



An
Bord
Pleanála

Inspector's Report

ABP-319658-24

Development	Construction of a house & all associated site works.
Location	Annestown, County Waterford
Planning Authority	Waterford City and County Council
Planning Authority Reg. Ref.	2460076
Applicant(s)	David Twohig.
Type of Application	Permission.
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Carol Cunningham, Mary Sue Connolly, Samantha Beresford & William Galloway.
Observer(s)	None.
Date of Site Inspection	7 th August 2024.
Inspector	Jennifer McQuaid

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1.0 Site Location and Description

1.1. The subject site (0.0432ha) is located in the Village of Annestown, Co.

Waterford. The entire village is designated as an Architectural Conservation Area (ACA). The site is located to the rear of the existing dwelling fronting onto the main street of Annestown and is accessed via a laneway which has direct access onto the public road (R675). The R675 is a designated scenic route. A Protected Structure, the Thatch cottage is located at the entrance to the laneway.

1.2. The site rises in a northerly direction away from the public road. The site is overgrown and underutilised, there are 2 field gate accesses to the site.

2.0 Proposed Development

2.1. The proposal relates to the construction of a single storey dwelling with connection to public sewer and public water. The dwelling will consist of:

- Overall height of 4.68metres,
- Floor area of 76sqm
- Finishes including white render, dark colour window and door frames and grey roof tiles.

3.0 Planning Authority Decision

3.1. Decision

Decision to grant permission subject to 8 conditions. The conditions are generally standard apart from:

Condition 2(e). The boreen serving the dwelling permitted herein shall be suitably surfaced dressed prior to the commencement of any construction works on site, details to be agreed with the District Engineer.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The Planning Authority report assesses:
 - The principle of development in a Rural Village
 - The visual impact
 - Sightlines
 - Laneway ownership
 - House design was considered acceptable in the previous planning application and not discussed in the current application.

3.2.2. Other Technical Reports

- Roads Department – No issue with the proposed sightlines.

3.3. Prescribed Bodies

None

3.4. Third Party Observations

None

4.0 Planning History

22723: David Twohig, Permission refused for or the construction of a single storey family dwelling. The reason for refusal related to the traffic impact as stated below:

“Traffic movements arising from the proposed development would endanger public safety by reason of traffic hazard because of the inadequate visibility available at the junction of the private laneway with the public road in accordance with the development management standards (Volume 2) of the Waterford City & County Development Plan 2020-2028. Furthermore, based on the information to hand the Planning Authority is not satisfied that the applicant has demonstrated unencumbered legal interest in the private laneway. The proposed development would therefore be contrary to the proper planning and sustainable development of the area”.

22689: Incomplete Application. David Twohig

22598: Incomplete Application. David Twohig

21458: David Twohig. Permission Refused for the construction of a single-family dwelling. The reason for refusal related to the design of the dwelling as stated below:

“The Planning Authority considers that the proposed dwelling by virtue of its excessive height, scale and inappropriate design to be sited at an elevated and prominent position within the “Streetscape of Distinctive Character” area for Annestown, as identified in the Waterford County Development Plan 2011-2017 (as varied and extended), would result in a development that would adversely impact on the overall visual setting of Annestown Village and accordingly be contrary to Policy AH10 of the Waterford County Development Plan 2011-2017 (as varied and extended), would have a negative visual impact on a protected structure (RPS Ref: WA750002) and would be injurious to the visual amenity of the wider area. The proposed development would therefore be contrary to the proper planning and sustainable development of the area”.

ABP304931-19: David Twohig. Permission Refused for the construction of a one and a half storey dwelling for the stated reason below:

“Having regard to the location of the site within the “Streetscape of Distinctive Character” for Annestown as identified in the Waterford County Development Plan, 2011-2017 (as extended), its proximity to a protected structure and other buildings listed in the National Inventory of Architectural Heritage, and the surrounding pattern of development by virtue of its inappropriate design by reason of form, elevational treatment and external finishes would have an adverse impact on the special physical and historic character of the village, would seriously injure the amenities of the “Streetscape of Distinctive Character”, would be contrary to Policy AH10 of the Development Plan, and would be injurious to the visual amenity of the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area”.

