

An
Coimisiún
Pleanála

**Commission Order
PL-501394-WD-26**

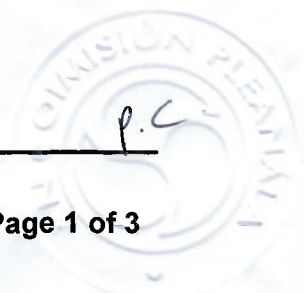
Planning and Development Act 2000, as amended

Planning Authority: Waterford City and County Council

Planning Register Reference Number: 26/60131

Appeal by David and Teresa O'Flynn against the decision made on the 29th day of April, 2026 by Waterford City and County Council to refuse permission for the proposed development.

Proposed Development: Development consisting of: (i) demolition of the existing single-storey detached dwelling and associated structures on the site; (ii) construction of a new detached, single-storey replacement dwelling, incorporating an internal courtyard, a combination of pitched roof forms with limited flat roof elements; (iii) works to the existing private laneway and site entrance, including upgrading of the internal driveway and on-site circulation areas; (iv) all associated site works, including boundary treatments, landscaping, planting, terraces, drainage, foul and surface water services, on-site wastewater treatment system, water supply, and; (v) all ancillary development works necessary to facilitate the proposed development. A Natura Impact Statement (NIS) accompanies the application, all at Ballyeelinan, Ardmore, County Waterford.



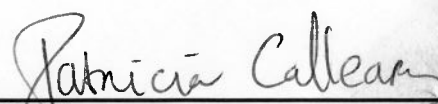
Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

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 BD04 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.

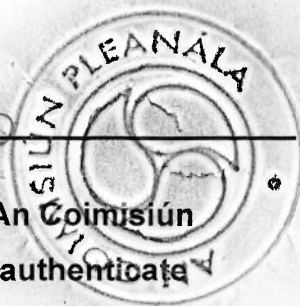


Patricia Callear

Planning Commissioner of An Coimisiún

Pleanála duly authorised to authenticate

the seal of the Commission.



Dated this 15 day of September 2026.