



An
Bord
Pleanála

Inspector's Report

ABP-320590-24

Development

Change of use of ground floor from pub to retail, demolition of first floor rear extension of residential unit over pub, change of use and extension of residential unit over pub to 5 apartments, together with all associated site works.

Location

13 Main Street, Tramore, Co.
Waterford, X91 WY66

Planning Authority

Waterford City and County Council

Planning Authority Reg. Ref.

2460116

Applicant(s)

Michael Clarke.

Type of Application

Permission.

Planning Authority Decision

Grant

Type of Appeal

Third Party

Appellant(s)

Alexander Flynn.

Observer(s)

None.

Date of Site Inspection

3rd December 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	7
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	12
5.3. Regional Policy	12
5.4. Natural Heritage Designations	12
5.5. EIA Screening	13
6.0 The Appeal	13
6.1. Grounds of Appeal	13
6.2. Applicant Response	15
6.3. Planning Authority Response	15
6.4. Observations	15
6.5. Further Responses	15
7.0 Assessment	15
8.0 AA Screening	20
9.0 Recommendation	20

10.0	Reasons and Considerations.....	20
11.0	Conditions	20
Appendix 1 – Form 1: EIA Pre-Screening & Form 2: EIA Preliminary Examination		

1.0 Site Location and Description

- 1.1. The subject site (0.037ha) is located on the Main Street of Tramore, Co. Waterford. The site fronts onto the L4116 and is located in Tramore Town Centre.
- 1.2. The site consists of a semi-detached three-storey building, currently vacant. The ground floor was previously a public house with residential accommodation on the first and second floor. The access is directly from the Main Street.

2.0 Proposed Development

- 2.1. The proposed development will consist of:
 - Change of use of ground floor pub to retail
 - Demolition of first floor rear extension
 - Change of use of residential above ground floor to 5 no. apartments
 - All associated site works.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority granted permission subject to 13 conditions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planning Authority Reports discusses:

- Principle of Development acceptable given the zoning objectives and national policy to promote high densities.
- Further information requesting redesign to remove proposed front elevation balconies. And redesign of shopfront to traditional style.

- Given the separation distance to nearby properties, it is considered that the proposal would not seriously injure the residential amenities. However, a daylight and shadow impact assessment required.
- Apartment sizes comply with the “Sustainable Urban Housing Design Standards for New Apartments, Guidelines for Planning Authorities”.
- No car parking proposed, but town centre location with on street parking and bus routes available. No objection from roads.
- Further information submitted and considered acceptable.

3.2.2. Other Technical Reports

- Conservation Officer: Requested further information in relation to the shopfront. Further information submitted and the shopfront has been improved which harmonises with the existing streetscape. Conditions recommended.
- Environment: No objection subject to conditions.
- Roads: Request removal of balconies along the Main Street as they would be hazardous towards footpath users.

3.2.3. Conditions

- Condition 2(a) Prior to the commencement of works the developer is to submit details with regard to the proposed timber shopfronts for the written approval of the Planning Authority. This shall include the following:
 - Well-proportioned accurate measurements,
 - Information on the materials to be used.
 - Traditional style fascia, cornice, pilaster and profile details information on the colours and lighting.

(b) Signs shall be restricted to a single fascia sign using sign writing or comprising either hand-painted lettering or individually mounted lettering.

(c) No awnings, canopies or projecting signs or other signs shall be erected on the premises without a prior grant of planning permission.

(d) External roller or internal shutter shall not be erected,

(e) No adhesive material shall be affixed to the shopfront.

(f) Lighting and cabling should be discreet and not distract from the buildings. “Swan neck” projecting lighting, illuminated projecting signs or neon and flashing lights to the interior are not permitted.

Reason: In the interest of visual amenity.

3.3. Prescribed Bodies

- None

3.4. Third Party Observations

Three number submission were received. The following concerns were raised:

- Overshadowing & poor-quality shadow analysis
- Impact on private amenity space
- Undesirable precedence
- Development Standards
- Poor quality Architectural Heritage Impact Assessment
- Overdevelopment of the site.

Three further submissions were received at further information stage. The following concerns were raised:

- Noise impact
- Loss of sunlight, daylight and privacy
- Overdevelopment
- Overshadowing
- Poor architectural quality
- Not enough information regarding front elevation treatment
- Private amenity space for future occupants.

4.0 Planning History

Part V exemption – 2024/6: Deemed exempted from Part V.

