



An  
Coimisiún  
Pleanála

## Inspector's Report

**ABP 321315-24**

<b>Development</b>	Construction of single storey dwelling, garden shed, two site entrances and ancillary works; subdivision of site associated with No 8 Hillside Drive, Crooke
<b>Location</b>	Harbour View, Crooke, Passage East, Co Waterford
<b>Planning Authority</b>	Waterford City and County Council
<b>Planning Authority Reg. Ref.</b>	2460319
<b>Applicant(s)</b>	James Elliott.
<b>Type of Application</b>	Permission.
<b>Planning Authority Decision</b>	Grant permission
<b>Type of Appeal</b>	Third Party
<b>Appellants</b>	Daniel and Aoife Marks.
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	8 <sup>th</sup> August 2025.
<b>Inspector</b>	Ann Bogan

## **1.0 Site Location and Description**

- 1.1. The site is located at rear of 8 Hillside Drive and adjoins Harbour View, in an established residential area in Crooke, Passage East, Co Waterford. The 0.051ha site is a sub-division of an existing plot and is located in the rear garden of No.8 Hillside Drive, a single storey semi-detached house, occupied by the applicant's parents. The houses in the vicinity are generally single storey or single storey with dormer.
- 1.2. The rear garden site has an existing service/pedestrian access off Harbour View to the north. The site backs onto Cuan na Greine estate to the west, in particular No. 11 Cuan na Greine (occupied by the appellants), which is located at a higher level, approximately 2m above the subject site. The site is bounded by timber panel fencing to the east and north, by a concrete wall to the west and there is mature planting on the southern boundary with the adjoining semi-detached house, No. 7 Hillside Drive.
- 1.3. I note from the site inspection and for clarity, that the front garden of No. 8 Hillside View (shown within the blue line) has already been subdivided, with part of garden incorporated into the adjoining site to the west, No. 38 Harbour View. This area accommodates part of a permitted house extension and a vehicular entrance to No. 38 Harbut View (Planning ref 20884), which I understand is occupied by the applicant's brother.

## **2.0 Proposed Development**

- 2.1. The proposed development consists of:
  - Subdivision of an existing house plot
  - Construction of a 2 bed, 132sqm single storey dwelling, garden shed, entrance and ancillary site works
  - Construction of vehicular and pedestrian entrance and 1.8m wall boundary off Harbour View to the north
  - Existing entrance off Hillside Drive continues to serve No 8. Hillside Drive
  - Development to be connected to public water and sewerage systems

- Revised drawings submitted following receipt of further information show roof ridge height reduced from 6.83m to 5.0m. and roof pitch reduced from c45 degrees to c 30 degrees; site layout drawing amended to show location of soakpits for storm water, sightlines at entrance and footpath.

### **3.0 Planning Authority Decision**

#### **3.1. Decision**

Grant permission, subject to 11 mainly standard conditions, including those relating to external finishes, access and drainage, construction management, social and affordable housing provision and financial contribution.

Condition No. 3 is a bespoke condition requiring the northern boundary to be a maximum of 1.2m high and capped and plastered, (rather than the 1.8m shown on drawings).

#### **3.2. Planning Authority Reports**

##### **3.2.1. Planning Reports**

- First report (29/07/2024): considered the principle of the development of a house on the site to be acceptable; siting is acceptable. Recommended that as roof height considered excessive it “be decreased in height and the roof lights located on the rear roof slope be removed”. (However, I note the removal of the rooflights was not included in the further information request or as a condition).
- Having noted the submissions it was considered, subject to reduction in height, that the proposed development would not lead to overlooking or privacy issues of surrounding properties; amenity open space acceptable.
- Further information (FI) was requested in relation to roof height, reduction of height of northern site boundary wall, provide clear sightlines, proposals to deal with surface water onsite, public footpath to be provided on northern boundary, pre-connection agreement from Uisce Eireann.

- Concluded ‘the proposed development would not be likely to have a significant effect on a Natura 2000 site; stated proposed development is not a type included for under Schedule 5 of Planning and Development Regulations 2001 and is satisfied EIA is not required
- Second report (29/10/2024): Following receipt of revised proposals, the height, sightlines, drainage details, etc were considered acceptable, submission noted and grant of permission recommended subject to 11 conditions. Recommendation approved by Senior Planner, apart from minor amendments to conditions; decision to grant made in line with recommendation.

