



An
Coimisiún
Pleanála

Inspector's Report

ABP-322393-25

Development	The construction of 25 residential units and all associated works.
Location	The Heritage, Dysert (Townland), Ardmore, Co. Waterford
Planning Authority	Waterford City and County Council
Planning Authority Reg. Ref.	2460191
Applicant(s)	Hollycourt Developments Ltd
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party
Appellant(s)	Hollycourt Developments Ltd
Observer(s)	David Lennon
Date of Site Inspection	01 st July 2025
Inspector	Bernadette Quinn

1.0 Site Location and Description

- 1.1. The appeal site, with a stated area of 1.195 hectares, is located on an elevated site to the south east of Ardmore village centre at a distance of approx. 900m by road. There is an existing residential estate known as The Heritage located to the west of the appeal site and through which vehicular access serves the appeal site. Existing houses in The Heritage estate are detached and semi-detached two storey dwellings. New Line Rd is located to the north of the site and contains detached dwellings on large plots. Lands to the north and south are in agricultural use.
- 1.2. The site is largely overgrown with grass and areas of rock are visible on the surface. The site forms part of a previously unfinished housing estate and contains a number of dwelling floor plates constructed under a previous permission for residential development on the site.
- 1.3. The site is elevated above Ardmore village with levels of 54 OD in the north of the site sloping upwards to 59 OD in the south and the site is visible on approach to Ardmore from the north and west on the R673 Regional Road. The site has views over Ardmore Village, the sea and the surrounding countryside.

2.0 Proposed Development

- 2.1. Permission is sought for a residential development consisting of the construction of:
 - 25 residential units comprising of 3 no. 2-bedroom houses, 16 no. 3-bedroom houses and 6 no. 4-bedroom houses all with in curtilage car parking spaces in front driveways.
 - All ancillary site development works including access, roads, footpaths, car parking, drainage and services connections, landscaping, and public & private open space and 7 no. visitor car parking spaces located along the northern and southern boundary of the central area of public open space.
 - The proposed development will connect into and be accessed via the existing Heritage estate roadway. Proposed improvements to the roadway include a raised table, two new pedestrian crossings and extension of roadway which includes turning area.

- 2.2. A number of existing dwelling footprints constructed under a previous and now expired permission will be removed and new footprints constructed for the proposed development.
- 2.3. Following a request for further information (FI) the proposal was reduce to a total of 24 dwellings.

3.0 Planning Authority Decision

3.1. Decision

On 02nd April 2025, Waterford City and County Council (WCCC) issued notification of the decision to refuse planning permission for two reasons as follows:

1. Having regard to Policy Objective CS 16 of the Core Strategy of the Waterford City and County Development Plan 2022-2028, all land types within rural towns and villages are required to demonstrate that the scale of the proposed housing development is consistent with the number of housing units appropriate to the class/typology of settlement as set out in Section 2.9 and Table 2.2 of the plan. Ardmore is catergorised as a Class 4A Settlement where the Development Plan provides for the development of a maximum of c.20 houses during the life of the development plan, subject to compliance with the policies and standards of the Development Plan. Having regard to already permitted residential development in Ardmore since the adoption of the Development Plan, the proposed development would materially contravene the Core Strategy of the Waterford City and County Development Plan 2022-2028 and would therefore be contrary to the proper planning and sustainable development of the area.
2. Having regard to the condition of the existing estate in particular with reference to interalia the estate roadway and the surfacewater design, it is considered that in the absence of satisfactory resolution of same, further intensification of housing at this location would be adverse from a residential amenity perspective. The proposed development would therefore not be in accordance with proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planners report dated 04th June 2024 can be summarised as follows:

- Ardmore is a Class 4A Settlement wherein the Settlement Strategy states these settlements can support a maximum of c.20 houses during the life of the Development Plan subject to compliance with the policies and standards of the Development Plan.
- The Development Plan further states that during the lifetime of the Development Plan, WCCC will monitor the level of development across these rural settlements and where development is not forthcoming in any particular settlement for whatever reason we may facilitate additional development in neighbouring settlements.
- The target density adopted in the Development Plan for such settlements in tier 4A is 20units/ha.
- The site is situated within a 'Most Sensitive' Scenic Classification in the Landscape and Seascape Character Assessment
- Sustainable Residential Development and Compact Settlements Guidelines provide that development in settlements of less than 1500 persons should be tailored to the scale, form and character of the settlement and the density should respond in a positive way to the established context. Densities above 25 units / ha are recommended in small and medium size towns, there is no minimum density in the guidance for rural towns and villages.
- The applicant proposes to connect into the existing road network in The Heritage but does not comment on the substandard nature of same, the report only deals with the proposed roadway and footpaths.
- In relation to the visual impact assessment the northern and western approaches must be considered as part of the visual impact assessment for the development and consideration of a revised layout and design.

- Clarification is required in relation to separation distances, back garden depths, areas of private open space, future development areas, and boundary treatments.
- Further Details are required in relation to roads and services in relation to the proposed development and the existing development which has not been 'Taken in Charge' and will service any future development.

Following a request for further information the Planners Report dated 01st April 2025 can be summarised as follows:

- Given the policies contained in the development plan, the fact that permission has been granted to date for 100 additional residential units in Ardmore during the lifetime of the current development plan, it is considered that the proposed development would materially contravene development plan policy, in particular Core Strategy Policy Objective CS 16: "In addition to compliance with other policy objective and development management standards of the Development Plan, development proposals for all land use types within rural towns and villages (Class 4 & 5 in Table 2.1) will be required to demonstrate that (inter alia) the scale of a proposed housing development is consistent with the number of housing units appropriate to the class/typology of settlement as set out in Section 2.9 and Table 2.2"
- The majority of existing dwellings at the Heritage would appear to be holiday homes and further perpetuation of such a development pattern would do nothing to address the housing shortage and/or the vitality of village life.
- In relation to the updated LVIA it is accepted that the proposed dwellings would consolidate the existing development pattern, although in terms of visual impact it is not accepted that impacts as described would be neutral and/or positive.
- There are concerns regarding outstanding infrastructural issues particularly regarding surface water design and the estate roadway the construction of which does not meet minimum roads standards. Issues raised relating to the completion of the existing estate with regard to the estate roadway have not been satisfactorily addressed. The core sample thickness of the road is less

that the optimum standard, it is required that the estate roadway be constructed in accordance with the governing planning permission.

- The proposed site layout demonstrates compliance with DMURS standards.
- The applicant has confirmed that recommendations contained in the Road Safety Audit will be delivered as part of this planning permission.
- Works relating to the existing pump station are outlined to be carried out.
- The Planning Authority has a presumption against underground tanks as a means of managing surface water and the matter of surface water drainage has not been satisfactorily resolved.
- A schedule of private amenity space indicates compliance with DM standards and minimum separation distance is maintained between opposing first floor windows.
- The open space provision within the estate is broadly acceptable save the parcel between proposed house no. 2 and an existing dwelling in the Heritage. This space adjoins a hammerhead and the gable wall of two no. dwellings, it is not overlooked and is incidental in terms of layout.
- Boundary treatments are not considered acceptable within the proposed housing estate.
- Given the quantum of housing permitted during the lifetime of the development plan to date and having due regard to the Settlement Strategy of the County Development Plan, the proposal would result in a material contravention of the Development Plan, as set out in the Core Strategy of the plan, and in particular Core Strategy Policy Objective CS 16.
- It is recommended that permission be refused.

3.2.2. Other Technical Reports

Environment Section: No objection subject to condition

District Engineer water services:

- Surface water infrastructure seems not to have been installed in accordance with previous conditions.

- Surface water drainage should use SuDS with the installation of an attenuation pond.
- Issues regarding existing surface water drainage problems should be addressed. Further information required.

