



An
Bord
Pleanála

Inspector's Report

ABP-320151-24

Development

Permission for the demolition of a single-storey dwelling and replacement with a dormer dwelling including all ancillary site works to include the provision of street frontage parking and landscaping.

Location

The Apartment, Coffey Lane,
Ardmore, County Waterford, P36
E658.

Planning Authority

Waterford City and County Council

Planning Authority Reg. Ref.

2360570

Applicant(s)

Bill Dowling Farming.

Type of Application

Permission.

Planning Authority Decision

Grant

Type of Appeal

Third Party

Appellant(s)

Des & Kay Fitzgerald

Dr. James Power

Anne Roche and Richard Lee

Catherine McCarthy

Observer(s)

None.

Date of Site Inspection

2nd September 2024

Inspector

Jennifer McQuaid

Contents

1.0 Site Location and Description	5
2.0 Proposed Development	5
3.0 Planning Authority Decision	5
3.1. Decision	5
3.2. Planning Authority Reports	5
3.3. Prescribed Bodies	6
3.4. Third Party Observations	7
4.0 Planning History.....	8
5.0 Policy Context.....	8
5.1. Development Plan.....	8
5.2. National Policy	11
5.3. Regional Policy	11
5.4. Natural Heritage Designations	12
5.5. EIA Screening	12
6.0 The Appeal	12
6.1. Grounds of Appeal	12
6.2. Applicant Response	14
6.3. Planning Authority Response.....	15
6.4. Observations.....	15
6.5. Further Responses	15
7.0 Assessment	16
8.0 AA Screening.....	25
9.0 Recommendation.....	25

10.0	Reasons and Considerations.....	26
Appendix 1 – Form 1: EIA Pre-Screening & Form 2 EIA Preliminary Examination		

1.0 Site Location and Description

- 1.1. The proposed site is located in the village of Ardmore, Co. Waterford. The site is located along a local narrow road L-2101 known as Coffey Lane. The site is an infill site within the development boundary of Ardmore.
- 1.2. The site is 0.029 hectares, there is an existing building on site with access to Coffey Lane, to the rear of the site there is an apartment over a café/retail unit. Pedestrian access to the apartment is via the subject site of Coffey Lane.

2.0 Proposed Development

- 2.1. The proposed development consists of:
 - Demolition of single storey dwelling
 - Replacement with a dormer dwelling
 - All ancillary site works

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority granted permission subject to 15 conditions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The Planning Authority report discusses site servicing, access and house design/siting. Further information was requested in relation to potential impact on adjacent properties, the applicant was requested to demonstrate how the proposal complies with Volume 2, DM standards of the WCDP, applicant also requested to remove the proposed 2 in curtilage car parking spaces and to request a pre-connection enquiry from Uisce Eireann.
- The further information report states the applicant has addressed the concerns raised and the development complies with the WCDP and the

Sustainable Residential Development and Compact Settlements – Guidelines for Planning Authorities. The 2 car parking spaces have been removed and on-street car parking proposed. Uisce Eireann have confirmed a feasible connection without infrastructure upgrades.

3.2.2. Other Technical Reports

- Area Engineer: Reversing in and out of the proposed two off-road parking spaces, crossing over the public footpath and public road represents a safety hazard to both pedestrians and motorists and therefore is not recommended on road safety grounds.

3.2.3. Conditions

- Condition 4: The rear-facing window at first floor level shall be glazed in obscure glass or as otherwise may be agreed in writing with the Planning Authority.

Reason: In the interest of clarity and residential amenity and the proper planning and sustainable development of the area.

- Condition 5: The east-facing windows at first floor level shall provide for brise soleil fins, in accordance with further information received on the 8th of May 2024, to mitigate overlooking of adjoining amenity areas.

Reason: In the interest of clarity and residential amenity and the proper planning and sustainable development of the area.

- Condition 10: The landscaping in the southeast corner at the front of the application site shall be omitted and kept free from development. A revised site layout plan illustrating same shall be agreed with the Planning Authority prior to the commencement of any development on site.

Reason: in the interest of existing residential amenity and to maintain the existing right of way.