### 3.2.2. Other Technical Reports

- Engineer, Metropolitan West: found northern boundary wall not acceptable to provide adequate sightlines at proposed entrance, FI recommended and wall to be reduced to 900mm; storm water drainage details to be submitted; provision of footpath to connect to existing network in Harbour View estate desirable.

### 3.3. Prescribed Bodies

None

### 3.4. Third Party Observations

- Five submissions received. One from a County Councillor supporting the development, dwelling is in character with the area, proposed development would allow applicant to live close to his elderly parents who need support
- Four submissions from or on behalf of three residents of Cuan na Greine. Issues raised included scale, height and bulk of proposed dwelling, potential first floor, roof lights overlooking neighbouring properties, overshadowing in the mornings, loss of light, loss of amenity and privacy, roof overbearing, impact on view of the sea, design not in keeping with area, not consulted in advance.

- Further submission from the appellants, following FI, stated while acknowledging minor changes, their objection remains the same, development will have significant impact on natural light entering their kitchen and living areas.

## 4.0 Planning History

None relevant

## 5.0 Policy Context

### **Waterford City and County Development Plan 2022-2028**

Zoned Rural Village: Protect and promote the character of the rural village and promote a vibrant community appropriate to available physical and community infrastructure.

#### Landscape Designation

Site is situated within a 'Most Sensitive' Scenic Classification in the Landscape and Seascape Character Assessment

#### Housing Policy Objectives

H01: To promote compact urban growth through the consolidation and development of new residential units on infill/ brownfield sites and mews and townhouse developments and support the most efficient use of publicly owned lands for residential and mixed-use developments.....

H04: 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.....

## Volume 2 Development Management Standards:

### Section 3.1 Private Open Space:

- All houses should have an area of private open space of a suitable gradient, exclusive of car parking, to the rear of the building line. The minimum area of private open space to be provided shall be in accordance with Table 3.2 for all new residential units.
- The prescribed private amenity space will allow for a private amenity area, which can accommodate the storage of bins/garden shed etc., and the provision of an area for vegetable growing etc. In certain circumstances, the standards may be reduced for smaller houses if the Planning Authority considered it acceptable, however the area may not be less than 50 sq.m.

Table 3. 2 Minimum Private Open Space Requirements for Dwelling Units	
House Type/ No. of bedrooms	Minimum Private Open Space
1 – 2 bedrooms A reduced quantum of private open space may be considered in respect of housing for older people/ sheltered housing etc.	50 sq.m
3 bedrooms	60 sq.m
4 bedrooms (or more)	75 sq.m

### 5.1. **Relevant National or Regional Policy / Ministerial Guidelines**

Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, 2024

#### SPPR 1 - Separation Distances

It is a specific planning policy requirement of these Guidelines that statutory development plans shall not include an objective in respect of minimum separation distances that exceed 16 metres between opposing windows serving habitable rooms at the rear or side of houses, duplex units or apartment units above ground floor level. When considering a planning application for residential development, a separation distance of at least 16 metres between opposing windows serving habitable rooms at the rear or side of houses, duplex units and apartment units, above ground floor level shall be maintained. Separation distances below 16 metres may be considered acceptable in circumstances

where there are no opposing windows serving habitable rooms and where suitable privacy measures have been designed into the scheme to prevent undue overlooking of habitable rooms and private amenity spaces.

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

In all cases, the obligation will be on the project proposer to demonstrate to the satisfaction of the planning authority or An Bord Pleanála that residents will enjoy a high standard of amenity and that the proposed development will not have a significant negative impact on the amenity of occupiers of existing residential properties.

#### SPPR 2 Minimum Private Open Space Standards for Houses.

##### Section 5.3.2 Private Open Space for Houses

Well-designed private open space forms an integral part of houses and is essential for health and wellbeing. The minimum private open space standard in development plans often reflects the traditional suburban separation standard and width of a dwelling. A more graduated and flexible approach that supports the development of compact housing and takes account of the value of well-designed private and semi-private open space should be applied.

##### SPPR 2 - Minimum Private Open Space Standards for Houses

It is a specific planning policy requirement of these Guidelines that proposals for new houses meet the following minimum private open space standards:

1 bed house 20 sq.m.