Roads Section:

- Core sample thickness of estate roadway is less than optimum standard. The road should be constructed in accordance with the governing planning permission.
- Issues with surface water pipes/gullies need to be addressed prior to discharging to attenuation tank.
- Green area should comply with SuDS, also permeable paving along with confirmation that same is acceptable with Taking in Charge;
- Unclear whether the applicant has access to connect to storm sewer on New Line Road.

3.3. Prescribed Bodies

None received

3.4. Third Party Observations

A number of submissions were made in relation to this application at both original application stage and at significant further information stage objecting to the proposed development. The main issues raised include concerns relating to the visual impact in a sensitive location, inappropriate scale, issues relating to unfinished nature of existing development at The Heritage, and inadequate water supply and surface water drainage.

4.0 Planning History

4.1. Appeal Site:

01/11: Permission granted to Hollycourt Developments Ltd for 26 houses and full site development.

01/848: Permission granted to Hollycourt Developments Ltd for 28 no. houses & full site development. This permission was partially implemented.

06/866: Permission granted to Hollycourt Development Ltd. to construct 22no. detached houses.

06/980: Permission granted for change of 6no. house types (House type D1) already permitted under Planning Reg. No. 01/848

09/106: Permission for Extension of Duration of 01/848 granted for 5 years.

4.2. Surrounding Area

The relevant planning permissions in the wider area of Ardmore village include the following (not an exhaustive list):

WCCC Ref. 21/604 / ABP-314043-22: Following appeal, permission was granted on 17th July 2024 by An Bord Pleanala for 29 no. dwellings at The Cloisters, Ardmore. This application was initially assessed under the 2011-2017 Development Plan as varied and extended with notification of decision to grant permission by the PA dated 16/06/2022 which was prior to the coming into effect of the 2022 Development Plan on 19th July 2022. An Bord Pleanala granted permission following the adoption of 2022 development plan.

WCCC Ref. – 22/238: Permission was granted for 31no. social and affordable houses at Farrangarret, Ardmore.

WCCC Ref. 2360615 / ABP-321195-24: Permission granted following the material contravention process provided for under Section 34(6) of the Planning and Development Act for 39 houses (reduced from an initial proposal for 51 houses) at Duffcarrick, Ardmore. This decision was upheld by An Bord Pleanala following third party appeal.

5.0 Policy Context

5.1. Development Plan

- 5.1.1. The Waterford City and County Development Plan 2022-2028 is the relevant development plan for the area. The plan has regard to national and regional policies in respect of infill development within existing built-up areas.

5.1.2. The appeal site is zoned Rural Village (RV) which seeks to 'Protect and promote the character of the Rural Village and promote a vibrant community appropriate to available physical and community infrastructure. Residential use is permitted in principle under this zoning'.

5.1.3. Chapter 2 Spatial Vision and Core Strategy includes the following of relevance:

Section 2.9 refers to County Settlements wherein Table 2.2 identifies Ardmore as a class 4A Rural Town. This section of the plan states 'these settlements which have developed historically as strong rural market towns serving their immediate rural hinterlands can support a maximum of c.20 houses during the life of the Development Plan subject to compliance with the policies and standards of the Development Plan'. This section also states 'During the lifetime of the Development Plan, we will monitor the level of development across these rural settlements and where development is not forthcoming in any particular settlement for whatever reason we may facilitate additional development in neighbouring settlements. In addition, settlements with service/infrastructure capacity and those within and adjacent to the Waterford City MASP area may facilitate additional growth to a scale consistent with the proper planning and sustainable development of the area. In all cases the developer will be required to demonstrate that the proposal is in compliance with the principles of proper planning and sustainable development and the policy objectives and development management standards of the Development Plan'.

