

An
Coimisiún
Pleanála

Commission Order
ABP-320741-24

Planning and Development Act 2000, as amended

Planning Authority: Waterford City and County Council

Planning Register Reference Number: 24/60332

Appeal by Anna Tierney care of Vincent Murray Designs Limited of Ballythomas, Rathgormack, Carrick-on-Suir, County Waterford against the decision made on the 8th day of August, 2024 by Waterford City and County Council to refuse permission for the proposed development.

Proposed Development: Change of use of the existing disused single storey farm outbuildings to accommodate four number en-suite bedroom short-stay holiday units and associated tourism accommodation services, i.e., kitchen, laundry, store, and the change of use of the existing haybarn to a covered seating area/farmyard tea rooms, including the provision of new toilets adjacent as part of a heritage tourism project for the site, all at The Thatch, Strandside South, Abbeyside, Dungarvan, County Waterford. The site current accommodates an existing thatched cottage which is a protected structure (RPS reference number DV740128).

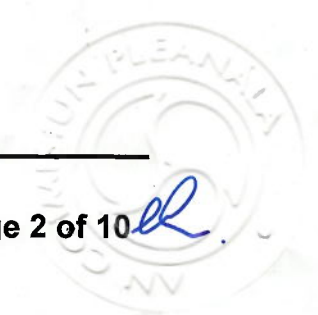
Decision

GRANT permission for the above proposed development based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to the RS Existing Residential land use zoning of the site within which tourist accommodation and tearooms are open for consideration, the nature and scale of the proposed development, and the provisions of the Waterford City and County Development Plan 2022-2028, it is considered that, subject to compliance with the conditions set out below, the proposed development would be compatible with the policies and objectives for the zone, including Built Heritage Objectives and Policies BH08, BH11, BH24 and BH26 of the Waterford City and County Development Plan 2022-2028. The proposed development would not detract from the character and setting of the Protected Structure nor the role of the town centre, would not seriously injure the residential amenities of the area or of property in the vicinity nor would it represent a traffic safety issue, and would be in accordance with ECON22 (Sustainable Tourism) and ECON24 (Tourist Accommodation) of the Waterford City and County Development Plan 2022-2028. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

The Commission noted the concerns of the planning authority relating to the subdivision of a residential site, and the Inspector's recommendation to amend the internal boundary proposed but was not satisfied that a formal internal boundary fence was justified and decided that the internal wall should be omitted by condition to facilitate the integrated heritage offering of the entire site.



Conditions

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Prior to commencement of development on the curtilage of the Protected Structure, the developer shall submit, for the written agreement of the planning authority, a detailed method statement covering all works proposed to be carried out, including:
 - (a) a full specification, including details of materials and methods, to ensure that the proposed development is carried out in accordance with current Conservation Guidelines issued by the Department of Arts, Heritage and the Gaeltacht,
 - (b) methodology for the recording and/or retention of concealed features or fabric exposed during the works,
 - (c) details of features to be temporarily removed/relocated during construction works and their final re-instatement,
 - (d) protection of the Thatch Cottage during the construction works,
 - (e) materials/features of architectural interest to be salvaged,

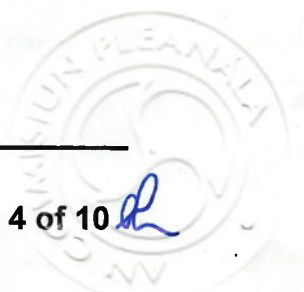
- (f) details of the replacement of any brickwork or any works of re-pointing which shall be undertaken so that it matches the original existing wall finish,
- (g) details of the existing roof slates which shall be retained, any replacement roof slates shall match the existing,
- (h) details of the remaining rainwater goods which, where possible, shall be repaired and reused, the replacement of which (if any) shall match the original in terms of design and materials, and
- (i) details of replacement windows which shall be modelled on surviving windows and shall match them in dimensions, opening mechanism, profiles and materials.

Details to be accompanied by drawings of an appropriate scale of not less than 1:50 in respect of works to the outbuildings, barn and other structures.

Reason: In the interest of the protection of architectural heritage in accordance with the provisions of the Architectural Heritage Protection Guidelines for Planning Authorities.

3. The proposed tea rooms shall be limited to use as tea rooms only and not for use as a restaurant where food is prepared and cooked on site.

Reason: In the interest of clarity and in the interest of proper planning and orderly development.