2 bed house 30 sq.m.

3 bed house 40 sq.m.

4 bed + house 50 sq.m.

..... For building refurbishment schemes on sites of any size or urban infill schemes on smaller sites (e.g. sites of up to 0.25ha) the private open space standard may be relaxed in part or whole, on a case-by-case basis, subject to overall design quality

and proximity to public open space. In all cases, the obligation will be on the project proposer to demonstrate to the satisfaction of the planning authority or An Bord Pleanála that residents will enjoy a high standard of amenity.

## **5.2. Natural Heritage Designations**

- Site is 0.45km west of River Barrow and River Nore SAC (Site Code 002162)
- Site is 8.50km west of Bannow Bay SAC (Site Code 004033)

## **6.0 EIA Screening**

The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendix 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.

## **7.0 The Appeal**

### **7.1. Grounds of Appeal**

Submitted by agent on behalf of appellants whose house is directly west of site at 11 Cul ne Greine. In summary:

- Notwithstanding lower ridge height submitted under FI, roof design will still impinge on enjoyment of their property and views of sea
- Proposal would cause overshadowing of their rear garden, especially in winter when sun lower (drawing included to illustrate)
- Roof ridge would have overbearing impact and diminish enjoyment of their private open space
- Their rear garden incorporates terrace with substantial views of sea, a significant amenity which will be completely obscured by roof of proposal



- If permission to be granted, they request pitched roof be replaced by flat roof, to allow amenities of their home of 18 years to continue

## **7.2. Applicant Response**

In summary:

- Submits that no site is entitled to protection of a view, except locations protected in Development Plan
- Proposed dwelling will be 2.2m below finished floor level of 11 Cuan na Greine (drawing included to illustrate position of the houses)
- Two-storey dwelling at No. 10 Cuan na Greine casts significant overshadowing of No. 11 Cuan na Greine during all seasons
- Overshadowing of No. 11 Cuan na Greine by proposed dwelling will be negligible to non-existent, even in mid-winter (shots from shadow cast analysis included)
- 3-D views show that roof of proposed dwelling is not overbearing in relation to No 11. Cuan na Greine
- Submits that there were mature trees and shrub growth on application site until they were removed in 2018, so claim by applicants that they have enjoyed substantial sea views is untrue
- Person standing in garden with 1.8m garden wall, as in this case will not have view toward lower landscape feature, such as river/sea on other side of wall

## **7.3. Planning Authority Response**

- Planning Authority notes that the substantive issues raised in the appeal were also raised in submissions on the planning application and were assessed in detail in the planner's report
- Decision to grant followed detailed assessment, including input from Roads Department
- Planning Authority urges the Commission to uphold its decision and grant permission for the development.

#### **7.4. Observations**

- None

#### **7.5. Further Responses**

- None

### **8.0 Assessment**

8.1. Having examined the application details and all other documentation on file, including the submissions received in relation to the appeal, the reports of the local authority, and having inspected the site and having regard to the relevant local and national policies and guidance, I consider that the substantive issues to be considered in this appeal are as follows:

- Suitability of location
- Impact on residential amenity
- Private open space
- Access and northern boundary treatment

#### **8.2. Suitability of location**

8.2.1. The site is in an area zoned 'Rural Village' which aims to protect the character of the village and promote a vibrant community. Its siting in the substantial rear garden of an existing dwelling, in an established residential area of Crooke, is in keeping with principles of compact growth and urban consolidation set out in the Waterford City and County Development Plan (Objectives H01 and H04), which support development of infill sites such as this, and is in line with national guidance on promoting compact growth. The single storey design of the dwelling is in keeping with the character of surrounding development. I consider, therefore, that its location, siting and form are acceptable in principle, subject to the detailed considerations below.