Core Strategy Policy Objective CS 16 Rural Towns and Villages states:

'In addition to compliance with other policy objectives and development management standards of the Development Plan, development proposals for all land use types within rural towns and villages (Class 4 & 5 in Table 2.1) will be required to demonstrate that:

- The scale of a proposed housing development is consistent with the number of housing units appropriate to the class/ typology of settlement as set out in Section 2.9 and Table 2.2.
- The proposal is compatible with the context of the site in terms of character, scale and density.

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

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

5.1.4. Chapter 6 refers to utilities infrastructure and section 6.3 Storm and Surface Water Management includes the following of relevance:

‘For new developments, the Council will require that all developments incorporate ‘Sustainable Urban Drainage Systems’ (SuDS) as part of the development proposals. The systems should aim to mimic the natural drainage of a site to minimise the effect of a development on flooding and pollution of existing waterways. In some exceptional cases, and at the discretion of the Planning Authority, where it is demonstrated that a SuDS system approach is not feasible, approval may be given to the installation of underground attenuation tanks or enlarged pipes, in conjunction with other measures/ devices to achieve the required water quality. Such alternative measures will only be considered as a last resort.’ SuDS components can include: Green roofs; Soakaways; Rainwater harvesting; Permeable Paving; Geocellular modular systems; Channels and rills; Bioretention; Infiltration trenches; Rain

gardens; Filter strips; Filter drains; Swales; Trench troughs; Detention basins; Wetlands and Retention ponds.

Policy Objective UTL 09 Storm and Surface Water Management states:

‘To require the use of Nature Based Solutions and Sustainable Drainage Systems to minimise and limit the extent of hard surfacing and paving and require the use of SuDS measures to be incorporated in all new development (including roads and public realm works and extensions to existing developments).

Surface water drainage must be dealt with in a sustainable manner, in ways that promote its biodiversity value, and in ways that avoid pollution and flooding, through the use of an integrated SuDS (including integrated constructed wetlands), where appropriate.

Development proposals shall be accompanied by a SuDS assessment, which includes details of run-off quantity and quality and impacts on habitat and water quality and shall demonstrate how runoff is captured as close to source as possible with subsequent slow release to the drainage system and watercourse, as well as the incorporation of appropriate measures to protect existing water bodies and remove pollutant materials. The detail of the assessment should be commensurate with the scale of the development proposed.

Storm/ surface water management and run-off design should be carried out in accordance with Sustainable Urban Drainage Systems (SuDS) standards. ... In all instances the use of Nature Based Solutions is preferred to engineered solutions.’

5.1.5. Chapter 7 outlines General Housing Policy Objectives includes the following of relevance:

Policy Objective H 02 states: In granting planning permission, we will ensure new residential development:

- Is appropriate in terms of type, character, scale, form and density to that location.
- Is serviceable by appropriate supporting social, economic and physical infrastructure.

- Is serviceable by public transport and sustainable modes such as walking and cycling.
- Is integrated and connected to the surrounding area in which it is located; and,
- Is designed in accordance with the applicable guidance and standards of the time:
 - Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009).
 - Delivering Homes, Sustaining Communities (2007).
 - Urban Design Manual A Best Practice (2009).
 - Permeability Best Practice NTA (2015); and,
 - Design Manual for Urban Roads (DMURS) (2020) or any update thereof.
 - National Disability Inclusion Strategy (NDIS) 2017-2022.
 - United Nations Convention on the Rights of Persons with Disabilities (UNCPRD)

Policy Objective H 18: We will require all new residential development to incorporate the following measures to enhance climate resilience:

- An ecosystems services approach utilising Sustainable Urban Drainage Systems (SuDS) to reduce runoff at source and apply site and regional SuDS measures to enhance water quality by the use of inter alia green roofs, rain gardens, bioretention measures/swales, tree trenches and water butts and other such measures;

5.1.6. Chapter 10 deals with Landscape and includes the following of relevance:

Policy Objective L 02 relates to protecting the landscape and seascape and states:

We will protect the landscape and natural assets of the County by ensuring that proposed developments do not detrimentally impact on the character, integrity, distinctiveness or scenic value of their area and ensuring that such proposals are not unduly visually obtrusive in the landscape, in particular, in

or adjacent to the uplands, along river corridors, coastal or other distinctive landscape character units.