07318: Elizabeth Twohig. Outline Permission granted for a detached dwellinghouse, two vehicular entrances and connection to public sewer.

5.0 Policy Context

5.1. Waterford County Development Plan 2022-2028

5.1.1. The site is zoned as RV Rural Village, the objective is to protect and promote the character of the Rural Village and promote a vibrant community appropriate to available physical and community infrastructure. Annestown Village is noted as a Rural Node as per Spatial Vision and Core Strategy Chapter 2.

5.1.2. Section 7.11.1 Rural Villages

Consideration of planning applications for development within the settlement nodes will have regard to the service function and role of the node within the wider rural area and will be determined having regard to the settlement typologies, Core Strategy and Settlement Strategy as set out in Section 2 of this Development Plan.

5.1.3. Annestown is a designated Architectural Conservation Area (ACA). Policy BH05 seeks to preserve the special character of Annestown and to protect the heritage values.

5.1.4. There are 5 protected structures within the Village of Annestown. RPS number WA750002 (NIAH 22814006), Thatch house, is located approximately 20metres south. The thatch house is described as detached three bay single storey thatched cottage with dormer attic, c. 1820. Renovated and refenestrated, c.1995. The other include:

- RPS No. WA750542 (NIAH no. 22814013), Town House located c. 50m south.
- RPS No. WA750550 (NIAH no. 22814002), Church of Saint John the Baptist located c.80m west.
- RPS No. WA750551 (NIAH no. 22814016), Town House located 50m southeast.
- RPS No. WA750552 (NIAH no. 22814018), House located c. 140m northeast.

5.1.5. Specific Development Objective –

ATD01. It is an objective of the Council to retain and enhance the unspoilt picturesque character of the village. All new development/redevelopment should have regard to the scale and design of the existing streetscape.

ATD07. Any development must have regard to the topography of the site, and proposed developments shall have an appropriate/sympathetic approach to design which utilises the existing contours. Development of the site shall not detract from the visual setting of the village, particularly when viewed from the approach roads to the village.

5.1.6. Landscape and Seascape Character Assessment

The site is described as “Most Sensitive”. The area has very distinctive features with a very low capacity to absorb new development without significant alterations of existing character over an extended area.

5.1.7. Scenic Route

From Ballyvoyle Head east on the R675 to the junction with the R677. Continuing south along the R675 to Bunmahon, east via Kilmurrin and Annestown and Northeast to Fennor. East onto Tramore and north to Waterford City.

5.1.8. Protected Views

Viewpoint 19. Copper Coast

Viewpoint 20. Annestown Beach

5.2. Natural Heritage Designations

5.2.1. The Mid-Waterford Coast SPA (site code: 004193) lies c.100m to the east, south and west of the subject site. The qualifying interests of the SPA are Chough, Cormorant, Peregrines and Herring Gull.

5.2.2. Proposed Natural Heritage Area (pNHA) Ballyvoyle Head to Tramore, site code 001693 lies approximately 200 metres to the south.

5.3. EIA Screening

5.3.1. The proposal relates to a single storey dwelling with connection to public services in the Rural Village of Annestown. Having regard to the limited nature and scale of

development and the absence of any significant environmental sensitivity in the vicinity of the site, 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.

6.0 The Appeal

6.1. Grounds of Appeal

A third-party appeal has been received from a resident of a property in the vicinity of the site and undersigned by 3 neighbours. The appellants live within close proximity to the proposed site. The grounds of appeal discuss the following issues:

- Planning history
 - Site was refused under planning reference 19294 and An Bord Pleanála appeal planning reference ABP-304931-19.
 - 2 further refusals on site and the refusal reasons have not been addressed in this current application.
- Site Access
 - The private lane/boreen is not taken in charge by the County Council
 - Ownership of the laneway is not clear.
 - The Planning Authority imposed conditions on the applicant to upgrade the laneway, however, this condition cannot be complied.
 - The applicant submitted affidavits relating to the laneway, however, they are unclear as to what the affidavits relate too.
 - Landowner at the entrance intends to erect a fence and boundary wall, this will impact on sightlines from the laneway onto the R675.
- Surface water management
 - The location of the soakaway pit will be in close proximity to the adjacent properties.