3.3. Prescribed Bodies

- None

3.4. Third Party Observations

A number of third-party observations were received from 8 residents. The main concerns raised were:

- Height and scale of the proposed development, overbearing, overshadowing, overlooking and loss of light.
- Impact on ground, excavation required, impact on mature trees and natural screening.
- Proposed building for demolition is a shed not a dwelling. The development description is therefore incorrect.
- Applicant shall be required to comply with Part V.
- Pedestrian access is required to the first floor living accommodation to the site to the rear of the subject site. The proposal would extinguish this pedestrian access, which is stated to be the only access to the property. Waste is brought out through this access.
- Roadway is narrow, high traffic volumes particularly in the summer months. Car parking to the front of the site will impede access to the adjacent laneway. Concerns raised about access for emergency services.
- Negative visual impact, the finishes proposed are inappropriate and incongruous.
- The charm of the “Stone Cottage” shall be protected.
- Applicant owns a three-bedroom apartment to the rear of the site, and this is unoccupied.
- Site is in an ACA, proposal will negatively impact on the adjacent historic buildings, their setting, pattern of historic urban grain, building line etc.
- Proposal will contravene WCDP in terms of private open space and minimum separation distance for above ground floor windows.
- Proposal will be used as a holiday home; this should be condition for use by local residents.

Further submissions were received in relation to the further information response. The concerns raised were:

- Development description is invalid.
- Disabled car parking obstructed by the proposed development.
- Omission of car parking spaces will result in shortage of on-street car parking spaces.
- Overlooking, overshadowing, no shadow impact assessment was undertaken.
- Existing apartment to the rear will be landlocked.
- Development is excessive in terms of size, height and design.
- Development is substandard for an ACA area.

4.0 Planning History

02145: Permission granted to demolish existing café and construct a new two storey building with café and take away section on ground floor and first floor living accommodation, new shop fronts and all associated site works.

Site to the west:

00662: permission granted for change of house plans.

99659: permission granted for construction of dwelling, entrance gate & ancillary services.

5.0 Policy Context

5.1. Development Plan

Waterford City and County Development Plan 2022-2028 (WCDP)

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. Ardmore Village is noted as a Rural Town (Class 4A) as per Spatial Vision and Core Strategy Chapter 2. Rural towns and villages less than 1500 population and the wider rural region. While rural in scale these towns provide a range of employment along with commercial, cultural and community services.

CS 16 Rural Towns and Villages

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 (Class 4 & 5 in Table 2.1) will be required to demonstrate that:

- The scale of a 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.
- The proposal is compatible with the context of the site in terms of character, scale and density.
- The proposal will contribute to the visual and general/residential amenity of the settlement and its built quality.
- The proposal avoids any transgression onto land used or intended for use as public amenity.
- The proposal is accompanied by a program for developing out the site in terms of access to public water/wastewater, innovative solutions to wastewater such as integrated constructed wetlands and other services along with a completion timeframe; and,
- The proposal will not prejudice the future development of land in its vicinity and the expansion of public amenities or community land uses such as schools.
- Site selection should be informed by a sequential approach to development and the avoidance of development within flood zones. Development within flood zones should be for water compatible uses only.

In order to avoid a situation where permitted residential development may sterilise other development proposals during the lifetime of the Development Plan, we may specify the lifetime of a planning permission having regard to the program for implementing the development identified in the proposal.

Chapter 11 Heritage

Ardmore is a designated Architectural Conservation Area (ACA).

BH05 Architectural Conservation Areas. It is the policy to:

- Achieve the preservation of the special character of places, areas, groups of structures setting out Architectural Conservation Areas (ACA).
- Protect the special heritage values, unique characteristics and distinctive features, such as shopfronts within the ACA from inappropriate development which would detract from the special character of the ACA.
- Prohibit the demolition of historic structures that positively contribute to the distinctive character of the ACA.
- Encourage the undergrounding of overhead services and the removal of redundant wiring/cables within an ACA and to assess all further cable installations against its likely impact on the character of the ACA as the cumulative impact of wiring can have a negative impact on the character of ACAs.
- Provide guidelines on appropriate development to retain its distinctive character and protect elements of the streetscape such as rubble stone boundary walls, planting schemes and street furniture such as paving, post boxes, historic bollards, basement grills, street signage/plaques, etc. which make a positive contribution to the built heritage.
- Retain or sensitively reintegrate any surviving items of historic street furniture and finishes such as granite kerbing and paving that contribute to the character of an ACA.

BH06 Architectural Heritage Impact Assessment.

It is the policy of the Council when considering development which may have a significant impact on a protected structure, its setting or curtilage or have an impact on an ACA, that the proposal be accompanied by an Architectural Heritage Impact Assessment (AHIA) detailing the potential impact of the development on the architectural heritage. The report should be compiled in accordance with the details set out in Appendix B of the Architectural Heritage Protection Guidelines for Planning Authorities, Department of the Environment.

