



An
Coimisiún
Pleanála

Inspector's Report

ABP-320741-24

Development	Change of use of outbuildings to short stay holiday units and from haybarn to ancillary services for heritage tourism project. Within curtilage of a protected structure
Location	The Thatch, Strandside South, Abbeyside, Dungarvan, Co. Waterford, X35 RW98
Planning Authority	Waterford City and County Council
Planning Authority Reg. Ref.	24/60332
Applicant(s)	Anna Tierney
Type of Application	Permission
Planning Authority Decision	Refuse
Type of Appeal	First Party
Appellant(s)	Anna Tierney
Observer(s)	Andrew & Marie Wikes and Aidan & Emma Foley.

Date of Site Inspection

28th July 2025

Inspector

I. McCormack

1.0 Site Location and Description

- 1.1.1. The application site is located at Strandside South, Abbeyside, Dungarvan overlooking the waterfront. The site is a 0.211 hectares in area. The general area is primarily residential in character. St. Augustine's Church is located to the east of the site. Dungarvan town centre is located to the west of the site separated from the site by Colligan Estuary with vehicular access to the northwest of the site via 'The Causeway'.
- 1.1.2. The site is occupied by an existing thatch cottage and outbuildings. To the front, west of the site, is the Protected Structure. The cottage is also listed on the National Inventory of Architectural Heritage (NIAH) Reg. Ref. 22821002 and consider to be of regional importance. The proposed development is to the rear, east of same. Access to the site is proposed via Strandside South, L3148, to the west and south via pedestrian access only.

2.0 Proposed Development

- 2.1.1. In summary, the proposed development will comprise:
- the change of use of the existing disused single storey farm outbuildings to accommodate 4No. ensuite bedroom short stay holiday units & associate tourism accommodation services, i.e., kitchen, laundry, store, and,
 - the change of use of the existing haybarn to a covered seating area/ farmyard tea rooms including the provision of new toilets adjacent as part of a heritage tourism project for the site.

3.0 Planning Authority Decision

3.1. Decision

By Order dated 8th August 2024, Waterford City and County Council issued notification of a decision to REFUSE permission for the proposed development for three no. reasons.

3.2. Planning Authority Reports

3.2.1. Planning Reports

Planner Report

- 3.2.2. The report provides a summary of the proposed development and submissions received. The report reviews the characteristics of the site and the proposed development and various policies and provisions of the development plan.
- 3.2.3. The report notes that under the Waterford City and County Development Plan 2022 – 2028 the subject site is zoned Existing Residential with a stated objective to provide for residential development and protect and improve residential amenity. Café/Teashop use is open for consideration under this land zoning Tourist accommodation is also open for consideration.
- 3.2.4. It is also set out that the site is situated within Flood Zone: Zone A and is situated within a 'Most Sensitive' Scenic Classification in the Landscape and Seascape Character Assessment as per Development Plan.
- 3.2.5. The proposal is not packaged to include a tourism offering based out of the dwelling but actually a subdivision of the plot whereby there is no functional or visual link between the thatch cottage and the proposed commercial enterprise. While the proposal is for reuse of former farm buildings previously associated with the dwelling these buildings are neither associated with a farm or a dwelling and the applicant is seeking change of use of outbuildings to commercial use in an established residential area.
- 3.2.6. The overnight accommodation is ancillary to the café / tea room rather than the catering element being solely for the accommodation. The café / tea room will be the primary economic driver on site and the main destination for visiting members of the public. The café / tea room use would be more appropriately located within the town centre of Dungarvan or the village centre of Abbeyside as advised at preplanning stage. The proposal as presented is haphazard and piecemeal and would undermine the town and village centre functions of Dungarvan and Abbeyside and it has not been demonstrated that the proposal will not adversely impact on the residential amenities or traffic management of the area or the character and setting of the Protected Structure.
- 3.2.7. Refusal recommended for the following reasons:
1. The applicant has proposed subdivision of a residential site comprising of a separation of previously associated outbuildings and the thatch cottage / Protected Structure on site. The applicant has proposed to redevelop the outbuildings to

provide for a café / tea room with limited ancillary overnight accommodation. The applicant has failed to demonstrate that the commercial offering proposed would not undermine the town and village centre functions of Dungarvan and Abbeyside and furthermore, it has not been demonstrated that the proposal would not adversely impact on the residential amenities or traffic management of the area or the character and setting of the Protected Structure itself. The proposed haphazard and piecemeal development would set an undesirable precedent for uncoordinated commercial offerings to the rear of a dwellings in established residential areas and as such, the proposal, would be contrary to the proper planning and sustainable development of the area.

2. The applicant has failed to demonstrate that the proposed redevelopment of the outbuildings will not negatively impact on the character and setting of the Protected Structure on site and as such the proposal is contrary to the Built Heritage Policies of the Waterford City and County Development Plan 2022 – 2028 and the proper planning and sustainable development of the area.
3. While the application has been accompanied by a Flood Risk Assessment which considers the physical impact of the development same does not adequately assess the risk associated with the increased number of visiting members of public to the site within a Flood Zone and how this risk would be appropriately managed and evacuation / emergency plans implemented. The proposal therefore would present a risk to any future users of the proposed services and as such would be contrary to the proper planning and sustainable development of the area.

3.3. Other Technical Reports

Conservation Officer - The report notes that from a conservation perspective whilst sustainable and appropriate reuse of outbuildings is acceptable in principle, the proposed works do not appear to consider the protected structure status of the house or the associated complex. It is considered that the works indicate an over intensification of use and also have the potential to detract from the Protected Structure, which is the only urban thatch in Dungarvan, its setting and vista.

it is considered that the works proposed, materially contravene the Built Heritage Objectives and Policies BH1, BH2, BH10, BH11 and BH12 as set out in the Waterford City and County Development Plan 2022-2028. Furthermore it is also considered that

the development, contravenes Policy Objective BH05 of the Waterford City and County Development Plan 2022-2028, which seeks to preserve the special character of places, areas, groups of structures setting out Architectural Conservation Areas (ACA) and protect the Architectural Conservation Area.