88347: Permission granted for change of use of bar to restaurant.

80489: Permission granted for change of use shop to office.

7870: Permission granted for extension to licence premises.

Adjoining sites:

2460594: Further information requested at No. 15A for the extension and alterations to the existing first floor apartment.

20221: Retention permission granted at No. 12. to consist of a first floor one bedroom apartment, a second floor one bed apartment and a storage shed in the rear yard.

17262: Granted at No. 14/15 for change of use at 1st floor level from existing beauty salon to a one-bedroom apartment.

10214: Permission granted at No. 14/15 for change of use from offices to tea parlour, change signage lettering and carry out very small internal modifications.

051543: Permission granted at No. 14/15 for a change of use from residential to office use and planning permission to extend modify and upgrade the building to provide financial and legal consultancy, together with property sales.

5.0 Policy Context

5.1. Development Plan

Waterford City and County Development Plan 2022-2028

The site is zoned as Town Core. The objective is to provide for the development and enhancement of town core uses including retail, residential, commercial, civic and other uses.

Chapter 7 Housing & Sustainable Communities

General Housing Policy Objectives

H 04: We will promote and facilitate sustainable and liveable compact urban growth through the thoughtful consolidation and of infill/ brownfield sites in a way which promotes appropriate levels of compactness while delivering healthier and greener urban spaces and residential amenities. This will be achieved by:

- Facilitating and supporting a range of residential densities and building heights appropriate to the context and residential amenity of a proposed development location.
- Proximity to high-capacity public transport corridors and investment in sustainable and/ or active transport infrastructure.
- Supporting the permeable integration and densification of existing built-up areas.
- Supporting residential development proposals and urban design which incorporate clustering of mixed land use and co-location of services in appropriate location(s), or where quick and easy access to such services is available.
- Promoting and ensuring qualitative design and technological solutions which deliver adaptable residential/living units/spaces and urban design.
- Ensuing the integrated provision of quality green and blue infrastructure components/ public open space and networks of same so as to achieve distinctiveness and sense of place across our neighbourhoods; and,
- Requiring the provision of support infrastructure/ facilities to encourage sustainable mobility.

Regeneration Policy Objectives

H 05: To maximise the efficient use of existing infrastructure and services and promote a positive modal shift towards sustainable transport use, we will facilitate the sustainable, compact, sequential regeneration and redevelopment of urban areas through the appropriate development of identified key infill and brownfield sites as per Table 3.2 and Appendix 21 for a mix of uses appropriate to the location. To assist in this regard, we will carry out a viability assessment for key brownfield sites during the lifetime of the development plan with a view to assisting in delivery of regeneration projects. Development proposals which are not fully consistent with the

provisions of the land use zoning matrix (Volume 2 – DM Standards Table 11.2) will be considered on their own merits where it can be demonstrated that the proposed development is consistent with the ‘Vision’ for the site, and is in accordance with the proper planning and sustainable development of the area.

Protection of existing Residential Amenity Policy Objectives

H 20: Where new development is proposed, particularly on smaller suburban infill sites (>1ha in area) we will ensure that the residential amenity of adjacent residential properties in terms of privacy and the availability of daylight and sunlight is not adversely affected.

We will support lower density type development at these locations. We will require that new development in more established residential areas respect and retain, where possible, existing unique features which add to the residential amenity and character of the area, such features include front walls, gates, piers, railings, and stone/brick/render work.

Development Management Standards Volume 2.

Section 3.0 relates to Residential Development

Development Management DM 05:

- Proximity to public transport bus stops.
- Proximity to neighbourhood and district centres.
- The extent to which the design and layout follows a coherent design brief resulting in a high-quality residential environment.
- compliance with qualitative and quantitative criteria.
- The extent to which the site may, due to its size, scale and location, propose its own density and character, having regard to the need to protect the established character and amenities of existing adjoining residential areas.
- Existing topographical, landscape or other features on the site.
- The capacity of the infrastructure, including social and community facilities, to absorb the demands created by the development.

- Where the opportunity exists to increase density and building heights in pursuit of compact, regeneration, sequential and transit-oriented development, and where it can be demonstrated that the development management standards set out in the Development Plan may in certain circumstances be counter to achieving these principles of sustainable urban development, we will consider such proposals on their own merits having regard to the relevant S28 Guidelines in place at the time.

Section 5.0 relates to Non-Residential Development

Section 7.0 relates to Parking Standards

Section 10.0 relates to Architectural Conservation Areas (ACA's).