- The applicant has stated in Stormwater Soakaway Design Report that surface water will be discharged to public sewer.
- The Thatch cottage and the Schoolhouse will be negatively impacted in respect of additional groundwater.
- The Soakaway Design Report omits important information.
- The proposed site will impact the natural infiltration buffer for the 3 adjacent properties.
- Potable Water Connection
 - No details for the proposed 30 metre extension to the Uisce Eireann connection.
- Building Height
 - Due to the topography of the area, the proposed dwelling will be visible from the road at the laneway between Rose Cottage and The Thatch.
 - The drawings underestimate the level difference between the proposed site and the road level along the R675.
 - Height is marked at 4.681m on 1 drawing and 4.5m on another drawing.
- Architectural Heritage
 - Visual impact on the adjacent Protected Structure, The Thatch.
- Overshadowing/Overlooking
 - The proposed dwelling and the proposed screening will cause overshadowing, overlooking and invasion of privacy.
 - The front of the proposed dwelling will face the rear and upper floors of the neighbouring buildings.
- Inconsistencies and omissions
 - The planning applications submitted throughout the years have had large inconsistencies and omissions in the information presented and this was noted in Planners Report for planning file 22723.
 - The adjacent properties are not shown on a site section drawing.

- Site notice
 - The site notice was dated the 15th of February but was erected on the 16th of February.

6.2. Applicant Response

A response has been received from the applicant, addressing the issues raised in the third-party appeal. The following comments were received:

- Applicant is not a developer and wishes to build a family home and live closer to his aging mother.
- The laneway is not in any landownership and no right of way is required.
- A competent and chartered engineer was employed to design the Soakaway system. The connection to public sewer and water will be undertaken in accordance with all relevant guidelines and standards.
- Building Height – the proposed dwelling will sit into the slope and the dwelling will be absorbed into the north side. The existing Schoolhouse applied for permission to increase their ridge height by 1.5metres which demonstrates that impact on the setting of the village is not a real concern of theirs.
- Architectural Heritage – The design of the proposed dwelling is in accordance with “Urban Design Manual – A Best Practice Guide” (Department of the Environment, Community and Local Government, 2009). “Government Policy on Architecture 2009-2015” (Department of the Environment, Community and Local Government 2009).
- Overlooking/Overshadowing – there are points in the Planning and Development Act 2000-2023 that refer to “overbearing and overlooking” but those relate to LRD (large scale residential development). The proposed dwelling is a single home and not an LRD. The applicant has submitted a drawing showing the dimension from the rear of the application to the rear of the Thatch at 25 metres.
- Inconsistencies and Omissions – the most recent application rectified any inconsistencies and satisfied the Planning Authority.

6.3. Planning Authority Response

- None received.

6.4. Observations

- None received.

6.5. Further Responses

- None

7.0 Assessment

7.1. I have reviewed the proposal in light of the National Planning Framework 2020-2040 (NPF), the Regional Spatial & Economic Strategy for the Southern Region (RSES), the Waterford City & County Development Plan 2022-2028 (CDP), the submissions and my own site visit. Accordingly, I consider that this application/appeal should be assessed under the following headings:

- Architectural Heritage & Visual Impact.
- Overshadowing & Overlooking
- Water Services including surface water & potable water.
- Access
- Procedural issues
- Appropriate Assessment

7.2. Architectural Heritage & Visual Impact

7.3. Annestown Village is a rural, coastal, unspoilt, low level development village with a few new dwellings. Scenic Route R675 is located along the main street of Annestown approximately 30 metres south from the proposed dwelling. The Landscape and Seascape Character Assessment has described the area as “Most Sensitive”. The proposed site is a backland development and located on an elevated site to the rear of Annestown Streetscape.

