sustainable development of the area.

Note:

The Commission considered that the existing cottage on site is a vernacular structure and that it makes an important contribution of the built heritage. In addition, the Commission was not satisfied that the cottage is not reasonably capable of being improved and under Section 7.12 (Refurbishment, Extensions and Replacement of Existing Structures in Rural Areas) of the development plan, policy is supportive of such improvements rather than proposals for the demolition of the cottage. Notwithstanding the applicant's submitted structural engineering report and findings contained therein that it would be more cost effective to demolish this structure and construct a new build which that would comply with current Building Regulations, the Commission determined that the cottage is capable of being improved which is the first test to be applied before a replacement house can be considered. However, this specific matter was noted to be a new issue in the context of the appeal, as in its assessment of the application and arriving at its decision, the planning authority concluded otherwise that the existing cottage on site that is proposed to be demolished and replaced, was not a vernacular structure. While this new matter would normally require seeking the view of the appellant and other parties to the appeal, having regard to the other substantive reasons for refusal, the Commission did not pursue this matter further or attach it as a specific reason for refusal.