The site is located in an Architectural Conservation Area (ACA).

BH05: it is the policy of the Council 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 contributes 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.

Appendix 10 Architectural Conservation Areas

Shop Fronts, Advertising and Commercial Buildings and Commercial Buildings

5.2. National Policy

- National Planning Framework – Project Ireland 2040

National Policy Objective 13

In urban areas, planning and related standards, including in particular building height and car parking will be based on performance criteria that seek to achieve well designed high-quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected.

- Sustainable Residential Development and Compact Settlement Guidelines 2024. (Compact Guidelines)
- Sustainable Urban Housing Design Standards for New Apartments Guidelines for Planning Authorities (2022) (Apartment Guidelines)
- 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 designated site. The following are in close proximity:

- Tramore Dunes and Backstrand SAC (Site code: 000671) & SPA (Site Code: 004027) is located c.1.25km east.

- Ballyvoyle Head to Tramore pNHA (Site Code: 001693) located c. 2.4km southwest.
- Mid-Waterford Coast SPA (Site Code: 004193) located c. 2.4km southwest.
- Islandtarnsey Fen pNHA (Site Code: 000666) located c. 2.5 km west.

5.5. EIA Screening

- 5.5.1. The proposal relates to a change of use from public house to retail, partial demolition of existing buildings and change of use of residential to 5no. residential apartment units with connection to public services in Tramore Town. The site is located on zoned lands and not within a designated site. Having regard to the 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 have been received from the property to the rear of the subject site. The concerns raised are:

- Negative residential impact on the property to the rear in terms of overlooking, encroachment and gross loss of privacy due to the overdevelopment of the site. The current limited windows at the rear of no. 13 (subject site) are c. 23.05m from the rear wall of the garden at No. 1 Merville Terrace.
- The proposed redevelopment of No. 13 will introduce extensive fenestration at the first and second floor levels at c.7m from the rear wall. The proposed access stairs provide an additional elevated viewing platform over the Flynn's Garden.

- At present no fenestration on the third floor, the proposed windows will directly overlook the garden of No. 1 Merville Terrace.
- The flat roof proposed at third floor will invariably be used as a balcony by its occupants. The drawing submitted clearly shows a person standing on the balcony area. This will create further overlooking of No. 1 Merville Terrace.
- No assessment carried out by the Planning Authority for No. 1 Merville Terrace only carried out for No. 12 and No. 14 Main Street.
- Overshadowing will be caused by the location of the proposed development due south and c. 7m from the boundary wall of No. 1 Merville Terrace. At present, there are no shadows due to the height and separation distance.
- Negative impact on the architectural quality of 1 Merville Terrace, which was constructed in 1830 and is listed on the National Built Heritage Register.
- The proposed development will contravene the zoning objective for Town Core as the proposal does not enhance the residential use of the town core, but in contrast significantly detracts from it.

Policy H20 states; "where new development is proposed, particularly on smaller suburban infill sites (< 1ha in area) we will ensure that the residential amenity of adjacent residential properties in terms of privacy and the availability of daylight and sunlight is not adversely affected".

- The established character of the area is not being protected given the overall size, scale, mass and height of the proposed extension and the development has not been assessed in accordance with policy DM05; "The extent to which the site may, due to its size, scale and location, propose its own density and character, having regard to the need to protect the established character and amenities of existing adjoining residential areas".
- The proposed development is not in accordance with Urban Development and Building Heights Guidelines which states; At the scale of the site/building the form, massing and height of proposed developments should be carefully modulated so as to maximise access to natural daylight, ventilation and views and minimise overshadowing and loss of light". The proposal does not

maintain the light and daylight to No. 1 Merville Terrace while minimising overshadowing and loss of light and consequently for No. 1.

6.2. Applicant Response

The applicant has made the following response:

- The submitted application addresses the shadow/daylight issues for both the adjacent buildings on Main Street and No. 1 Merville Terrace.
- The shadow cast by the proposal do not affect the garden of No. 1 Merville Terrace.
- The suggestion that the flat roof will be used as a terrace is incorrect due to:
 - a. To use the flat roof, a resident would have to go through a (presumably) locked room managing and controlling the solar panels and heating system for all the apartments.
 - b. The existing flat roof of no. 13 Main Street, possibly 3-4 larger than the proposed, has never been used as a roof terrace.
- Photo submitted of the rear of No. 1 Merville Terrace from No. 13 Main Street.