- 7.4. Annetstown is a designated Architectural Conservation Area (ACA). There are 5 protected structures within the Village of Annetstown. RPS number WA750002 (NIAH 22814006), Thatch House, is located approximately 25metres south of the proposed dwelling. The majority of the dwellings along the main street of Annetstown are listed on the NIAH website and are noted as off regional importance. The existing laneway entrance to the proposed site is situated between the Thatched House (protected structure) and a listed NIAH building Rose Cottage (Reg. No. 22814015)
- 7.5. The grounds of appeal have outlined concerns in relation to the visual impact of the proposed development on the adjacent Protected Structures particularly the “Thatch” dwelling which is located directly to the front of the proposed dwelling. In addition, concerns were raised in relation to height of the proposed dwelling and the overall visual impact of the dwelling on an elevated site onto the surrounding dwellings.
- 7.6. The proposed dwelling is a single storey 2-bedroom dwelling with an overall ridge height of 4.5metres. The overall floor area is 76sqm. The dwelling will have a rendered finish with a pitched grey roof tile. Cross section submitted clearly shows the relationship between the proposed dwelling and the existing dwellings to the east and south. The overall ridge height of the existing dwellings is slightly higher than the proposed dwelling ridge height, however due to the topography & height of the site, the proposed dwelling will be approximately 1 metre higher than the existing surrounding dwellings. The proposed dwelling is cut into the slope with a finished floor level of 23.253m and set back over 20 metres from the existing “Thatch” dwelling (Protected Structure) to the south and over 13 metres from the dwellings to the east and southeast. In response to the appeal the applicant has stated consultation was carried out with the Planning Authority in relation to the design and a number of iterations were made to ensure the design complied with “Urban Design Manual – A Best Practice Guide”.
- 7.7. Given the separation distance from the surrounding dwellings, I do not consider the proposed development will have a negative impact on the existing dwellings nor will the proposed dwelling dominate the “thatch” cottage.

7.8. During my site visit, I noted the only clear view towards the proposed site is from the Main Street of Annetstown via the existing laneway. The proposed dwelling nestled between existing dwelling to the rear of the main streetscape and the views will be minimal from the centre of the village.

7.9. I examined the visual impact of the proposed site from the R675 (Scenic Route) approaching from the east at the entrance to Annetstown beach. The village rises steeply from the beach entrance and as such the dwelling will be viewed in conjunction with the existing dwellings due to the relatively small-scale height and design.

7.10. Specific Development Objective ATD07 requires that the topography of the site in conjunction with any proposed design is considered in assessing new developments, it is my opinion that due to the location of dwelling nestled between existing dwellings, the proposed design of the dwelling will not negatively impact on the ACA of Annetstown, the adjacent protected structures or the R675 Scenic Route. Therefore, the proposal complies with ATD07.

7.11. Having regard to the topography, house design, ridge height, location of existing dwellings, it is my opinion that the proposed dwelling will not have a negative visual impact on the existing dwellings. The difference in the overall ridge heights is minimal and is contributed to the rising ground levels to the rear of the "Thatch" cottage. Given the separation distance, the proposed dwelling will not dominate the Thatch Cottage (Protected Structure).

7.12. Therefore, having regard to the available information, including the site context, planning history, land use zoning and Specific Development Objective ATD07. I am satisfied the proposed development is appropriate and sympathetic to the existing contours and the development of the site will not detract from the visual setting of the village.

7.13. **Overshadowing and Overlooking**

7.14. The proposed dwelling is located on a small, narrow site to the rear of existing dwellings along Annetstown Streetscape and is set back 1.48 metres from the laneway at the nearest point.

7.15. The nearest dwelling (The Old Schoolhouse) is located to the east (appellants dwelling) at 13.4 metres from the proposed dwelling. The proposed dwelling is a single storey detached dwelling, bedroom windows are located on the eastern elevation, however, due to the siting of the dwelling, the windows are over 19metres directly from the existing dwelling.

7.16. The “Thatched” cottage to the south is located approximately 25 metres from the proposed dwelling and the applicant’s mother’s dwelling to the southeast is located over 14 metres from the proposed dwelling. In addition, the “Thatched” cottage does not have any windows on the rear (northern) elevation. In the applicant’s response, a site section drawing was submitted, highlighting the distance between the proposed dwelling and the “Thatched” cottage.

7.17. The grounds of appeal have concerns regarding potential overshadowing and overlooking and invasion of privacy from the proposed dwelling to the nearby properties.

7.18. Having regard to the orientation of the windows and separation distance of the existing dwellings there will not be any overlooking. Therefore, I do not consider the proposal will not give rise to any significant detrimental impact on the residential amenity of neighbouring property by way of overshadowing or loss of daylight/sunlight.