### **8.3. Impact on residential amenity**

- 8.3.1. The appellants are concerned that the proposed development will impact negatively on the residential amenity of their house and garden. They are concerned that the roof will be overbearing and will overshadow their garden, and will interfere with their views.
- 8.3.2. The initial proposed roof height and pitch was reduced in drawings submitted under further information. I believe the reduction in ridge height from 6.83m to 5.0m and the reduction in the roof pitch from circa 45 degrees to circa 30 degrees will significantly reduce any potential for the proposed development to have a negative impact on residential amenity of the property in the area. The finished floor level of the proposed dwelling is over 2m below that of the houses to the west in Cuan na Greine and it has a low roof profile. The Cuan na Greine houses are larger and taller than the proposed dwelling, and I am satisfied the roof would not appear overbearing in relation to them. Similarly, based on the orientation of the respective dwellings and the profile of the proposed dwelling, I believe the likelihood of overshadowing by the proposed dwelling on existing dwellings or gardens to be minimal.
- 8.3.3. The positioning and design of the proposed house and existing and proposed boundary treatment, is such that there is little or no potential for overlooking or privacy impact on neighbouring properties. The rooflights in the east and west elevations, which give light to the living room, are located at a high level with no potential for occupants to overlook other dwellings.
- 8.3.4. The rear of the proposed dwelling is approximately 15m from the rear of 11 Cul na Greine, 1m less than the 16m required by SPPR1 of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, 2024 to be between opposing windows in habitable rooms above ground floor level. However, as there are no directly opposing windows between the proposed house and 11 Cul na Greine, the standard does not necessarily apply. As mentioned above, there are rooflights at a high-level, 2.5m above floor level, lighting the living room of the proposed single storey dwelling, which are too high up for occupants to have a view of 11 Cul na Greine.
- 8.3.5. There are two rooflights at first floor level, (and a further single rooflight at a higher level, presumably at attic level) in the rear elevation of 11 Cul na Greine. However,

as there is a 1.8m wall at end of their garden and the subject house is 2.2m below the existing house and 2m from the rear boundary, there is very limited potential for overlooking into the proposed dwelling. There are no opposing windows between the proposed house and any other neighbouring dwellings. I am satisfied, therefore, that overlooking will not impact on privacy or amenity of proposed dwelling or the existing dwellings in the vicinity. Furthermore, the private open space serving the proposed dwelling is mainly on the eastern side of the dwelling, is largely screened from view from above/west, due to the position of the proposed dwelling.

8.3.6. I note there are no views in the vicinity of the proposed development towards the river estuary to the east, listed for protection in the Development Plan. In my opinion the low-profile design and the position of the proposed dwelling is such as to minimise the impact on the landscape and on views from neighbouring properties, including No 11 Cuan na Greine, and I am satisfied, also, that it will not have a significant impact on daylight and sunlight to neighbouring properties.

8.3.7. In conclusion, I believe that the design of the proposed dwelling, as revised, will not have a significant impact on the amenities or privacy of the properties in the vicinity.

#### **8.4. Private open space**

8.4.1. The main area of private open space to serve the dwelling is to the front, facing east. While bounded on three sides by a wall and timber panel fencing, it is somewhat lacking in privacy from the north, with the reduction in wall height proposed in Planning Authority condition No. 3. However, I believe this could be addressed by landscaping/planting within the site. The quantum of private open space is sufficient to provide a good standard of amenity, being above the Development Plan standard of a minimum of 50sq.m. for a two-bed dwelling and well above the minimum 30sq.m. required under SPPR 2 of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, 2024.

8.4.2. In addition, I am satisfied that the private open space remaining to serve the existing dwelling is well above the minimum amount and quality required.

#### **8.5. Access and northern boundary**

8.5.1. The Planning Authority, under FI, requested the proposed boundary wall on the northern boundary to be reduced from the proposed 1.8m to 900mm, to allow for

adequate sightlines from the proposed entrance to the driveways of No 28 and 29 Harbour View and to provide a boundary in keeping with front wall of neighbouring houses.

- 8.5.2. Revised drawings showed that adequate sightlines to neighbouring entrances can be obtained without lowering the wall and applicants stated their preference for retaining it at 1.8m. Condition No 3 of the Planning Authority decision requires the wall to be a maximum height of 1.2m in the interest of visual amenity, with details to be submitted before construction commences. While I accept the argument that the northern boundary wall should be in keeping with adjacent houses in Harbour View, I believe it would be reasonable to permit part of wall running along the side (northern) boundary of the house, i.e. from the front door westwards, to be a maximum of 1.8m, in the interests of protecting privacy, and accordingly recommend a minor modification of Planning Authority Condition No. 3.