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:

- Principle of Development
- Overshadowing and Overlooking
- Architectural Heritage
- Appropriate Assessment

7.2. Principle Development

- 7.3. The subject site is located in Tramore Town Centre, Tramore is designated as a large urban town. The site is zoned as Town Core, the objective is to provide for the development and enhancement of town core uses including retail, residential, commercial, civic and other uses. Residential schemes and retail are permitted in principle under Town Core zoning.
- 7.4. The grounds of appeal state that the proposed development will contravene the zoning objective for Town Core as the proposal does not enhance the residential use of the town core. It is also outlined that the proposal will contravene policy DM 05 which states that the extent to which the site may, due to its size, scale and location, propose its own density and character, having regard to the need to protect the established character and amenities of existing adjoining residential areas.
- 7.5. I have assessed the subject site in terms of the zoning matrix and zoning objectives for the site. The site is permitted in principle for residential and retail in the Town Core zoning. The proposal consists of the change of use of a public house at ground floor level to retail and the first, second and third floor will be converted from residential to 5 no. apartments. I consider the proposed change of use is acceptable and in accordance with the zoning objectives for the area.
- 7.6. The appellant claims the proposal is out of character for the area and will impact on the adjoining residential areas. However, I consider that the proposal will enhance the character of the area as the existing three storey building is vacant and the proposal will bring life back into the old building. The proposed use will bring people into the main street both to shop and to live on the Main Street. This will create a vibrancy and community feel to the Main Street.

- 7.7. The proposed rear extension will utilise the existing building footprint of the ground floor area, therefore the overall footprint will not change, the height of the rear extension will increase but it is similar to the existing height of the three-storey building. In terms of overshadowing & overlooking, this is discussed in the section 7.9 and concluded that there are no overshadowing or overlooking issues. It is my opinion that the proposed development is in keeping with the character of the area and is utilising an existing vacant building in the town centre and therefore complies with DM05 and H05.
- 7.8. Having regard to the zoning objectives on a town core site along the Main Street of Tramore, the vacant nature of the existing building and the character of the area, I consider the proposal is acceptable in principle subject to the development management standards.
- 7.9. **Overshadowing and Overlooking**
- 7.10. The subject site is located along Main Street of Tramore and consists of a three-storey semidetached building. The building is currently vacant and was a former public house with residential accommodation on the first and second floor level. The attached building to the northwest (No. 12), consists of a three-storey building with retail on ground floor and residential on the first and second floor.
- 7.11. The building to the southeast consists of a two-storey building with deli/shop on ground floor and residential at first floor level.
- 7.12. The buildings to the rear are mainly residential. The appellant's dwelling is located at No. Merville Terrace, and it is located over 21 metres from the rear boundary wall of the subject site to the first-floor extension of the appellant's site.
- 7.13. The grounds of appeal relate to the dwelling at No. 1 Merville House to the rear of the proposed development. The appellant states the proposed development will have a negative residential impact on their property in terms of overlooking, encroachment and gross loss of privacy due to the overdevelopment of the site. The current limited windows at the rear of no. 13 (subject site) are c. 23.05m from the rear wall of the garden at No. 1 Merville Terrace. The proposed redevelopment of No. 13 will introduce extensive fenestration at the first and second floor levels at c.7m from the rear wall. The proposed access stairs provide an additional elevated

viewing platform over their garden. The proposed flat roof at third floor will invariably be used as a balcony by its occupants.

7.14. The appellant also argues that the proposal will contravene policy H20 which states new developments shall ensure that the residential amenity of adjacent residential properties in terms of privacy and the availability of daylight and sunlight is not adversely affected. The appellant also highlighted the proposal is not in accordance with Urban Development and Building Heights Guidelines as the proposal will cause overshadowing and loss of light at No. 1 Merville Terrace.

7.15. I have examined the location of the proposed development site in relation to No. 1 Merville Terrace. At present there is a separation distance of c.40 metres between the first floors of the properties. The proposed development consists of a new rear extension thereby creating two further floor levels above the existing ground floor footprint. The separation distance between the proposed development and No. 1 Merville Terrace at ground level will be c.28 metres and this increases between the first, second and third floor due to the set back of the proposed extension at the proposed site and the set back of the extensions at No. 1 Merville Terrace.