7.19. Surface water drainage & Potable water

7.20. The appellants noted concerns with the surface water drainage proposal and the potential infiltration buffer for the 3 adjacent properties. The appellants also raised concerns with surface water run off on the laneway and subsequent run off onto the main street of Annewtown.

7.21. The total area of the site is 0.0432ha (432m²). All storm waters will be diverted to the on-site soakaway. The applicant submitted a Storm Water Soakaway Design assessment based on the BRE soakaway design Digest 365 typical values and Met Eireann Return period rainfall and a 10% increase for climate change. The trial holes were dug in June 2023 to a depth of 3m and the assessment determined adequate depth of suitable subsoil for soakage of storm waters to discharge to groundwaters. The percolation hole determined quick percolation rates; the sub-soils are therefore deemed suitable.

- 7.22. The Soakaway is located to the south of the proposed dwelling and measures 0.75m X 6.33m X 2m depth (9.5m³) and is a trench shape consisting of crushed stone. BS8301 suggests that soakaways may take the form of trenches that follow convenient contours, and this should be considered in regard to the particular conditions of soil type, available space, site layout and topography. The soakaway details indicate 2 inlet 100mm PVC pipes and an AJ inspection chamber. I consider the soakaway assessment was carried out in accordance with BRE 365 Soakaway Design Digest.
- 7.23. The nearest dwelling is located at c. 9metres, and this dwelling is the applicant's mothers dwelling to the southeast. The neighbouring dwelling to the east is located c. 10metres from the proposed soakaway. The BRE 365 Soakaway Design stated, "Soakaways should not normally be constructed closer than 5m to building foundations". I am satisfied the applicant complies with BRE 365 Soakaways Design and that all storm water will be diverted to an onsite soakaway. In order to ensure ongoing compliance, an appropriate condition shall be attached in the event of a grant of permission.
- 7.24. The grounds of appeal also queried Uisce Eireann requirement for a 30-metre extension to the Uisce Eireann connection for potable water. The appeal notes no details submitted. In response to the appeal, the applicant has stated he will submit a pre-commencement notice prior to construction and this will outline any construction in line with Building Regulations. In the event of a grant of permission, the applicant will be advised to contact Uisce Eireann to agree details, this is not a matter for the An Bord Pleanála and is a matter for Uisce Eireann and the applicant.
- 7.25. I note the ongoing issues in relation to surface water run off on the laneway, which is mainly attributed to the steep slope of the laneway. However, the laneway is outside the landownership boundary of the applicant and cannot be dealt with in this application. The applicant has proposed an on-site soakaway system to deal with any surface water runoff within the site, therefore I do not consider the proposal will exacerbate the surface water issues on the laneway.

7.26. Access

- 7.27. The proposed development is located along a laneway off the main R675 in Annestown village. The laneway is not taken in charge by Waterford County Council and apparently not in any particular ownership.
- 7.28. The grounds of appeal acknowledge the laneway is not in the ownership of any particular person or property and there are no such records available. The grounds of appeal query the reason why the Planning Authority imposed a condition on the applicant to upgrade the laneway, as this condition cannot be complied with. In addition, concerns were also raised in relation to the sightlines from the laneway onto the R675 with the junction at the “thatch” cottage.
- 7.29. I have reviewed the information submitted as part of the planning application and carried out a site visit. I note the applicant has submitted signed affidavits outlining the laneway has been used by the applicant and his family since 2005 and by other residents on the laneway. I consider the applicant has submitted sufficient evidence in order to use the laneway for access to the proposed site.
- 7.30. In regard to the sightlines at the entrance onto the public road at R675, the junction is within the 50km/h speed limited and as such the sightlines shall be assessed in accordance with DMURS section 8.8 “for urban areas inside the 60km/h urban speed limit, developers should also have regard to the best practice standards set out in the Design Manual for Urban Roads & Streets (DMURS) 2020.
- 7.31. A site layout has been submitted and clearly indicates 45 metres sightlines in both directions taken 2.4m back from the edge of the road at the junction of the laneway and R675. The drawing also includes the proposed new hedging at the “thatch” cottage.
- 7.32. Having regard to the requirements of DMURS and the design of the entrance, I consider adequate sightlines can be achieved. In regard to the condition imposed on the applicant to upgrade the laneway, this condition is unreasonable as the applicant does not own the laneway and it is not within the red line boundary.