BH12 Settings and Vistas. It is the policy of the Council to ensure the protection of the settings and vistas of Protected Structures, and historic buildings within and adjacent to ACA's from any works which would result in the loss or damage to their special character.

Volume 2, DM Standards, Section 10.0 outlines specific planning guidelines for buildings contained within ACA's. It is stated that "An Architectural Heritage Impact Assessment (AHIA) will be required when considering development which may have a visual or physical impact on a protected structure, its setting or curtilage, or have an impact on the character of an ACA or an historic designed landscape"

There are 14 protected structures within the Village of Ardmore. The closest is located to the north of the Site, Thatch House (RPS Number WA750011).

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.

Protected Views – View from Ardmore Round Tower over Ardmore Bay.

Carparking – Volume 2, DM Standards Section 7.1 (car parking) spaces may be provided on site or on street. Appropriately designed on-street car parking will be encouraged to facilitate increases in residential densities at appropriate locations. This parking may be provided as a shared parking area or bay which may be integrated into the overall development, or provided on-street where road widths are developed to adequate standards.

5.2. National Policy

- National Planning Framework – Project Ireland 2040
- Sustainable residential Development and Compact Settlement Guidelines 2024.
- Design Manual for Urban Roads & Streets (DMURS) 2019.

5.3. Regional Policy

- Regional Spatial and Economic Strategy for the Southern Region

5.4. Natural Heritage Designations

The subject site is not located within a Natura 2000 site, the closest are located:

- Ardmore Head SAC (Site Code: 002123) is located approximately 0.65km east.
- Helvick Head to Ballyquin SPA (Site Code: 004192) is located approximately 3.5km northeast.
- Blackwater Estuary SPA (Site Code: 004028) is located approximately 6km west.
- Blackwater River (Cork/Waterford) SAC (Site Code: 002170) is located approximately 6km west.

5.5. EIA Screening

- 5.5.1. The proposal relates to a 1 no. infill dwelling with connection to public services in Ardmore Village. The site is located on zoned lands and not within a designated site. 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. Please refer to Form 1 and Form 2 as per Appendix 1 below.

6.0 The Appeal

6.1. Grounds of Appeal

The grounds of appeal are submitted from four local residents who live in close proximity to the proposed development. The concerns raised are:

- Invalid application
 - No permission for a dwelling on site with a stated floor area of 24.5sqm.
 - Public notices misleading.
 - Blue line indicating landowner omitted from the submitted maps.

- No plans submitted for building to be demolished in accordance with Article 22(4)(a).
- No assessment submitted of the building to be demolished within an ACA.
- Part V should be complied with.
- Planning conditions – incorrect date noted on condition 1 which refers to 24th November 2023 as amended by the details submitted on the 8th of May 2024. Various other dates noted on the drawings and further information received by the Planning Authority.
- Landlocking – no internal access to the first-floor apartment from the Café and no external access to the upper-floor apartment from the ground floor granted under planning reference 02145.
- Development Contributions – Condition 15 allows for reduction in fees based on: 1. An existing 24sqm dwelling being demolished, despite no existing dwelling on site, 2. no requirement for parking contribution in the absence of off-street car parking. 3. A further 50% reduction in contributions based on the development representing an infill/gap site which would enhance the streetscape.
- Negative Impact on road safety – insufficient space in front of the site to provide two on-street parking spaces. No consideration was given to the parking demand of the existing apartment and the Planning Authority has previously determined further on-street parking for new housing on Coffey Lane to be unacceptable. Off street parking granted under 08/99 & 11/344 on opposite side of Coffey Lane. Council have installed bollards on the footpath approaching Main Street and erected 4 STOP signs at the four crossroads at the top of Coffey Lane.
- Negative Impact on the Streetscape and ACA – no assessment from the Planning Authority in relation to ACA or “Streetscape of Distinctive Character”. The proposal materially contravenes aspects of architectural conservation area and built heritage policy objectives BH05 (architectural conservation area policy), BH06 (the requirement for architectural heritage impact assessment),

BH10 (building adaption), BH11 (maintain and enhancing special character),
BH13 (vacant and derelict structures)