#### **8.6. Other issues**

- 8.6.1. I am satisfied that all other issues relating to the proposed development, such as detailed design, connection to services and disposal of surface water, have been satisfactorily addressed by the Planning Authority.

### **9.0 AA Screening**

- 9.1. I have considered the development in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is 0.43km west of the River Barrow and River Nore SAC (Site Code 002162) and 8.52km west of Barrow Bay SAC (Site Doce 004033). The proposed development comprises construction of a dwelling on an urban infill site in an established residential area in Crooke, Passage East, with all ancillary works.
- 9.2. No nature conservation issues were raised in the planning appeal.
- 9.3. 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:

- Small scale and nature of the development

- Location and distance from nearest European site and lack of connections.

9.4. 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.

## 10.0 Water Framework Directive (WFD Screening)

10.1. The subject site is located at Crooke, Passage East and is within the Collegan-Mahon WFD catchment and Monoloum-sc-010 sub-catchment. The nearest river is the Cooltegin\_010, which is 0.4km south of the site and has good water quality status. The Barrow Nore Suir Estuary transitional waterbody is 0.45km east of the site and has a moderate status. The proposed development consists of construction of a single storey dwelling, a garden shed and vehicular entrance and will be linked to public water and wastewater services. No water deterioration concerns were raised in the planning appeal.

10.2. 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.

10.3. The reason for this conclusion is as follows:

- The small scale and nature of the development
- The distance form nearest water bodies and lack of hydrological connections

10.4. 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.

## 11.0 Recommendation

11.1. I recommend that permission be granted subject to conditions

## 12.0 Reasons and Considerations

Having regard to the provisions of the Waterford City and County Development Plan 2022-2028, the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, 2024, the nature and scale of the development and the existing character of the area, it is considered that subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area, or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 13.0 Conditions

1.	The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, and with the further plans and particulars submitted on the 10th day of September 2024, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars. Reason: In the interest of clarity.
2.	(a) Roof covering of the house shall be blue/black slates/composite slate.  (b) Prior to the commencement of development, the developer shall submit details of all external finishes of the house, to include materials, texture and colour, for the written agreement of the Planning Authority.

	Reason: In the interests of visual amenity
3.	<p>The northern boundary of the site shall be defined by a concrete blockwork wall, suitably capped and plastered on its public side, with maximum height of 1.2 metres, save for the portion of the wall to the west of the entrance door to the dwelling, which may be a maximum of 1.8 metres in height. Prior to the commencement of development, the developer shall submit details of the northern boundary of the site defined by a concrete blockwork wall, suitably capped and plastered on its facing side, for the written agreement of the Planning Authority.</p> <p>Reason: In the interest of visual and residential amenity.</p>
4.	<p>(a) Access arrangements and associated drainage shall be constructed in accordance with details submitted to the Planning Authority on the 10th day of September 2024.</p> <p>(b) All works carried out on the public footpath or the public road shall require a Road Opening Licence &amp; Hoarding Licence (if applicable). These licences are available from the Waterford City and County Council Roads Inspector.</p> <p>(c) Any interference with or damage to the public footpath or road caused during the construction of the development shall be made good by the developer to the satisfaction of the Waterford City and County Council Roads Inspector.</p> <p>(d) The development shall not interfere with the roadside drainage and shall not discharge any storm water onto the public road.</p> <p>(e) Gates shall be inward opening or sliding gates only.</p> <p>Reason: In the interest of road &amp; general safety.</p>
5.	<p>Any surplus demolished or excavated material to be removed from the site shall be brought to an authorised facility.</p> <p>Reason: In the interests of environmental protection</p>
6.	<p>During the construction phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site.</p>