7.33. Procedural Issues

7.34. In terms of procedural matters and the alleged irregularities in terms of the nature and timing of the erection of the site notice, I note that both matters were considered acceptable by the Planning Authority.

In regard to omissions and inconsistencies on the maps and drawings submitted. I am satisfied that this did not prevent the concerned party from making representations. The above assessment represents my de novo consideration of all planning issues material to the proposed development.

8.0 AA Screening

8.1. Having regard to the proposed development of a single storey dwelling with connection to public sewer and water and within the boundary of Annestown Village. The nearest European Site is the Mid-Waterford Coast SPA (Site code 004193) lies c. 100 metres to the east downhill of the site and c.100metres to the south and to the west. It is considered that no Appropriate Assessment issues arise as the proposed development would not be likely to have a significant impact individually or in combination with other plans or projects on a European site.

9.0 Recommendation

Having regard to the above assessment, and based on the following reasons and considerations, it is recommended that permission be granted subject to the following conditions.

10.0 Reasons and Considerations

Having regard to the development strategy for Annestown Village zoned as a Rural Village, the provisions of Waterford County Development Plan 2022-2028, the scale and nature of the proposed development, it is considered that the proposed development would not seriously injure the amenities of property in the vicinity, would not be prejudicial to public health and would be acceptable in terms of traffic safety, cultural heritage and visual amenity. The proposed development would,

therefore, be in accordance with the proper planning and sustainable development of the area.

11.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application received by the planning authority on the 19th day of February 2024, 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 development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. (a) The roof of the proposed dwelling shall be blue-black or slate-grey in colour throughout.
(b) The render finish to be used on the external walls shall be of a uniform colour, a sample of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development, unless otherwise agreed.

Reason: In the interest of visual amenity.

3. The landscaping scheme shown on drawing, as submitted to the planning authority on the 19th day of February 2024 shall be carried out within the first planting season following substantial completion of external construction works.
All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity.

4. (a) The entrance gates to the proposed house shall be set back not less than four metres and not more than six metres from the edge of the public

road. Wing walls forming the entrance shall be splayed at an angle of not less than 45 degrees and shall not exceed one metre in height.

(b) Regardless of the gradient of the driveway, the area between the edge of the roadway and the gate piers shall be reasonably flat and level with the laneway, with a gradient not exceeding 2.5%.

(c) Entrance and boundary wall onto the laneway shall be constructed of sod & stone, dry stone, stone faced masonry or natural stone and mortar and shall not exceed 1.2m in height unless otherwise agreed with the Planning Authority.

Reason: In the interest of traffic safety.

5. All public service cables for the development, including electrical and telecommunications cables, shall be located underground throughout the site.

Reason: In the interest of visual amenity.

6. Surface water from the site shall not be permitted to drain onto the adjoining public road.

Reason: In the interest of traffic safety.

7. (a) All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road or adjoining properties.

(b) The access driveway to the proposed development shall be provided with adequately sized pipes or ducts to ensure that no interference will be caused to existing roadside drainage.

Reason: In the interest of traffic safety and to prevent pollution.

8. Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreement(s) with Uisce Eireann.

Reason: In the interest of public health.

9. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Saturdays inclusive, and not at all on Sundays and public holidays. Deviation from these times will only be allowed

in exceptional circumstances where prior written approval has been received from the planning authority.

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

10. 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 Bord 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.

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.

Jennifer McQuaid

Planning Inspector

4th September 2024

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference			
Proposed Development Summary	Construction of a single storey dwelling with connection to public water and sewer.		
Development Address	Annestown, Co. Waterford		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	✓
		No	
2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?			
Yes		Class.....	EIA Mandatory EIAR required
No	✓		Proceed to Q.3
3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?			
		Threshold	Comment (if relevant)
			Conclusion
No	✓	N/A	No EIAR or Preliminary Examination required
Yes		Class/Threshold.....	Proceed to Q.4

4. Has Schedule 7A information been submitted?

No		Preliminary Examination required
Yes		Screening Determination required

Inspector: _____

Date: _____