3.4. Prescribed Bodies

Uisce Éireann – Confirmation of Feasibility dated 17th June 2024 accompanied the planning application. The letter states: -

Uisce Éireann has reviewed the pre-connection enquiry in relation to a Water & Wastewater connection for a Multi/Mixed Use Development of 4 unit(s) at Strandside South, Abbeyside, Dungarvan, Waterford, (the Development). Based upon the details provided we can advise the following regarding connecting to the networks;

- Water Connection - Feasible without infrastructure upgrade by Uisce Éireann.
- Wastewater Connection - Feasible without infrastructure upgrade by Uisce Éireann.

3.5. Third Party Observations

2 no. observations were made to the Planning Authority. Issues raised in the submissions included inter alia the following:

- The proposal contravenes the policies of the Development Plan – specifically ECON 24.
- Impact on existing and established residential area.
- Impact on Architectural Heritage including ACA.
- The previous unauthorised café use on site proved to demonstrate this site is not suitable for the proposed uses – the previous use gave rise to issues / impacts on adjoining amenities and traffic management.
- Lack of information included in the application documentation.
- Query re. validity of application.
- Traffic Concerns - Lack of cycle and car parking.

4.0 Planning History

Site

WCC 25/601068- Incomplete Application for the change of use of the existing disused single storey farm outbuildings to accommodate 4No. ensuite bedroom short stay

holiday units & associate tourism accommodation services, i.e., breakfast room, utility area/store. The site current accommodates an existing thatched cottage which is a protected structure, RPS Ref. DV740128

WCC Ref. UD – 3582 - Complaints received regarding unauthorised café / restaurant use and unauthorised roofed structure and outdoor seating – Warning Letter issued.

WCC Ref. 23/60104 – Permission granted to Ian Tierney and Liz Tierney for the formation of a new pedestrian access gate in the existing southern boundary stone wall within the curtilage of our existing thatched cottage. The existing cottage is a Protected Structure RPS 128/ RPS No. DV740128, (NIAH Ref: 22821002).

WCC Ref. 22/922 – Permission granted to Ian and Liz Tierney for the construction of 2 No. single storey extensions consisting of an access hallway, bathrooms, study, store & rear porch to the rear of the existing thatched cottage. These works will include the demolition of existing kitchen & bathroom extensions. The proposed development will also involve some alterations to the existing internal layout of the dwelling & the replacement of an existing mono-pitch metal sheeting roof with a slated pitched roof to part of existing dwelling. The existing cottage is a Protected Structure RPS 128/RPS No. DV740128, (NIAH Ref:22821002).

5.0 Policy Context

5.1. Local

5.1.1. Waterford City and County Development Plan 2022-2028

Zoning

The subject site is zoned 'RS' - Existing Residential with a stated objective '*to provide for residential development and protect and improve residential amenity*'.

Tourist accommodation is also open for consideration. Café/Teashop use is open for consideration under this land zoning. Bed & Breakfast/Guesthouse is permitted in principle.

Other Designations

- The subject dwelling is a Protected Structure: Thatch House, Strand Side South, Abbeyside, [Thatched House] - RPS No: DV740128.
- The dwelling is included in the National Inventory of Architectural Heritage – Ref.

22821002 – Regional Importance and Architectural and Social interest.

- The site is within Dungarvan Architectural Conservation Area.
- The site is located in the Zone of Archaeological Potential.
- The site is situated within Flood Zone: Zone A as per the Development Plan. The site is also within the High-End Future Scenario 1 in 1000 year Flood Extent as published by the OPW.
- The site is situated within a 'Most Sensitive' Scenic Classification in the Landscape and Seascape Character Assessment as per Development Plan.

Relevant Policies and Objectives in the Development Plan include:

- BH 02 Supporting our Built Heritage Assets.
- BH 05 Architectural Conservation Areas.
- BH 06 Architectural Heritage Impact Assessment.
- BH 08 Reusing our Heritage Buildings - It is a policy of the Council to encourage sympathetic development or reuse of historic buildings to promote heritage led economic growth and regeneration whilst not adversely detracting from the building or its setting. Any proposals shall respect features of the special architectural and historic character by appropriate design, materials, scale, and setting.
- BH 11 Maintaining and Enhancing Special Character - It is the policy of the Council to protect structures and curtilages included in the RPS or historic structures within ACA, from any works which would visually or physically detract from the special character of the main structure, any structures within the curtilage, or the streetscape or landscape setting of the ACA.
- BH 23 Built Heritage and Climate Change.
- BH 24 Maintaining and Enhancing our Vernacular Buildings - It is the policy of the Council to:
 - Protect, maintain and enhance the historic character and setting of vernacular buildings, farmyards and settlements
- Encourage appropriate revitalisation and reuse of such structures (see rural

diversification/tourism). There will be a presumption against the demolition of vernacular buildings where restoration or adaptation is a feasible option.

- Promote the protection and maintenance of thatched buildings (domestic or non-domestic), particularly those with historic layers and roof structures.
- BH 26 Reuse of Vernacular Structures - It is a policy of the council to encourage and facilitate the sensitive reuse of vernacular houses or farm buildings for farm diversification, Agri-tourism and rural development, including self-catering accommodation, arts or craft workshops and small-scale manufacturing. Guidance and information can be found in Traditional Buildings for Irish Farms (2005) published by the Heritage Council and Teagasc, and Reusing Farm Buildings: A Kildare Perspective (2006) published by Kildare County Council.
- BH 29 Extensions and Alterations.
- AH 01 National Monuments Act - it is the policy of the Council to protect and enhance in an appropriate manner all elements of the archaeological heritage....
- ECON 22 - Sustainable Tourism -We will cooperate with various stakeholders and tourism agencies to build on the strengths of Waterford City as the regional capital, Dungarvan as a Key Town and County Waterford in their promotion as a tourism destination of choice. To this end, we will facilitate and encourage: Sustainable tourism 'products' and activities/ attractors in appropriate locations which are based on and reflect the city and county's distinctive history, natural and/ or cultural heritage, agri-food, marine and horticultural sector, and outdoor pursuits and recreation. Sustainable modes of transport – public transport, active transport (cycling and walking) etc; and Encourage and support investment in digital technology in the tourism sector, with a particular focus on sectors such as visitor attractions and activities with low digital presence and/or integration
- ECON 24 -Tourism Accommodation - We will continue to support the development of a variety of accommodation types at appropriate locations throughout Waterford City and County (hotels, B&Bs, Guest Houses, self-catering, caravan & camping, glamping etc), which can improve the economic

potential of increased visitor revenue, increase dwell time and meet visitor needs. Tourist accommodation should generally be located within towns and villages (unless otherwise justified to the satisfaction of the Planning Authority) and developed with the principles of universal design to ensure they are accessible for all.