Policy Objective L03 states:

There will be a presumption against developments which are located on elevated and exposed sites and where the landscape cannot accommodate such development with reasonable and appropriate mitigation.

5.2. Ministerial Guidelines

5.2.1. Compact Settlements

The Guidelines set out policy and guidance in relation to the planning and development of urban and rural settlements, with a focus on sustainable residential development and the creation of compact settlements. The Guidelines focus on the renewal of existing settlements and on the interaction between residential density, housing standards and quality urban design and placemaking to support sustainable and compact growth. Section 4.4 outlines Key Indicators of Quality Design and Placemaking and Policy and Objective 4.2 states that it is a policy and objective of the Guidelines that the key indicators of quality urban design and placemaking set out in Section 4.4 are applied in the consideration of individual planning applications.

Density recommendations for rural towns and villages – the guidelines recommend that development in rural towns and villages is tailored to the scale, form and character of the settlement and the capacity of services and infrastructure (including public transport and water services infrastructure). Lands zoned for housing at the edge of rural towns and villages at locations that can be integrated into the settlement and are connected to existing walking and cycling networks can offer an effective alternative, including serviced sites, to the provision of single houses in the countryside. The density of development at such locations should respond in a positive way to the established context.

5.3. Natural Heritage Designations

- 5.3.1. The appeal site is located c.340m from Ardmore Head SAC (Site Code: 002123) and 3.6km from Helvick Head to Ballyquin SPA (Site Code: 004192).

5.4. EIA Screening

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

6.0 The Appeal

6.1. Grounds of Appeal

A first party appeal in relation to the decision can be summarised as follows. An Engineering report is attached to the appeal:

- No regard has been had to the precedent set by the local authority and An Bord Pleanala in relation to the capacity of Ardmore to cater for additional residential development beyond the 20 unit target set out in the development plan. Planning permission was granted by the PA, reference 23/60615 and An Bord Pleanala following a third party appeal, reference ABP-321195-24, for 34 houses.
- The justification for the proposal provided in the response to further information was not appropriately considered by WCCC.
- The Chief Executives report relating to 23/60615 recognises that market demand exists, that capacity exists in Ardmore for additional growth, that the CDP gives scope for additional growth beyond the target and granted permission accordingly. There has been inconsistency in assessments.
- It is unreasonable of the PA to assume that houses permitted under other applications will be constructed.
- The proposal will provide much needed housing for all buyers and the matter of use of the properties for holiday homes is not relevant as it is not the role of the PA to restrict or prevent the use of houses as holiday homes.

- The proposal will see the improvement and completion of the existing Heritage Estate. Without this development being permitted the estate will remain unfinished for the foreseeable future.
- The reasons the Board provided for granting permission under ABP-321195-24 (PA ref 23/60615) are also relevant to the appeal site, noting the sites zoning, the availability of services and infrastructure, the scale of development proposed, the pattern of development in the vicinity and the requirement for housing in the area.
- The second refusal reason is based on issues relating to the adjacent Heritage Estate as opposed to technical aspects of the proposed development and the issues relating to the condition of roads and footpaths, the existing pumphouse, and storm water / drainage issues which were addressed in the response to further information.
- The applicants in the subject appeal were not the developers of the Heritage estate.
- The local authority has the benefit of a cash bond that was paid in relation to the Heritage by the developers and have not taken the estate in charge nor accepted responsibility in addressing the historic issues. Evidence of the issuing of the bond is attached to the appeal.
- The attenuation tank permitted under the parent permission was not constructed resulting in stormwater runoff to surrounding properties.
- Notwithstanding that the applicant did not develop the Heritage estate, the Council has placed the responsibility of addressing the issues on the applicant.
- The applicant is committed to undertaking works relating to implementing the recommendations of the road safety audit, upgrading the existing pump house and providing an attenuation tank and new storm sewer pipes to drain the proposed development and the existing Heritage estate.
- There is clear justification for the proposed attenuated system as the ground conditions on site are rocky and subject to poor infiltration and not deemed

suitable for widespread SuDS measures. The CDP allows for a flexible approach in Section 6.3.