Therefore, I consider that the proposed development does not overlook No. 1 Merville Terrace. The proposal complies with Table 3.1 General Standards for New Residential Development in Urban Areas which states a separation distance of 22 metres should generally be observed for new, reciprocal overlooking housing. The proposal also complies with SPPR 1 – Separation Distance of the Sustainable and Compact Settlement Guidelines which states a separation distance of at least 16 metres between opposing windows serving habitable rooms at the rear of side of houses, duplex units and apartment units, above ground floor level shall be maintained. Therefore, I consider the proposed separation distance is considered acceptable and there are no direct overlooking issues between the properties.

7.16. In terms of overshadowing, I have reviewed the location of No. 1 Merville Terrace which lies to the northeast of the subject site and at a distance of c. 7metres from the rear boundary wall and c. 28 metres from the rear boundary of the dwelling. I do not believe that the proposal will overshadow the dwelling at No. 1 Merville Terrace due to the location & distance of the proposed development to the southwest. There is a small possibility of overshadowing to the rear of the garden of No. 1 Merville Terrace

in the late evening, however, I do not believe this will impact on the residential amenity of the residents of No. 1 Merville Terrace.

7.17. Having regard to the location of the proposed development to the south west of No. 1 Merville Terrace and the proposed separation distance of c. 28 metres, I do not consider that the proposal will negatively affect the residential amenity of the appellants dwelling and I therefore consider the proposal is acceptable at this location.

7.18. Architectural Heritage

7.19. The proposed development is located in the ACA of Tramore. The subject building is not a protected structure. The adjacent semi-detached building at No. 12 is noted as listed on the National Inventory of Architectural Heritage (NIAH) website as regional importance and described as a semi-detached three-bay three-storey house, c. 1845, retaining early fenestration. The dwelling to the rear at No. 1 Merville Terrace is listed on the NIAH website and noted as regional importance and described as end of terrace two bay two storey house, c.1830 retaining original fenestration.

7.20. The grounds of appeal state the proposal will negatively impact on the architectural quality of No. 1 Merville Terrace, which was constructed in 1830 and is listed on the NIAH Register.

7.21. As per my assessment in section 7.14 and 7.15 above, the proposed development is located c. 28metre from the rear building line of the property at No. 1 Merville Terrace. I have concluded that the proposal will not overlook or overshadow No. 1 Merville Terrace. The proposal will only be viewed from the rear of No. 1 Merville Terrace and not from the front elevation of No. 1 Merville Terrace. I note there is a side entrance to the east of No. 1 Merville Terrace and any passing views of the rear of the proposed development will be at a distance and it is my opinion, the view will not impact on the architectural merit of No. 1 Merville Terrace.

7.22. Having regard to the location of the proposed development to the rear of No. 1 Merville Terrace and at a distance of c.28 metres from the rear building line, I do not consider the proposal will have a negative impact on the architectural merit of No. 1 Merville Terrace. Therefore, I consider the proposal is acceptable.

8.0 AA Screening

- 8.1. Having regard to the proposed development which relates to a change of use from public house at ground floor level to retail, partial demolition of existing buildings and conversion of upper levels to 5 no. apartments with connection to public services in Tramore Town. Surface water will be directed to the existing storm water network. The nearest European Site is Tramore Dunes and Backstrand SAC (Site code: 000671) & SPA (Site Code: 004027) is located c.1.25km east. 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

- 9.1. I recommend that permission be granted, subject to the conditions and considerations as set out below.

10.0 Reasons and Considerations

- 10.1. Having regard to the location of the site in Tramore town centre, the zoning of the site, the objectives H05 & H20 as set out in the Waterford City and County Development Plan 2022-2028 , it is considered that the proposed development is in accordance with the zoning objective and would not have a significant impact on the architectural character of the area, the adjoining or adjacent NIAH listed buildings or negatively impact on the residential amenity of the adjacent properties. 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, as amended by the further plans and particulars received by the planning authority on the 12th day of March 2024 and 13th June 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. All external shopfronts and signage shall be in accordance with details which shall be submitted to, and agreed in writing with, the planning authority prior to the provision of such shopfronts and signage. Where agreement cannot be reached between the applicant/developer and the local authority the matter shall be referred to An Bord Pleanála for determination. The signage shall be lit by external illumination only.

Reason: In the interest of visual amenity.

3. The proposed shopfront shall conform to the following requirements:
 - (a) Signage shall be restricted to a single fascia sign using sign writing or comprising either hand-painted lettering or individual mounted lettering;
 - (b) Lighting shall be by means of concealed neon tubing or by rear illumination;
 - (c) No awnings, canopies or projecting signs or other signs shall be erected on the premises without a prior grant of planning permission; and
 - (d) External roller shutters shall not be erected and any internal shutters shall be of the 'open-lattice' or 'perforated' type and shall be coloured to match the shopfront colour.