Volume 2 Development Management Standards

- Section 5.15 - B&B's/Guest Houses/Hotels - In determining planning applications for both new, and for change of use, to bed and breakfast, guesthouse, hotel or hostel in residential areas, the Planning Authority will have regard to the following:

Development Management DM 25
<ul style="list-style-type: none"> • Size and nature of facility; • The effect on the amenity of neighbouring residents; • The standard of accommodation for the intended occupiers of the premises; • The availability of adequate, safe and convenient arrangements for car parking and servicing; • The type of advertising proposed; • The effect on listed buildings and/or conservation areas; • The number of existing facilities in the area.

- Section 7.0 relates to Parking Standards

Appendix 2 -*Specific Development Objectives* of Volume 3 of the Plan includes:

- DGDO4 - DO4 Development in Dungarvan shall take place in a sequential manner, with sites closest to Dungarvan town being developed first.

5.2. National

5.2.1. National Planning Framework (2025)

- National Policy Objective 63- Support the coordination and promotion of all-island tourism initiatives through continued co-operation between the relevant tourism agencies and Tourism Ireland, pursue the further development of sport, and invest in the diverse heritage, arts and cultural and linguistic traditions of the island.

5.2.2. Climate Action Plan, 2025

- The approved Climate Action Plan 2025 is the third statutory update to the plan since the Climate Action and Low Carbon Development (Amendment) Act 2021. This plan builds upon the 2024 plan and outlines how Ireland will accelerate climate

action to meet its goals of reducing greenhouse gas emissions by 51% by 2030 and achieving climate neutrality by 2050.

- The Plan acknowledges investment in emissions reduction is growing as the urgent need to act is increasingly being recognised and as the benefits of the transition to a low carbon society become clearer.
- The Climate Action Plan 2025 action no. AD/25/3 seeks to develop Sectoral Climate Adaptation Plan for the Tourism Sector.

5.3. Other relevant Section 28 Guidelines

- Architectural Heritage Protection Guidelines for Planning Authorities Department of Arts, Heritage, Gaeltacht 2011
- The Planning System and Flood Risk Management (including the associated Technical Appendices) (2009).
- Appropriate Assessment of Plans and Projects in Ireland – Guidelines for Planning Authorities (2009).

5.4. Natural Heritage Designations

5.4.1. The proposed development is not located within or immediately adjacent to any European Site. The subject site is located approximately 10m east of Dungarvan Harbour SPA (site code 004032). The site adjoins the harbour where the Colligan River flows to the sea.

5.4.2. The following are in close proximity to the site:

- The site is 3.5km southwest of the Glendine Wood SAC.
- The site is 5.8km northwest of the Helvic to Ballyquin SPA.
- The site is 6km northwest of the Helvic Head SAC.
- The site is 6.3km northeast of the Blackwater River SAC.
- The site is 7.4km southwest of the Mid Waterford Coast SPA.
- The site is 9.7km south of the Comeragh Mountains SAC.

5.5. Environmental Impact Assessment (EIA) Screening

5.5.1. The proposal is for the conversion of existing outbuildings into 4 no. ensuite rooms for rental accommodation and the conversion of an existing barn into a tearooms. The

proposed development has been subject to preliminary examination for environmental impact assessment, please refer to Appendix 1: Form 1 of this report. Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

5.1. Water Framework Directive (WFD) Screening

- 5.1.1. Please refer to Appendix 2 of this report. The Colligan Estuary (IE_SE_140_0100) is located directly across the road from the site at a distance of ca.10m (moderate water body status) and the groundwater body is Dungarvan IE_SE_G_052 (good water body status).
- 5.1.2. No water deterioration concerns were raised in the planning appeal.
- 5.1.3. It appears that based on the information available to me that there is sufficient capacity within the WWTP serving the Dungarvan agglomeration and subject to a condition precluding the commencement of development until a full connection agreement has been secured from Uisce Éireann, the proposed development would not result in a deterioration in water quality or aquatic habitats degradation arising from an overall increase in biological loading from treated effluent discharges.
- 5.1.4. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

The reason for this conclusion is as follows:

- Nature of the development including the connection to public water supply, public sewer and storm sewer, and
- lack of hydrological connections.

- 5.1.5. I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment

6.0 The Appeal

6.1. Grounds of Appeal – First Party

A first-party appeal has been lodged only against the decision of Waterford City and County Council decision to refuse planning permission for the proposed development. The grounds of appeal as summarised as follows:

Background and Context

- The development is intended to secure the long-term viability of the property that has been in the applicant's family for c. 200year.
- A business plan accompanied the application.
- By way of background it is set out that the applicant commenced a coffee trailer operation 2021 and was issued with a Warning Letter in October 2023 and the operation ceased.
- Subsequent to pre-planning with WCC the application was progressed on foot of discussions with the PA.

Built Heritage

- It is argued that the planner's contention that the development involves the subdivision of a residential site is misleading. Noting the PA's criticism that the thatch cottage has not been included, it is set out that the cottage is the applicant's place of residence and while works have not commenced is subject to a grant of permission for renovation and extension works (WCC 22/922).
- It is set out (and drawings included in the appeal) that the subdivision boundary could be adjusted to reduce any impact.
- The first party do not agree that the development is haphazard or piecemeal – there are no new buildings only reuse and adaptation.

- It is further argued that the type and scale of the development is such that it would not undermine the town functions of Dungarvan.
- The proposed development meets of WCCDP built heritage standards and reflects the appropriate reuse and sympathetic modification and ensure the setting of the significant heritage asset ensuring it will be protected and enhanced into the future.
- Contrary to the PA's contention it is set out that works to the haybarn are minimal. The only significant intervention of form and mass is the additional of a small timber clad toilet block. The appeal notes that the toilet block could be accommodated in the hay barn if deemed more appropriate.
- It is also set out that the roofing of the pigsty's (located to the front of the haybarn) at the proposed height is to ensure that these are accessible.