4. The proposed development shall be amended as follows:
- (a) The proposed toilet block extension to the side of the barn (tearooms) shall be omitted. Revised drawings shall be submitted providing for WC facilities internally within the barn.
 - (b) Revised drawings identifying connection to infrastructure services to service the barn shall be submitted.
 - (c) The boundary between the rear of the Protected Structure and the courtyard shall be omitted.

Prior to commencement of any development works on site, the developer shall submit revised plans and particulars in this regard for the written agreement of the planning authority.

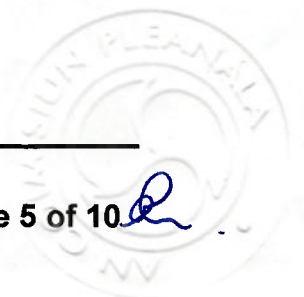
Reason: In the interest of clarity and in the interest of proper planning and sustainable development.

5. Prior to commencement of development, the developer, or any agent acting on its behalf, shall submit for the written agreement of the planning authority details of the proposed tearooms to include the nature and extent of the development, and to include the hours of operation.

Reason: In the interest of clarity and in the interest of proper planning and sustainable development.

6. Details of the materials, colours and textures of all the external finishes to the proposed buildings and any proposed signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

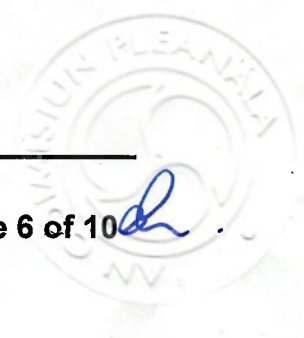
Reason: In the interest of visual amenity and to ensure an appropriate standard of development.



7. A comprehensive boundary treatment and landscaping scheme shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:
- (a) details of all proposed hard surface finishes, including samples of proposed paving slabs/materials for footpaths, kerbing and road surfaces within the proposed development,
 - (b) proposed locations of hedging, trees and other landscape planting in the proposed development, including details of proposed species and settings,
 - (c) details of proposed external seating, if proposed, and
 - (d) details of proposed boundary treatments within the site and at the perimeter of the site, including heights, materials and finishes.

The landscaping scheme shall be implemented fully in the first planting season following completion of the proposed development, and any trees or shrubs which die or are removed within three years of planting shall be replaced in the first planting season thereafter. This work shall be completed before the accommodation and tea rooms are made available for occupation/use.

Reason: In the interest of the preservation of the character and setting of the Thatch House, a protected structure, and to ensure the satisfactory landscaping of the site in accordance with proper planning and sustainable development.



8. Prior to commencement of development, the developer shall enter into Connection Agreement(s) with Uisce Éireann to provide for service connections to serve both the tourist accommodation and tearooms to the public water supply and wastewater collection network.

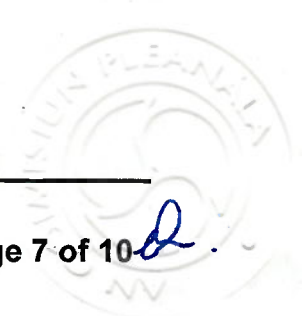
Reason: In the interest of public health and to ensure adequate water and wastewater facilities

9. Prior to commencement of development, the developer, or any agent acting on its behalf, shall submit for the written agreement of the planning authority the submission of an evacuation/emergency plan in the event of a flood event.

Reason: In the interest of public safety, proper planning and sustainable development.

10. A plan containing details for the management of waste within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the agreed waste facilities shall be maintained, and waste shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment and the amenities of properties in the vicinity.



11. The construction of the proposed development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:
- (a) the location of the site and materials compound(s), including area(s) identified for the storage of construction refuse,
 - (b) the location of areas for the construction site offices and staff facilities,
 - (c) details of site security fencing and hoardings,
 - (d) details of on-site car parking facilities for site workers,
 - (e) details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site,
 - (f) measures to obviate the queuing of construction traffic on the adjoining road network,
 - (g) measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network,
 - (h) alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works,
 - (i) details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels,
 - (j) containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater,
 - (k) off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil,
 - (l) means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains, and

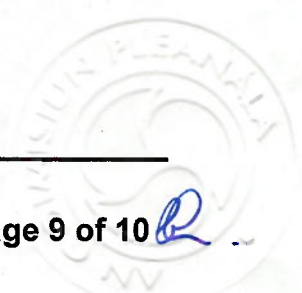
- (m) a record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be made available for inspection by the planning authority.

Reason: In the interest of environmental protection, residential amenities, public health and safety, and environmental protection.

12. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the amenities of property in the vicinity.

13. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.



Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Mick Long

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this 15th day of September 2025.