- The council has ignored the fact that the subject site is not greenfield and is categorised by broken ground and contains floorplates from the previous permission on the site which has altered the natural hydrological and hydrogeological characteristics of the site. The site should be categorised as an 'exceptional circumstance' allowing for a more flexible approach to surface water management.
- Details of a wayleave and landowner consent are included in relation to the provision of a storm water pipe through an adjacent private garden at the northeast of the site. This will have a positive impact on the surface water management of the site and will address a legacy issue in this regard.
- No engineering reports were prepared by the Council in relation to the proposal and correspondence from area engineers on file does not recommend refusal. It is unreasonable of the Council to refuse permission on the grounds of engineering concerns.
- The open space which the council raised concerns with is required to facilitate adequate turning space for vehicles and is adequately overlooked.
- Concerns relating to boundary treatments can be addressed by condition.

6.2. Planning Authority Response

None received.

6.3. Observations

One observation to the appeal has been received from David Lennon and includes a copy of the observers submission to WCCC in relation to the planning application.

The observation can be summarised as follows:

- If permission is granted the significant problems that exist will become worse with the real danger of structural damage to the observer's home.

- If permission is granted a condition should be attached that ensures the storm water connection is fully resolved before works commence.
- There are concerns in relation to structural damage that could be caused to homes as a result of storm water from any additional housing.

7.0 **Assessment**

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

- Principle of Development
- Design and Layout
- Surface Water Drainage
- Traffic
- Other Matters

7.2. **Principle of Development**

7.2.1. In assessing the proposal, the Planning Authority (PA) noted that Ardmore is a Class 4A Settlement wherein the Settlement Strategy states these settlements can support a maximum of c.20 houses during the life of the Development Plan subject to compliance with the policies and standards of the Development Plan. Following a request for further information (FI) the PA noted that permission has been granted to date for 100 additional residential units in Ardmore during the lifetime of the current development plan and considered the proposal would materially contravene Core Strategy Policy Objective CS 16 which states “In addition to compliance with other policy objective and development management standards of the Development Plan, development proposals for all land use types within rural towns and villages (Class 4 & 5 in Table 2.1) will be required to demonstrate that (inter alia) the scale of a proposed housing development is consistent with the number of housing units

appropriate to the class/typology of settlement as set out in Section 2.9 and Table 2.2”.

- 7.2.2. The settlement strategy in Section 2.9 of the Development Plan states in relation to 4A Rural Towns ‘These settlements which have developed historically as strong rural market towns serving their immediate rural hinterlands can support a maximum of c.20 houses during the life of the Development Plan, subject to compliance with the policies and standards of the Development Plan.’ Table 2.4 ‘Core Strategy Table’ of Volume 1 gives a Target Residential Density of 20 units per ha at all Rural Towns & Villages. A combined ‘minimum housing target units’ of 350 no. units across all Rural Towns & Villages is given up to 2028. The Development Plan further states that during the lifetime of the Development Plan, WCCC will monitor the level of development across these rural settlements and where development is not forthcoming in any particular settlement for whatever reason additional development may be facilitated in neighbouring settlements.
- 7.2.3. I refer the Commission to the Planning History outlined in section 4.2 above. While not an exhaustive list, I note that based on the permissions referred to above, in the order of 99 units have been permitted in Ardmore in recent years and since the adoption of the current Development Plan. At the time of my site inspection, I noted that these permissions do not appear to have commenced construction. I note that permission reference 21/604 / ABP-314043-22 was granted by WCCC prior to the adoption of the 2022 – 2028 Development Plan, however, following an appeal in relation to this application the Board’s decision to grant permission was made after the adoption of the 2022-2028 Development Plan. Planning permission 22/238 was granted by the PA for 31 no. social and affordable houses on 18/10/2022 and after the adoption of the 2022 Development Plan and the process in relation to material contravention of a development plan by the planning authority was not undertaken in relation to this application. Under permission reference 2360615 / ABP-321195-24 permission was granted by the planning authority and An Bord Pleanála for 39 houses following the carrying out by the PA of the material contravention process provided for under S. 34(6) of the Planning and Development Act.
- 7.2.4. The appeal states that the PA has had no regard to the precedent set by other developments permitted in the area and refers to the applicant’s FI response which outlines that the Development Plan targets are minimum targets, and the proposal