Residential Amenity and Traffic

- It is envisaged that the development will have minimal impacts on neighbouring properties as all works are confined to the existing courtyard and surrounded by existing buildings of significant scale within the site.
- The property is already located in a high amenity tourist area and the cottage is included on WCC Tourism Map.
- It is set out that the presumption by the PA that the haybarn will primarily serve visiting members of the public is incorrect. The proposal is based on the available existing floor area.
- Any increase in traffic in this urban area is not significant and will have no impact of the existing circumstances. The area is well served by public parking is 67 no. spaces within 125m of the site that can accommodate the 7 no. spaces required by the PA. In response to the appeal the first party set out that additional parking can be provided on lands in the ownership of the applicant's father adjacent to the public road and adjoining the site, if necessary.

Flood Risk

- The response includes a statement from Frank Fox & Associates Civil & Structural Consulting Engineers which sets out that the minor works associated

with the development are unlikely to raise significant flooding issues and as per s. 5.28 of the flood guidelines no specific mitigation measures are required.

6.2. Planning Authority Response

None

6.3. Observations

1 no. observation was received. In brief, the following issues were raised:

- Impact on residential amenity by reason of noise, traffic and general disturbance.
- Would result in the subdivision of the property.
- It is set out the some works including internal boundary treatment, the widening of the pedestrian gate and works to the external walls of the haybarn were not included in the development description. Similarly the ACA was not referred to. Accordingly, the application is invalid.
- Query re. extent of land ownership.
- The application site is in a residential area and not part of the established town.
- Permission should be refused on failure to provide car parking.
- It is set out that this is not a heritage site and none of the buildings subject to the proposed development have any heritage value and the development represents a non-conforming commercial development in a residential area.

7.0 Assessment

7.1. Introduction

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

- Principle of Development
- Impact on the Established Pattern of Development (refusal reason no. 1)
- Built Heritage (refusal reason no. 2)
- Flooding (refusal reason no. 3)

- Other Matters

7.2. Principle of Development

Proposed Development

- 7.2.1. The proposed development comprises the change of use of existing disused single storey farm outbuildings to accommodate 4 no. ensuite bedroom short stay holiday units & associate tourism accommodation services, i.e., kitchen, laundry, store. The 4 no. units have a stated floor area of 92.3sqm with the laundry/storage area 48.3sqm in area.
- 7.2.2. In addition, it is proposed to change of use of the existing haybarn to a covered seating area/ farmyard tearooms including the provision of new toilets adjacent as part of a heritage tourism project for the site. The stated area of the tearoom is 106.3sqm with the proposed new toilet block 11.3sqm.
- 7.2.3. The overnight accommodation provides for a maximum of 9no. persons with full occupancy, the café / tearoom allows for seating for 46no. patrons with scope for additional internal and external seating.
- 7.2.4. The site currently accommodates an existing thatched cottage which is a Protected Structure, RPS Ref. DV740128 and this is included in the site area as outlined in red. While no works are proposed to the cottage as part of this application, the development works relate to disused farm buildings within the attendant grounds of the Protected Structure (PS).

Zoning

- 7.2.5. The Commission will note that the subject site is zoned 'RS' -Existing Residential in the Waterford City and County Development Plan 2022-2028 (WCCDP) with a stated objective '*to provide for residential development and protect and improve residential amenity*'. Table 11.2 *Zoning Matrix* of the WCCDP sets out that tourist accommodation is also open for consideration on lands zoned 'RS'. Similarly, Café/Teashop use is open for consideration under this land use zoning.
- 7.2.6. Section 11.1.2 defines 'Open for Consideration' as uses which may be permitted where the Planning Authority is satisfied that the proposed development would be compatible with the overall policies and objectives for the zone, would not have

undesirable effects, and would otherwise be consistent with the proper planning and sustainable development of the area.

- 7.2.7. The PA in their assessment state that the proposal is not packaged to include a tourism offering based out of the dwelling but actually a subdivision of the plot whereby there is no functional or visual link between the thatch cottage and the proposed commercial enterprise. While the proposal is for reuse of former farm buildings previously associated with the dwelling these buildings are neither associated with a farm or a dwelling and the applicant is seeking change of use of outbuildings to commercial use in an established residential area.
- 7.2.8. I draw the Commission's attention to section 4.6 *Conversion of Outhouses* of Volume 2 Development Management Standards of the WCCDP sets out that where the Planning Authority considers outhouses to be of architectural merit, consideration may be given to the restoration of same for appropriate and sympathetic residential/ cottage and tourism industry type developments where normal development management standards are adhered to (e.g. safe access, acceptable wastewater provision, etc). This is further supported by Policy BH 26 Reuse of Vernacular Structures - to encourage and facilitate the sensitive reuse of vernacular houses or farm buildings for farm diversification, Agri-tourism and rural development, including self-catering accommodation, arts or craft workshops and small-scale manufacturing. Contrary to the PA's opinion, while the buildings on site may no longer be used for agricultural purposes this was their original function and the expansion of the settlement of Dungarvan/Abbeyside would appear to have absorbed any ancillary agricultural lands leaving no agricultural need for the buildings. It is the applicant's contention and I would agree that their adaptive reuse is the only alternative to the survival of the structures. I am further satisfied that the proposed development is consistent with section 4.6 and policy BH26 of the WCCDP and therefore acceptable in principle.

Conclusion

- 7.2.9. The development of the site is guided by the zoning principles of the Waterford City and County Development Plan 2022-2028. I am satisfied that the proposed development is consistent with the land use zoning objectives of the WCCDP 2022-2028 and that there is policy support for the proposed development and the proposed development is acceptable in principle subject to detailed consideration below.