- Impact on the existing apartment – no access, no private external garden space.
- Impact on property to the northeast – loss of privacy in the rear garden and rear windows, loss of daylight and sunlight in the rear garden and the overbearing impact of such a high and bulky structure so close to the common boundary. The proposed dwelling is 7m in height and only c2.7m from the common boundary.
- Impact on the property to the west – proposed building is directly adjacent to the party boundary and rises up 5.688m from the FFL, 370mm higher than the appellants property. Sunlight on the eastern gable will be blocked, window on the eastern gable, question the accuracy of the 3D Aerial views which differ to the site layout plan. Overshadowing, height of 6.058metres will have an overbearing impact on the appellants property. The rising wall will only be 1.7 metres from the gable wall.
- Impact on property to the southeast, bedroom window on the front elevation overlooking the first-floor bedroom window of the cottage. Access to the right of way to St. Declan's Church will be impacted.
- Construction traffic – no details on how much fill is required, access to the site is restricted by the width of Coffey Lane, construction traffic will result in traffic hazard and congestion. No details submitted in relation to construction method given the topography of the site.
- Design and layout in inconsistent with the area.
- Impact on tourist which walk down Coffey Lane on their trip around Ardmore. And the lane is part of the publicised and promoted St Declan's Way.

6.2. Applicant Response

- The applicant has responded and make the following comments:

- The proposed development is of a modest scale and will not injure the residential amenities of properties in the vicinity and will make a positive contribution to the village, streetscape and ACA.
- The construction will be managed in accordance with a construction management plan which will be agreed with the Planning Authority.
- The application was submitted with comprehensive list of supporting material, this was comprehensively assessed by the Planning Authority and is it fully in compliance with National Policy and Waterford County Council's policy and objectives, particularly in relation to delivering brownfield, infill development.
- There are no access issues arising from the proposed dwelling house or the properties fronting onto the Main Street. The takeaway and café to the front of the site will be replaced with residential use and the apartment at level 1 will be factored into the replanned scheme on the Main Street
- Development contribution calculations are clearly set out in the planners report and based on the Waterford City and County Development Contribution Scheme 2023-2029.
- In relation to waste management for the apartment/commercial property on Main Street, this will remain unchanged as a result of the dwelling proposed on site and will continue to be managed and maintained by the applicant.

6.3. Planning Authority Response

- None

6.4. Observations

- None

6.5. Further Responses

- None

7.0 Assessment

7.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, and inspected the site, and having regard to relevant local/regional/national policies and guidance, I consider that the main issue in this appeal are as follows:

- Residential Amenity.
- ACA & Design.
- Traffic and Car parking.
- Other issues.
- Procedural issues.
- Appropriate Assessment.

7.2. Residential Amenity

7.3. The subject site is located in the rural village of Ardmore, Co. Waterford along Coffey Lane. The site fronts onto Coffey Lane and there is a terrace café/restaurant & apartment building located directly to the rear of the site. The site is essentially a backland development of a long narrow strip of land to the rear of Main Street but with direct access onto Coffey Lane. There is a dormer bungalow located directly to the west of the site along Coffey Lane and a row of single to two storey cottages to the east along Coffey Lane.

7.4. Three of the four appeals have been received from the closest residents to the proposed dwelling. The appellant in the property to the northeast (along Main Street) has concerns regarding their loss of privacy, daylight and sunlight in the rear garden and rear windows, and the overbearing impact of such a high and bulky structure so close to the common boundary. The proposed dwelling is 7m in height and c2.7m from the common boundary.

7.5. The appellant in the property to the west (dormer dwelling) along Coffey Lane has outlined that the proposed building is directly adjacent to the party boundary and rises up to 5.688m on the flat roof section which is 370mm higher than the appellants property. The sunlight on the eastern gable will be blocked as well as on the window of the eastern gable. The overall height of the proposed dwelling is 6.835metres and

this will overshadow and overbear on the appellants property. The rising wall will only be 1.7 metres from the gable wall.

- 7.6. The appellant in the property to east along Coffey Lane has concerns regarding the loss of privacy in rear amenity space and existing extension rooms downstairs. The appellant also highlighted the first-floor bedroom window is less than 16 metres from the front upstairs windows.
- 7.7. The grounds of appeal also note the location of the existing apartment to the rear of the proposed dwelling along Main Street. This apartment and the ground floor commercial units are in the ownership of the applicant. Due to the height difference in land levels between Main Street and Coffey Lane, the existing first-floor apartment is in line with the proposed ground floor of the dwelling.
- 7.8. The proposed dwelling is a dormer style with an overall height of 6.835 metres, the finishes include selected cut limestone with smooth white acrylic render. The site is confined and narrow, and the proposed dwelling is located in what would have been the original rear garden of the property along Main Street. The site measures c.10.5m in width and c.23m in length and therefore the gable end of the dwelling will front Coffey Lane and extends to the rear of the site. The site is higher along Coffey Lane with a ground level of 8.45m above sea level and drops to the rear to 7.55m above sea level. The existing dwelling to the west has a ridge height of 14.35m above sea level and the dwelling to the east has a ridge height of 14.37m above sea level, the proposed dwelling will have a ridge height of 15.31m above sea level. This is approximately 1 metre higher than the adjacent properties. The dwelling is less than 2 metre from the gable end of the property to the west and c. 6 metres to the property to the east. The proposed development is set back from the established building line along Coffey Lane and angled from the Lane in order to fit into the site.