Reason: In the interest of the visual amenities of the area

4. Prior to the commencement of development, the developer shall enter into a Connection Agreement (s) with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply and/or wastewater collection network. OPTIONAL (b) Include any specific requirements if appropriate.

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

5. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: To prevent flooding and in the interests of sustainable drainage.

6. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday inclusive, between 0800 to 1400 hours on Saturdays 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.

7. A Construction and Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The CEMP shall include but not be limited to construction phase controls for dust, noise and vibration, waste management, protection of soils, groundwaters, and surface waters, site housekeeping, emergency response planning, site environmental policy, and project roles and responsibilities.

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

8. Prior to commencement of development, a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the

Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) shall be prepared and submitted to the planning authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of reducing waste and encouraging recycling.

9. The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company. A management scheme providing adequate measures for the future maintenance of public open spaces, roads and communal areas shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To provide for the satisfactory future maintenance of this development in the interest of residential amenity.

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

9th December 2024

Form 1

EIA Pre-Screening

An Bord Pleanála Case Reference	ABP-320590-24		
Proposed Development Summary	Change of use of ground floor from pub to retail, demolition of first floor rear extension of residential unit over pub, change of use and extension of residential unit over pub to 5 apartments, together with all associated site works		
Development Address	13 Main Street, Tramore, 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)?			
Yes	X	Class 10 Infrastructure Projects: (b) (i) Construction of more than 500 dwelling units. (b) (iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere. (In this paragraph, "business district" means a district within a city or town in which the predominant land use is retail or commercial uses.)	Proceed to Q3.
No			
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			

Yes	Tick/or leave blank	State the relevant threshold here for the Class of development.	EIA Mandatory EIAR required
No	Tick/or leave blank		Proceed to Q4
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	X	<p>Class 10 Infrastructure Projects:</p> <p>(b) (i) Construction of more than 500 dwelling units.</p> <p>(b) (iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere. (In this paragraph, "business district" means a district within a city or town in which the predominant land use is retail or commercial uses.)</p> <p>The site consists of 5. No residential units & a retail unit on a site area of 0.037ha.</p>	Preliminary examination required (Form 2)

5. Has Schedule 7A information been submitted?		
No	X	Screening determination remains as above (Q1 to Q4)
Yes		

Inspector: _____

Date: _____

Form 2

EIA Preliminary Examination

An Bord Pleanála Case Reference Number	ABP-320590-24
Proposed Development Summary	Change of use of ground floor from pub to retail, demolition of first floor rear extension of residential unit over pub, change of use and extension of residential unit over pub to 5 apartments, together with all associated site works
Development Address	13 Main Street, Tramore, Co. Waterford X91 WY66
<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>	
<p>Characteristics of proposed development (In particular, the size, design, cumulation with existing/proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).</p>	<p>The development will consist of change of use of public house on ground level to retail with 5 no. apartment at the upper levels within the settlement boundary of Tramore Town.</p> <p>The development will consist of typical construction and related activities and works.</p> <p>Surface water will be discharged to public sewer or drain.</p> <p>Wastewater to be discharged to public sewer.</p>
<p>Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).</p>	<p>The development site measures 0.037hectares. The size of the development is not exceptional in the context of the existing urban environment.</p> <p>There are existing commercial and residential 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>

<p>Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).</p>	<p>The subject site is not located within any designated site. The nearest sites are:</p> <ul style="list-style-type: none"> • Tramore Dunes and Backstrand SAC (Site code: 000671) & SPA (Site Code: 004027) is located c.1.25km east. • Ballyvoyle Head to Tramore pNHA (Site Code: 001693) located c. 2.4km southwest. • Mid-Waterford Coast SPA (Site Code: 004193) located c. 2.4km southwest. • Islandtarnsey Fen pNHA (Site Code: 000666) located c. 2.5 km west. <p>My appropriate Assessment screening undertaken concludes that the proposed development would not likely have a significant effect on any European Site.</p> <p>The subject site is not located in Flood risk area.</p>
<p>Conclusion</p>	
<p>There is no real likelihood of significant effects on the environment.</p>	<p>EIA is not required.</p>

Inspector:

Date:

DP/ADP:

Date: _____

(only where Schedule 7A information or EIAR required)