	<p>This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances. There must be compliance with British Standard B.S. 5228 Noise Control on Construction and Open sites.</p> <p>Reason: In order to safeguard the amenities of surrounding residents.</p>
7.	<p>All measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.</p> <p>Reason: To protect the amenities of the area.</p>
8.	<p>The daily duration of construction works shall be restricted to between 08:00 hours and 18:00 hours on Monday to Friday, 08:30 hours to 13:00 hours Saturday with no works permitted on Sundays and public holidays.</p> <p>Reason: In the interest of the protection of amenities</p>
9.	<p>No development shall commence until such time as the developer has obtained a Connection Agreement from Uisce Eireann for the provision of water services necessary to enable the development.</p> <p>Reason: In the interests of public health and environmental protection</p>
10.	<p>Within 8 weeks of the date of this order, the developer or other person with an interest in the land shall enter into an agreement in writing with the Planning Authority under Section 96 of the Planning and Development Act, 2000, as amended, in relation to the provision of social and affordable housing, in accordance with the requirements of the Local Authority's Housing Department, the Developer shall thereafter deliver on the agreement and within the timeframes agreed, unless a Section 97 Certificate of Exemption is granted by the Planning Authority.</p> <p>Reason: In order to comply with the requirements of Part V of the Planning &amp; Development Act 2000 as amended, and to comply with the requirements of the Housing Strategy and the Development Plan.</p>

11.	<p>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. The contribution shall be paid prior to the 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 the Board to determine the proper application of the terms of the Scheme.</p> <p>Reason: It is a requirement of the Planning and Development Act 2000 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.</p>
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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.

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Ann Bogan  
Planning Inspector

05/09/2025

## Appendix 1 - Form 1 EIA Pre-Screening

<b>Case Reference</b>	ABP 312315-24
<b>Proposed Development Summary</b>	Construction of house, garden shed, entrances and ancillary works
<b>Development Address</b>	Harbour View, Crooke, Passage East, Co Waterford
	<b>In all cases check box /or leave blank</b>
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b>  (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes,  - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.  <input type="checkbox"/> No, No further action required.
<b>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)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in Part 1.  <b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>	State the Class here    
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
<b>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?</b>	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a	

<p>prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994.</p> <p><b>No Screening required.</b></p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p><b>EIA is Mandatory. No Screening Required</b></p>	<p><b>State the Class and state the relevant threshold</b></p>
<p>X Yes, the proposed development is of a Class but is sub-threshold.</p> <p><b>Preliminary examination required. (Form 2)</b></p> <p><b>OR</b></p> <p><b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b></p>	<p><b>Urban Development Class 10(b)(iv)</b></p>

<b>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)?</b>	
<b>Yes</b> <input type="checkbox"/>	
<b>No</b> X	<b>Pre-screening determination conclusion remains as above (Q1 to Q3)</b>

Inspector: Ann Bogan Date: 05/09/2025

## Form 2 - EIA Preliminary Examination

<b>Case Reference</b>	ABP-321315-24
<b>Proposed Development Summary</b>	Construction of house, garden shed, entrances and ancillary works
<b>Development Address</b>	Harbour View, Crooke, Passage East, Co. Waterford
<b>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</b>	
<b>Characteristics of proposed development</b>  (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).	<b>Briefly comment on the key characteristics of the development, having regard to the criteria listed.</b>  The development has a modest footprint, comes forward as a standalone project, does not require demolition works, does not require the use of substantial natural resources, or give rise to significant risk of pollution or nuisance. The development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change. It presents no risks to human health.
<b>Location of development</b>  (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).	<b>Briefly comment on the location of the development, having regard to the criteria listed</b>  The development is on an infill site, within an established residential area and is connected to public sewerage and water supply systems. The development is removed from sensitive natural habitats, and designated sites and landscapes of identified significance in the County Development Plan.

<p><b>Types and characteristics of potential impacts</b></p> <p>(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><b>Having regard to the characteristics of the development and the sensitivity of its location, consider the potential for SIGNIFICANT effects, not just effects.</b></p> <p>Having regard to the modest nature of the proposed development, its location removed from sensitive habitats/features, likely limited magnitude and spatial extent of effects, and absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.</p>
<b>Conclusion</b>	
<b>Likelihood of Significant Effects</b>	<b>Conclusion in respect of EIA</b>
There is no real likelihood of significant effects on the environment.	EIA is not required.
<del>There is significant and realistic doubt regarding the likelihood of significant effects on the environment.</del>	<del>Schedule 7A Information required to enable a Screening Determination to be carried out.</del>
<del>There is a real likelihood of significant effects on the environment.</del>	<del>EIAR required.</del>

**Inspector:** Ann Bogan

**Date:** 05/09/2025

**DP/ADP:** \_\_\_\_\_ **Date:** \_\_\_\_\_

(only where Schedule 7A information or EIAR required)