Overlooking

- 7.9. The applicant has provided over 16 metres back to back separation between the upper floors and over 12 metres between the lower floor levels of the apartment to the rear of the proposed development. The separation distance complies with Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities, SPPR1- Separation Distance:

“When considering a planning application for residential development, 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. Separation distances below 16 metres may be considered acceptable in circumstances where there are no opposing windows serving habitable rooms and where suitable privacy measures have been designed into the scheme to prevent undue overlooking of habitable rooms and private amenity spaces.

There shall be no specified minimum separation distance at ground level or to the front of houses duplex units and apartment units in statutory development plans and planning applications shall be determined on a case-by-case basis to prevent undue loss of privacy”.

7.10. In regard to the dwelling to the east (cottage), the separation distance is less than 16 metre for first floor windows at the front of the dwelling and below the Compact Settlement Guidelines. Although the windows are not directly opposite, they are slightly at an angle. The proposed development is not directly overlooking, there is a perceived overlooking given the angle and there is a potential for negative impact on the habitable space of the adjacent property. If the Board are mindful to grant permission, a condition shall be attached stating the front bedroom window of the proposed development shall be obscured.

7.11. In relation to the property to the northeast along Main Street, a number of windows are proposed along the eastern boundary of the proposed dwelling, and the first floor windows will directly overlook into the rear private amenity space. The applicant has proposed brise soleil fins to limit the view. The proposed windows will not directly overlook into the rear of the existing dwelling and will only have a slight view onto the rear back garden of the existing dwelling. Given the brise soleil fins proposed the proposed development does comply with WCDP, Volume 2, DM Standards Table 3.1 General Standards for New Residential Development in Urban Areas, Privacy:

- *Privacy is an essential factor in residential layout. Privacy can be ensured by attention to the alignment of new residential buildings and their relationship to each other.*
- *Good design in housing layouts, the configuration of houses and their relationship to each other, to open spaces and roads, should aim to provide*

layouts with adequate private open space and screening so as to achieve freedom from observation.

- 7.12. In regard to the property to the west, there are no windows proposed on the western elevation, therefore no overlooking onto the property or their private amenity space. WCDP, DM Standards Table 3.1 General Standards for New Residential Development in Urban Areas, require a minimum of 2.2 metres separation between the side walls of detached, semi-detached and end of terrace dwellings to ensure privacy and ease of access. The site layout plan indicates this has been generally achieved between the buildings, however, the separation distance reduces to 1.7m to the rear of the dwellings at the 2 end corner gables. Given that the separation has been achieved for the majority of the side walls, it is my opinion that the separation distance is acceptable.

Overshadowing

- 7.13. The applicant has not provided any details in relation to daylight and shadow analysis for the adjacent properties. The proposed development is orientated on north to south axis. The proposed development has the potential to negatively impact on sunlight approaching from the east on the morning sunlight of the property to the west. However, this will be minimal and potentially only impact on a ground floor window in the early hours of the morning.
- 7.14. Given the distance between the proposed dwelling and the existing apartment/commercial building to the north, I do not believe, overshadowing will occur.
- 7.15. In relation to the property to the northeast, the proposal has the potential to cause afternoon/evening overshadowing on the rear private garden space of the dwelling due to the overall height of the proposed dwelling. However, the proposed development will not overshadow the rear of the existing dwelling and will only have a minimal impact on the rear garden space.
- 7.16. It is in my opinion that the proposed dwelling will not negatively affect the adjacent properties. The proposal complies with the Compact Settlement Guidelines and generally adheres to the WCDP DM Standards. The proposal has the potential to overlook into the private amenity space of the adjacent garden to the northeast. However, the applicant has proposed brise soleil fins which will obscure any

potential overlooking. If the Board are mindful to grant permission, a condition shall be attached requesting the applicant to provide brise soleil fins or similar screening.