7.3. **Impact on Established Pattern of Development** (refusal reason no.1)

- 7.3.1. The Commission will note that refusal reason no. 1 as set out by the PA states that 'the applicant has proposed subdivision of a residential site comprising of a separation of previously associated outbuildings and the thatch cottage / Protected Structure on site. The applicant has proposed to redevelop the outbuildings to provide for a café / tearoom with limited ancillary overnight accommodation. The applicant has failed to demonstrate that the commercial offering proposed would not undermine the town and village centre functions of Dungarvan and Abbeyside and furthermore, it has not been demonstrated that the proposal would not adversely impact on the residential amenities or traffic management of the area or the character and setting of the Protected Structure itself. The proposed haphazard and piecemeal development would set an undesirable precedent for uncoordinated commercial offerings to the rear of a dwellings in established residential areas and as such, the proposal, would be contrary to the proper planning and sustainable development of the area.'
- 7.3.2. Regarding the impact of the proposed development on the character of the Protected Structure, I will address this matter separately in section 7.4 below.

Site Context

- 7.3.3. The subject site is ca. 450m (as the crow flies) to the south of Abbeyside village centre in a primarily residential area. St. Augustine's Church and Abbey Strand are ca. 100m east of the site and Waterford Greenway is ca. 425m north of the site. While I note that the site is does not form part of Abbeyside village core, I am mindful that the development is for a niche form of tourism which includes the adaptive re-use of vernacular building structures and is readily accessible to the village centre and Dungarvan town, Waterford Greenaway among other attractions.

Undermining of Village Functions

- 7.3.4. The proposed development essentially consists of two elements; 1) Accommodation in the form of 4 no. ensuite bedrooms and 2) the tearooms.

Accommodation - Policy ECON 22 - Sustainable Tourism of the WCCDP sets out that the Council will cooperate with various stakeholders and tourism agencies in their promotion of Waterford as a tourism destination of choice and will encourage: Sustainable tourism 'products' and activities/ attractors in appropriate locations which

are based on and reflect the city and county's distinctive history, natural and/ or cultural heritage, agri-food, marine and horticultural sector, and outdoor pursuits and recreation. Furthermore, policy ECON 24 -Tourism Accommodation – seeks to support the development of a variety of accommodation types at appropriate locations throughout Waterford City and County (hotels, B&Bs, Guest Houses, self-catering, caravan & camping, glamping etc), which can improve the economic potential of increased visitor revenue, increase dwell time and meet visitor needs. Tourist accommodation should generally be located within towns and villages (unless otherwise justified to the satisfaction of the Planning Authority) and developed with the principles of universal design to ensure they are accessible for all. With respect to ECON 22 and ECON 24, I am satisfied that the proposed tourist accommodation is located within the defined the settlement and accessible to local services and amenities and will enhance the services and amenities of the village function and therefore acceptable. I will address the impacts on the Protected Structure in section 7.4 below.

Tea Rooms – Regarding the conversion of a barn building on site to a tea rooms, I note the concerns raised by the observer as regards the documentation on file and the development description. I note that the development description and public notices do not include the tea rooms in the text. In addition, the documentation on file includes very limited information with respect to the proposed tea rooms including the business plan which relates generally to the accommodation proposed and does not refer to the tea rooms. Notwithstanding, I accept that the drawings indicate a tea room on site and as evidenced by the submissions received the relevant parties were aware of the proposal.

- 7.3.5. While the applicant argues that the tearooms are not the primary commercial element of the proposal, in the absence of information to the contrary, I share the concerns of the PA that the tea rooms will primarily serve visiting members of the public and will be a key economic driver of the development. I do not consider the documentation on file as adequately addressed the nature, extent, operating hours etc of the tea rooms nor do the drawings identify how the tearooms will be serviced. In this regard, I note also that the PA raised concerns the Irish Water may not have been aware that the development included a tea rooms when preparing their report.

- 7.3.6. However, I am satisfied that the proposed tea rooms are consistent with section 4.6 *Conversion of Outhouses* and Policy BH 26 *Reuse of Vernacular Structures*. I am further satisfied that the proposal will not detract from Dungarvan or Abbeyside by reason of scale and offering which does not include the sale of hot food and is appropriately sited in proximity to the local attractions of St. Augustine's Church and Abbey Strand and overlooking Colligan Estuary, Dungarvan Castle and town.
- 7.3.7. Regarding the connection to services, I note the public service infrastructure (water and sewerage) are located fronting the site and therefore connection arrangements can be addressed by way of condition should the Commission consider this appropriate. As regard the demand generated by the tea rooms, I do not consider this to be significant again owing to the nature of the use as a tea rooms where no food is prepared or cooked on site. Similarly, the addition of two no. wc's would not generate significant demand in my opinion. I am satisfied this matter can be addressed by way of condition should the Commission be minded to grant planning permission.

Haphazard and Piecemeal Development

- 7.3.8. The PA argue that the proposed haphazard and piecemeal development would set an undesirable precedent for uncoordinated commercial offerings to the rear of a dwelling in an established residential area. Further concern is raised that the development is not related to but independent of the Protected Structure (PS) and will subdivide the site.
- 7.3.9. The Commission will note that the defined site boundaries as outlined in red include the PS. This is to be retained as the applicant's primary place of residence. A new 2m high timber panel fence will separate the PS from the accommodation and tearooms proposed. Consistent with the Architectural Heritage Protection Guidelines (2011) the active use of the PS is the best way to ensure the structure is preserved and protected. Given that the site as outlined in red includes the PS and the timber fence boundary is a reversible insertion and serves only to secure the PS as a place of residence for the applicant, and while the applicant has proposed as part of the appeal to relocate this fence and expose the rear of the PS, I do not consider this necessary or justifiable. However, I consider the boundary fence should be realigned to run a straight line from the existing outbuildings to the south of the site towards the proposed laundry to the north, this will provide for the retention of the formal courtyard and a vista of the former

dairy (accommodation block) from the haybarn. The new boundary fence shall be supplemented with a row of native screen hedging. Once the hedgerow has been established the boundary fence shall be removed thereby creating an semi-informal separation between the PS and the courtyard. The Commission will note that the rear of the cottage as been subject to incremental additions over the years which have reduced the visual amenity of the rear elevation. Site inspection confirmed that works have commenced pursuant to 22/922, when completed these works will redefine the rear elevation and improve the aesthetic.

7.3.10. In my opinion, a balanced approach needs to be considered to the overall development of the site and the preservation of the cottage which I am satisfied provides a standalone local attraction and a visual amenity to the area by virtue of location and views from the public road. Therefore, I do not consider the development of the site as a tourism project relies on the direct integration of the cottage as implied by the PA and observers.