7.17. Having considered the design, orientation and taken into account the DM standards of the WCDP and the Compact Settlement Guidelines, I consider the design and scale of the dwelling will not have a negative impact on the residential amenity of the adjacent properties.

7.18. ACA & Design

7.19. The village of Ardmore is designated as an Architectural Conservation Area (ACA), the village is recognised as a special historic interest which retains a very representative collection of buildings spanning centuries. The village is considered of historic, social, cultural, archaeological and architectural merit.

7.20. The grounds of appeal state the proposed development will have a negative Impact on the Streetscape and ACA. There was no assessment from the Planning Authority in relation to ACA or "Streetscape of Distinctive Character". The proposal materially contravenes aspects of architectural conservation area and built heritage policy objectives BH05 (architectural conservation area policy), BH06 (the requirement for architectural heritage impact assessment), BH10 (building adaption), BH11 (maintain and enhancing special character), BH13 (vacant and derelict structures).

7.21. The proposed dwelling is located along Coffey Lane, the existing dwellings along this lane are cottage type single to two storey style dwellings. The dwellings open directly onto Coffey Lane and are not set back from the lane. The proposed dwelling does not take into account the existing building line or height of the existing dwellings. The proposed dwelling is set back from the lane and the height is 7 metres, it is generally over 1 metre higher than the existing dwellings. Volume 2 DM Standards, table 10.1 Architectural Character Areas, Building Guide, New Buildings state:

All new buildings should contribute to the visual enhancement of the area while respecting its physical character.

- *Buildings should follow the eaves heights, roof pitches and building lines which predominate in the streetscape and should employ windows of matching proportions and alignment. Materials should be of good visual quality and durability.*

And Developments in Long Gardens or Curtilages

- *New development within these sites should be subsidiary to the main building on site and should respect the pattern of the historic urban grain.*

In my opinion, the proposed dwelling does not take into account the streetscape, the existing building line or pattern of development in the area. The proposed dwelling is out of character for Coffey Lane, the height is excessive, and it does not conform to the existing building line. The proposal is dominate in its setting. The applicant has not submitted an Architectural Heritage Impact Assessment. It is in my opinion that due to the location of the proposal within an ACA and the impact of the design and excessive scale, I consider the proposed development will have a significant impact on the ACA.

7.22. Having regard to the proposed design, height, scale and finishes which are out of character with the adjacent properties and set back from the established building line of Coffey Lane and in the context of Ardmore designation as an ACA, the proposal will have a detrimental visual impact on the setting of Ardmore as an ACA, and refusal shall be recommended.

7.23. Traffic and Car Parking

7.24. The proposed entrance is located along Coffey Lane, just off the Main Street of Ardmore Village. Coffey Lane is approximately 4 metres width and there is a footpath constructed along the northeastern boundary of the lane. There's no off street car parking for the dwellings along the northeastern boundary and as such residents park along the lane.

7.25. The grounds of appeal have concerns regarding the negative impact on road safety and state there is insufficient space in front of the site to provide two on-street parking spaces. No consideration was given to the parking demand of the existing apartment to the rear of the site and the Planning Authority has previously determined further on-street parking for new housing on Coffey Lane to be unacceptable. Off street parking was granted under planning reference 08/99 & 11/344 on opposite side of Coffey Lane. Waterford Council have installed bollards on the footpath approaching Main Street and erected 4 STOP signs at the four crossroads at the top of Coffey Lane.

7.26. During my site visit, I noted that Coffey Lane is very narrow and unsuitable for 2 cars passing and further exacerbated when cars are parked on the road. Traffic has to wait at either end of the lane to allow cars through. The applicant has proposed to park 2 cars on the lane in front of the proposed dwelling. Initially the applicant had proposed to provide 2 in curtilage car parking spaces, but this involved driving over and/or reversing over the existing footpath. The Area Engineer of WCC did not approve and did not recommend a grant on road safety grounds. There were no further comments from the Area Engineer in relation to the proposal to park on Coffey's Lane.

7.27. WCDP, Volume 2 DM Standards do allow for a relaxation in car parking standards if it is not deemed to be required on a site-by-site basis where road widths are developed to an adequate standard. It is also stated that parking areas should be designed in accordance with Section 4.4.9 of the DMURS Guidelines. A mix of on-street and in-curtilage parking is encouraged in residential settings. The proposal relates to a village setting whereby the majority of residential parking is provided on-street. The WCDP and the Sustainable and Compact Settlement Guidelines for Planning Authorities allow for on-street car parking and reduced car parking spaces are acceptable in towns and villages where alternative modes of transport are available. However, in this instance, given the current limited car parking and narrowest of Coffey Lane, which currently has limited movement space, I do not consider it is acceptable to encourage or permit further car parking on Coffey Lane.

7.28. Having regard to the location of the proposed development on a narrow street with limited car parking spaces, I do not consider the proposed on-street car parking is acceptable and is not in the interest of traffic safety.

7.29. **Other Issues**

Right of way/Walkway

7.30. The grounds of appeal have raised concerns in relation to the tourist walkway along Coffey Lane and the right of way walk to St. Declan's Church. The footpath to the front of the proposed development is located on public road, therefore any proposed parking should not block the existing footpath access. The proposed development is located within the site boundary, access is retained to the right of way to St. Declan's Church. The proposed site layout indicates a green area and footpath close to the

right of way. In the event of a grant of permission, an appropriate condition can be applied to ensure no obstruction of the right of way and a revised site layout shall be agreed with the Planning Authority.

Construction

- 7.31. The grounds of appeal have concerns regarding the construction phase and potential impact on the adjacent properties. It is my opinion, that the proposal will not impact the residence during construction, as in the event of a grant of permission, appropriate construction conditions shall be attached.

Part V

- 7.32. The grounds of appeal also raised concerns that the applicant hasn't complied with Part V of the Planning and Development Act 2000-2024. The proposed development is located on zoned lands within a village; therefore, Part V shall be complied with. In the event of a grant of permission, an appropriate condition shall be attached.

Development Contributions

- 7.33. The appellants noted concerns in the calculation of development contributions. In the first instance, the appellant does not believe a reduction for the existing dwelling onsite should have been applied and they also consider a car parking levy should have been applied.
- 7.34. I have made the following calculation in accordance with Waterford City & County Development Contributions Scheme 2023-2029.
- €3,500 for the first 125sqm of residential development, €30 per any further square metre. Total €3,950.
 - Demolition of 24sqm of residential development shall be deducted from the development contribution. Development Contribution Scheme, Section 9 Reductions: and General Reductions 6. Replacement dwelling states where it can be demonstrated that the structure is serviced and was last used as a dwelling, the equivalent floor area of the house that is being replaced shall be exempt from development contributions. Any new floor space above 125sqm shall be charged on a pro-rata basis per the appropriate rate for residential development. The Planning Authority have outlined that they accept there is a dwelling on site given the Eircode.

Therefore, €3,500 for residential including the reduction for 24sqm residential shall be applied.

- As contributions are payable in respect of car parking where the developer is unable to meet the car parking standards as set out in the Waterford City and County Development Plan 2022-2028. The contribution per parking space is as follows:

Contribution for car parking spaces €2,100.

For city and town centre development unable to meet car parking standards:

- 1-5 spaces: 50% reduction
- 6-10 spaces: 25% reduction
- Greater than 10 spaces: No reduction

I do not consider that car parking has been provided. And therefore, 2 car spaces at €2,100 = €4,200 – 50% = €2,100 shall be applied.

- 50% reduction applies for frontage developments/streetscape development in the centre of city, towns and villages the development of which represents an infill/gap site which would enhance the streetscape will be subject to a 50% reduction.

Therefore, a 50% reduction for infill site in the village of Ardmore shall apply: €3,500 = €1,750

The final calculation is as follows: €1,750 + €2,100 = €3,850 shall be applied if the Board are mindful to grant permission.

Access.

7.35. In addition, concerns were raised regarding the apartment to the rear of the proposed development. I note the apartment and retail/café unit are in the ownership of the applicant. In the response to the appeal, the applicant has stated he intends to replace the building with entirely residential with access from the Main Street. I consider any access issues can be dealt with by the applicant either via Main Street or via Coffey Lane.

7.36. Procedural Issues

7.37. In terms of procedural matters and the alleged incorrect dates on the conditions and on the submitted drawings and further information received by the Planning

Authority. I note that the submitted information was deemed acceptable by the Planning Authority.