7.3.11. To this end however and noting the PA's concerns about piecemeal and haphazard development, I note that there are number of other outbuildings in and around the site which have not been included in the site as outlined in red. Site inspection confirmed that many of these are small former pig Stys and some later 20th century structures used for storage and with limited development potential beyond their current use. As set out above, I consider the proposed development provides for the alterative reuse of vernacular buildings in line with the WCCDP policies. I am further satisfied that the works proposed are not haphazard as they relate to the reuse of existing structures and the structures are sequentially located adjacent to the rear of the PS. While I have noted the other buildings in and around the site which are not subject to this application, as regards piecemeal development, these structure are not included in the site area and separated from the development by existing boundary walls. Any development of these structures, which I consider be of limited development potential, would require a separate grant of planning permission. Therefore, I do not consider the development piecemeal in this context. However, in the event the Commission is minded to grant planning permission, I recommend a condition requiring the submission of a detailed hard and soft landscaping plan be submitted for the entire site as outlined in red on the site location map submitted with the application.

Residential Amenity

7.3.12. Regarding the impact on residential amenity. As regards the proposed 4 no. ensuite rooms, in the first instance I do not consider 4 no. rooms to be significant. In addition the 4 no. rooms are housed in an independent single storey structure located within the application site removed from any site boundaries and separated from adjoining third party residences. The 4 no. rooms are accessed via an internal courtyard not visible from any residence with the exception of the applicants. Similarly, the proposed tearoom is located within the site removed for any site boundaries and any concerns regarding opening hours can be controlled by way of condition. I further note that there will be no overlooking of any adjoining properties having regards the scale of dividing walls. Overall, I do not consider the proposed accommodation or tearooms will have any negative impact on residential amenity including noise.

Car Parking

7.3.13. No car parking has been proposed to accommodate development on site. Both the PA and observer raised concerns with respect to car parking and traffic management. In accordance with Table 7. 1 *Car Parking Standards* of the WCCDP a total of 7 no. car parking spaces are required, 1 for each ensuite bedroom and 3 for the tearooms (1 per 30sqm). It is the applicant's contention that any increase in traffic in this urban area is not significant and will have no impact of the existing circumstances. The area is well served by public parking with c.67 no. spaces within 125m of the site that can accommodate the 7 no. spaces required by the PA.

7.3.14. Section 5.14 *Car Parking* of the WCCDP states that the Development Management Standards in Volume 2 of the Plan sets out maximum car parking standards and that this affords a degree of flexibility and allows developers to submit a car parking analysis of a particular area to demonstrate the supply and demand for car parking spaces. The plan establishes that an analysis of car parking is assessed on a case-by-case basis, depending on the nature and location of the development, and its proximity to public transport.

7.3.15. In response to the appeal the first party set out that additional parking can be provided on lands in the ownership of the applicant's father adjacent to the public road and adjoining the site, if necessary. No details have been provided as to how this might work, therefore this cannot be adequately assessed as a solution. Although it would

appear that this area currently serves as car parking for the area. Notwithstanding, in light of the accessibility of public parking immediate to the site on the opposite side of the public road and ca. 50m north of the site, I am satisfied the car parking requirement can be accommodated in the vicinity of the site. Site inspection confirmed that this parking is not subject to metered payments.

Conclusion

- 7.3.16. Section 5.15 - B&B's/Guest Houses/Hotels DM 25 of the WCCDP sets out criteria to determine the suitability to otherwise for both new, and for change of use, to bed and breakfast, guesthouse, hotel or hostel in residential areas. I am satisfied that the proposed 4 no. ensuite rooms is relatively small in scale, located removed from adjacent site boundaries so as to reduce any impacts on residential amenity and access to car parking can be provided in the vicinity of the site to accommodate the development in addition the site is accessible to numerous services and amenities.

The proposed tearooms and accommodation provide for the *Conversion of Outhouses* in accordance with section 4.6 of WCCDP and reuse of vernacular structures (Policy BH 26) as part of the wider amenities of the area. In addition as set out in section 9.4 below, I am satisfied that the development will not have a detrimental impact on built heritage. Therefore, I am satisfied that the development is consistent with DM 25 of the WCCDP 2022-2028, in addition I am satisfied that the proposed tourist accommodation is located within the defined the settlement and will enhance the services and amenities of the village function and in accordance with ECON 22 and ECON 24 of the WCCDP.

7.4. Impact on Built Heritage

- 7.4.1. Refusal reasons no. 2 states that the applicant has failed to demonstrate that the proposed redevelopment of the outbuildings will not negatively impact on the character and setting of the Protected Structure on site and as such the proposal is contrary to the Built Heritage Policies of the Waterford City and County Development Plan 2022 – 2028 and the proper planning and sustainable development of the area.
- 7.4.2. The subject site includes a Protected Structure: Thatch House, Strand Side South, Abbeyside, [Thatched House] - RPS No: DV740128. The dwelling is included in the National Inventory of Architectural Heritage – Ref. 22821002 – Regional Importance and Architectural and Social interest. The site is also identified within Dungarvan

Architectural Conservation Area and is located in the Zone of Archaeological Potential.

- 7.4.3. In the first instance, the Commission will not that no part of the proposed development includes works to the Protected Structure. All works are removed from and independent of the PS. The works relate only to the conversion of outbuildings to the rear of the PS. I accept however that these structures are part of the attendant grounds of the PS and as such do impact the setting of the PS.
- 7.4.4. The Architectural Heritage statement submitted by the applicant sets out that the character of the former farmyard and outbuildings and the repurposing of the farm buildings for tourist related activity will preserve the distinctive historic farmyard while retaining the architectural heritage of the site and the fabric of the buildings within an urban landscape. I would agree. These are no longer required for their original purpose therefore there adaptative re-use is the only feasible option.
- 7.4.5. I have addressed the issue of the dividing boundary and the PS in section 7.3 above and I have set out in 7.2 the provision of the WCCDP (Section 4.6 *Conversion of Outhouses* of Volume 2 and Policy BH 26 Reuse of Vernacular Structures) where the Planning Authority considers outhouses to be of architectural merit, consideration may be given to the restoration of same for appropriate and sympathetic residential/ cottage and tourism industry type developments. While the observer argues that the buildings are not of merit and the development does not incorporate the PS, I do not agree.
- 7.4.6. The rear outbuildings form part of the evolution of the site including the PS and therefore part of the vernacular of the site. Furthermore, the retention and active use of the PS for residential use provides the setting for the site and the adaptation and reuse of some of its original outbuildings provide a unique setting for the proposed accommodation. This is consistent with Policy Objective BH 24 *Maintaining and Enhancing our Vernacular Buildings* where it is the policy of the Council to ‘protect, maintain and enhance the historic character and setting of vernacular buildings, farmyards and settlements and encourage appropriate revitalisation and reuse of such structures (see rural diversification/ tourism)..’ and where there will be a ‘presumption against the demolition of vernacular buildings where restoration or adaptation is a feasible option...’. The proposed overnight accommodation building has been indicated as being last in use as a dairy building with exposed stone walls and a sheet