- 7.38. In regard to the existing building on site and the reference to same as a “replacement” dwelling. The Planning Authority have accepted this. In any event, the site is located in a Rural Village and in accordance with the zoning matrix, a residential dwelling is permitted in principle, therefore the proposal was assessed under this criteria and the status of the existing building on site has no bearing on this recommendation.
- 7.39. The applicant has submitted land registry details with the planning application to demonstrate he is the owner of the subject site, and I am satisfied that the applicant has submitted sufficient legal documentation.
- 7.40. I am satisfied that this did not prevent the concerned parties 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 dwelling with connection to public sewer and public water within the boundary of Ardmore Village. Surface water will be directed to public sewer/drain. The nearest European Site is Ardmore Head SAC (Site Code: 002123) which is located approximately 0.65km east downhill of the site. 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 refused subject to the following reason.

10.0 Reasons and Considerations

1. The proposed development, by reason of its excessive height relative to surrounding buildings, its bulk and massing, its building line and its design would be out of character with the pattern of development in the vicinity and would constitute a visually discordant feature that would be detrimental to the distinctive architectural and historic character of this area, which it is appropriate to preserve and would be contrary to policy BH05 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. It is considered that the car parking provision for the proposed development and, in particular the lack of sufficient on-site car parking spaces, would be seriously deficient and would be inadequate to cater for the parking demand generated by the proposed development. The proposal does not comply with Development Standards section 7.1 of the Waterford City and County Development Plan 2022-2028, thereby leading to conditions which would be prejudicial to public safety by reason of traffic hazard on the public roads in the vicinity and which would tend to create serious traffic congestion.

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

2nd October 2024

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference	ABP-320151-24		
Proposed Development Summary	Permission to demolish single storey dwelling and construct a dormer dwelling with all ancillary site works.		
Development Address	The Apartment, Coffey Lane, Ardmore, 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	X
		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			
No	X		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)
No			
Yes	X	Class 10b(i) Construction of more than 500 dwelling units	The proposal relates to 1 no. infill dwelling in the rural village of Ardmore. The site
			Proceed to Q.4

			measures 0.029 hectares.	
--	--	--	-----------------------------	--

4. Has Schedule 7A information been submitted?		
No	X	Preliminary Examination required
Yes		Screening Determination required

Inspector: _____ **Date:** _____

Form 2
EIA Preliminary Examination

An Bord Pleanála Case Reference	ABP- 320151-24	
Proposed Development Summary	Permission to demolish single storey dwelling and construct a dormer dwelling with all ancillary site works.	
Development Address	The Apartment, Coffey Lane, Ardmore, Co. Waterford, P39E658.	
<p>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.</p> <p>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</p>		
	Examination	Yes/No/ Uncertain
<p>Nature of the Development. Is the nature of the proposed development exceptional in the context of the existing environment.</p> <p>Will the development result in the production of any significant waste, emissions or pollutants?</p>	<ul style="list-style-type: none"> The proposal is for 1 no. infill dwelling within the settlement boundary for Ardmore Village. The development will consist of typical construction and related activities and site works. Surface water will be discharged to public sewer/drain. Wastewater will be discharged to public sewer. 	No
<p>Size of the Development Is the size of the proposed development exceptional in the context of the existing environment?</p>	<ul style="list-style-type: none"> The site size measures 0.029 hectares. The size of the development is not exceptional 	No

<p>Are there significant cumulative considerations having regard to other existing and / or permitted projects?</p>	<p>in the context of the existing village environment.</p> <ul style="list-style-type: none"> • There are existing dwellings and retail/commercial units adjacent to the site, however, there is no real likelihood of significant cumulative effects with the existing and permitted projects in the area. 	
<p>Location of the Development Is the proposed development located on, in, adjoining, or does it have the potential to significantly impact on an ecologically sensitive site or location, or protected species?</p> <p>Does the proposed development have the potential to significantly affect other significant environmental sensitivities in the area, including any protected structure?</p>	<ul style="list-style-type: none"> • The subject site is not located within any designated site. The nearest sites are: <ul style="list-style-type: none"> - Ardmore Head SAC (Site Code: 002123) is located approximately 0.65km east. - Helvick Head to Ballyquin SPA (Site Code: 004192) is located approximately 3.5km northeast. - Blackwater Estuary SPA (Site Code: 004028) is located approximately 6km west. - Blackwater River (Cork/Waterford) SAC (Site Code: 002170) is located approximately 6km west • My Appropriate Assessment screening 	<p>No</p>

	<p>undertaken concludes that the proposed development would not likely have a significant effect on any European Site.</p> <ul style="list-style-type: none"> • The subject site is located outside any flood zone risk area for coastal and fluvial flooding. 	
Conclusion		
<p>EIA is not required.</p>		

Inspector:

Date: _____

DP/ADP: _____ Date: _____
 (only where Schedule 7A information or EIAR required)