metal roof. The adjoining pitched roof structure which is intended to be the ancillary storage / service building is indicated as existing storage. The PA in their assessment state that this building most recently included an unauthorised commercial kitchen and pizza oven. The haybarn has an over side to the north and a lean-to structure and pens to the south. No significant new building work is proposed and the proposal retains the original farm courtyard and the form, shape and setting of the original structures. While the proposed works will alter the character of the farmyard and future uses, I am satisfied that the proposed works will not result in detrimental impacts of the setting of the Protected Structure. As set out above the retention and active use of the farm buildings is consistent with best practice in conservation and retains the setting of the PS. The

- 7.4.7. In terms of the Dungarvan ACA, policy objective BH 05 Architectural Conservation Areas includes the preservation of the special character of places, areas, groups of structures setting out Architectural Conservation Areas (ACA) and prohibit the demolition of historic structures that positively contributes to the distinctive character of the ACA.....I am satisfied that the reuse of the farm buildings is consistent with this policy and will serve to enhance and maintain the character of the ACA.

Conclusion

- 7.4.8. The Commission will note that no part of the development will encroach, overhang or require works to the Protected Structure, in contrast the reuse of the former farm buildings will enhance and restore the setting of the original farmyard courtyard to the rear of the site. Overall, I am satisfied that the development is consistent with policy objective BH 26 *Reuse of Vernacular Structures* to 'encourage and facilitate the sensitive reuse of vernacular houses or farm buildings for farm diversification, Agri-tourism and rural development, including self-catering accommodation, arts or craft workshops and small-scale manufacturing...'

Flooding

- 7.4.9. Refusal reason no. 3 sets out that while the application has been accompanied by a Flood Risk Assessment which considers the physical impact of the development same does not adequately assess the risk associated with the increased number of visiting members of public to the site within a Flood Zone and how this risk would be appropriately managed and evacuation / emergency plans implemented. The proposal

therefore would present a risk to any future users of the proposed services and as such would be contrary to the proper planning and sustainable development of the area.

- 7.4.10. The applicants appeal includes a statement from Frank Fox & Associates Civil & Structural Consulting Engineers which sets out that the minor works associated with the development are unlikely to raise significant flooding issues and as per s. 5.28 of the flood guidelines no specific mitigation measures are required.
- 7.4.11. Section 5.28 of the guidelines relates to *Assessment of minor proposals in areas of flood risk*. It states that 'applications for minor development, such as small extensions to houses, and most changes of use of existing buildings and or extensions and additions to existing commercial and industrial enterprises, are unlikely to raise significant flooding issues, unless they obstruct important flow paths, introduce a significant additional number of people into flood risk areas or entail the storage of hazardous substances. Since such applications concern existing buildings, the sequential approach cannot be used to locate them in lower-risk areas and the Justification Test will not apply. However, a commensurate assessment of the risks of flooding should accompany such applications to demonstrate that they would not have adverse impacts or impede access to a watercourse, floodplain or flood protection and management facilities.'
- 7.4.12. The Commission will note as per guidelines while land and buildings used for holiday or short-let are considered 'Less vulnerable development' the guidelines state that such use will be subject to specific warning and evacuation plans. A Flood Risk Assessment accompanied that application and determined from a review of the topography mapping that the exiting site does not effect a current watercourse in the vicinity of the site, the extent of the extension (11.3sqm toilet block) is of insignificance to the overall scale of the floodplain and the flood protection and management systems are contained outside the site and therefore, the proposed development has not an adverse impact on same. No specific mitigation measures are required to minimise the possibility of flood risk to the development and the site is suitable for minor development. I would agree.
- 7.4.13. The concerns of the PA would appear to centre around the visiting members of the public associated with the tearooms. In this regard should the Commission consider

the tearooms acceptable, a suitable condition requiring the applicant submit a specific emergency plan for users of the site. I do not consider the development warrants refusal for this reason.

Conclusion

- 7.4.14. I have reviewed the information submitted with the appeal and the application and I am satisfied that the proposed development site is suitable for minor development and would not increase the flood risk to the adjoining lands. Matters relating to an emergency plan for all users of the site can be addressed by way of condition, should the Commission consider this appropriate.

7.5. Other Matters

Pedestrian Gate

- 7.5.1. The observer raised concerns about the proposal to widen the pedestrian entrance previously permitted under 23/60104 which is now intended to serve the proposed development. The proposal provides of a 300mm increase in the proposed width from 1000mm to 1300mm. I do not consider this significant nor is it if sufficient width to accommodate any more than a pedestrian entrance. The proposed entrance is acceptable in my opinion.

8.0 Appropriate Assessment

- 8.1.1. I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended.
- 8.1.2. The subject site is located approximately 10m east of Dungarvan Harbour SPA (site code 004032). The site adjoins the harbour where the Colligan River flows to the sea.
- 8.1.3. The proposed development comprises the change of use of outbuildings to short stay holiday units and from haybarn to ancillary services for heritage tourism project and all associated site works. It is proposed to connect the proposed development to the exiting public water, sewer and surface water network.
- 8.1.4. No nature conservation concerns were raised in the planning appeal.
- 8.1.5. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site. The reason for this conclusion is as follows

- Scale and nature of the development
- lack of connections to nearest European site
- Taking into account screening report by Planning Authority

I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required

9.0 Recommendation

Having regard to the residential land use zoning of the site, the nature and scale of the proposed development, and the provisions of the Waterford City and County Development Plan 2022-2028, it is considered that, subject to compliance with the conditions set out below, the development would not detract from the character and setting of the Protected Structure or the role of the village centre, would not seriously injure the residential amenities of the area or of property in the vicinity nor would it represent a traffic safety issue. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Reasons and Considerations

Having read the appeal and submissions on file, had due regard to the provisions of the Waterford City and County Development Plan 2022-2028, carried out a site visit and all other matters arising. I recommend that permission is granted subject to the conditions set out below.

11.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on the 17th of 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. The proposed tea rooms shall be limited to use as a tea rooms only and not for use as a restaurant where food is prepared and cooked on site.

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

3. The proposed development shall be amended as follows:

- a) Prior to the commencement of any development works on site the developer shall submit the following for the written agreement of the Planning Authority:

- The proposed toilet block extension to the side of the barn (tearooms) shall be omitted. Revised drawings shall be submitted providing for WC facilities internally within the barn.
- Revised drawings identifying connection to infrastructure services to service the barn shall be submitted.
- The boundary between the rear of the Protected Structure and the courtyard shall be amended to run a direct line from the southern outbuilding as identified on the site layout plan accompanying the application to the proposed laundry building. The new boundary fence shall be supplemented with a row of native screen hedging. All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased shall be replaced within the next planting season with others of similar size and species. Once the hedgerow has been established the boundary fence shall be removed.

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

4. Prior to the commencement of development, the developer or any agent acting on its behalf, shall submit for the written agreement of the Planning Authority details of the proposed tearooms to include nature and extent of the development, hours of operation, no. of staff etc.

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

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

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

6. A comprehensive boundary treatment and landscaping scheme shall be submitted to and agreed in writing with the planning authority, prior to commencement of development. This scheme shall include the following:

(b) details of all proposed hard surface finishes, including samples of proposed paving slabs/materials for footpaths, kerbing and road surfaces within the development;

(c) proposed locations of trees and other landscape planting in the development, including details of proposed species and settings;

(d) details of proposed external seating, if proposed,

(e) details of proposed boundary treatments at the perimeter of the site, including heights, materials and finishes,

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

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

7. Prior to the commencement of development, the developer shall enter into Connection Agreements with Uisce Éireann (Irish Water) to provide for service connections to the public water supply and wastewater collection network.

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

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

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

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

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

10. Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare 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) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. 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 proper planning and sustainable development

11. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:
 - a. Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;
 - b. Location of areas for construction site offices and staff facilities;
 - c. Details of site security fencing and hoardings;

- d. Details of on-site car parking facilities for site workers;
- e. Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;
- f. Measures to obviate queuing of construction traffic on the adjoining road network;
- g. Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
- h. Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;
- i. Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- j. Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;
- k. Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;
- l. Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.
- m. A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be available for inspection by the planning authority.

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

12. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to 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 amenities of property in the vicinity.

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

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

I confirm that this report represents my professional planning assessment, judgement and opinion of 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.

Irené McCormack

Senior Planning Inspector

18th August 2025

Appendix 1 - EIA Pre-Screening

Form 1 - EIA Pre-Screening

Case Reference	320741-24
Proposed Development Summary	Change of use of outbuildings to short stay holiday units and from haybarn to ancillary services for heritage tourism project. Within curtilage of a protected structure
Development Address	The Thatch, Strandside South, Abbeyside, Dungarvan, Co. Waterford, X35 RW98
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
2. Is the proposed development of a CLASS specified in <u>Part 1</u>, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	N/a
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road	<i>Not of a Class</i>

development under Article 8 of the Roads Regulations, 1994.	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.	
<input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.	

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes <input type="checkbox"/>	Screening Determination required (Complete Form 3)
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Appendix 2 - Water Framework Directive Screening Determination

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Coimisiún Pleanála ref. no.	320741-24	Townland, address	The Thatch, Strandside South, Abbeyside, Dungarvan, Co. Waterford, X35 RW98
Description of project		Change of use of outbuildings to short stay holiday units and from haybarn to ancillary services for heritage tourism project. Within curtilage of a protected structure	
Brief site description, relevant to WFD Screening,		The application site is located at Strandside South, Abbeyside, Dungarvan overlooking the waterfront. Dungarvan town centre is located to the west of the site separated from the site by Dungarvan Harbour. There are no watercourses on site and the underlying soils are identified as manmade.	
Proposed surface water details		Application form identified connection to the public network	
Proposed water supply source & available capacity		Application form identified connection to the public network A review of the Uisce Eireann Capacity website on 22/7/2025 indicated that potential capacity is available in Dungarvan	
Proposed wastewater treatment system & available capacity, other issues		Application form identified connection to the public network The Commission will note that a review of the Uisce Eireann Capacity website on 22/7/2025 indicated spare capacity available at the Dungarvan WWTP.	

Others?			A FRA accompanied that planning application. The report concluded that the development is of insufficient scale and as per S5.28 of the Flood Guidelines no specific mitigation measures are required.			
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection						
Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)
Transitional waters	directly across the road from the site ca.10m	IE_SE_140_0100 - Colligan Estuary	Moderate	At Risk	Urban Waste Water -Combined Sewer Overflows *No concerns raised by UE and a review of the UE capacity register indicated available capacity in the WWTP.	No pathway linkage exists.

Groundwater waterbody		Underlying Site	IE_SE_G_052 Dungarvan - Groundwater body	Good	Review	No pressures	No discharge to ground proposed.
Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.							
CONSTRUCTION PHASE							
No.	Component	Water body receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.
1.	Surface	IE_SE_140_0100 - Colligan Estuary	No pathway exists	None	None	No	Screened out
2.	Ground	IE_SE_G_052	Drainage	Hydrocarbon Spillages	standard Constructio	No	Screened out

					n Measures / Condition		
OPERATIONAL PHASE							
3.	Surface water run- off	IE_SE_140 _0100	None	None	None	No	Screened out
4.	Discharges to ground	IE_SE_G_0 52	None	None	None	No	Screened out
DECOMMISSIONING PHASE							
5.	NA	NA	NA	NA	NA	NA	NA