should be viewed favourably in the context of meeting the 350-unit target across all Rural Towns and Rural Village Settlements. I note that in making their decision in relation to planning permission for 39 houses under ABP-321195-25, the Board considered that matters relating to the settlement strategy for the town of Ardmore and Section 2.9 and Policy Objective CS 16 of the Development Plan had been considered as part of the material contravention process undertaken by the planning authority provided for under Section 34(6) of the Planning and Development Act. The Board considered the said process, the overall requirement for housing in Waterford and that the proposed development meets the other policies and standards in the Waterford City and County Development Plan 2022-2028 and would, therefore, be in accordance with the proper planning and sustainable development of the area. I note that the procedures set out in Section 34(6) of the Act relating to development which would contravene materially the development plan have not been undertaken in relation to the planning application which is the subject of this appeal.

- 7.2.5. I consider the proposed development, when taken with permitted development would materially contravene Policy Objective CS16 which requires that the scale of development is consistent with the number of units appropriate to the class/ typology of settlement as set out in Section 2.9 and Table 2.2, which identifies an allocation of c.20 units per settlement. I therefore consider permission should be refused.
- 7.2.6. Whilst I note a number of floor plates have been constructed under a previous permission for residential development on the site, this permission was granted and extended under previous development plans and has since expired.
- 7.2.7. I note for the Commissions attention that Section 37(2)(b) of the Act outlines circumstances where the Commission may grant permission where a planning authority has decided to refuse permission because a proposed development materially contravenes the development plan. In this regard, Section 37(2)(b) provides that the Commission may grant permission where it considers that (i) the proposed development is of strategic or national importance, (ii) there are conflicting objectives in the development plan or the objectives are not clearly stated, insofar as the proposed development is concerned, or (iii) permission for the proposed development should be granted having regard to the regional spatial and economic strategy for the area, guidelines under section 28, policy directives under section 29, the statutory obligations of any local authority in the area, and any relevant policy of

the Government, the Minister or any Minister of the Government, or (iv) permission for the proposed development should be granted having regard to the pattern of development, and permissions granted, in the area since the making of the development plan. I do not consider Section 37(2)(b) (i), (ii) or (iii) are relevant. Having regard to the planning history outlined above which outlines relevant permissions granted since the adoption of the current development plan, the Commission may consider granting permission for the proposed development under Section 37(2)(b)(iv) 'permission for the proposed development should be granted having regard to the pattern of development, and permissions granted, in the area since the making of the development plan'.

7.3. Design and Layout

- 7.3.1. The proposed development provides for 24 houses (revised following FI response from an initial proposal for 25 house) arranged generally in a straight line on either side of an area of open space and served by an access road which borders all sides of the open space. Whilst I note the proposal seeks to integrate with the existing development at The Heritage, I consider the suburban design and layout is inappropriate for this rural village location and fails to provide for a quality urban environment, noting the layout is dominated by roads and car parking. This results in undue prominence of the private car within the public realm with a reliance on traffic calming measures including a raised table at the junction with the existing estate road, pedestrian crossings and signage to slow traffic. Notwithstanding that a previous proposal for residential development was permitted and commenced on the site under permission reference 01/848, I note that permission was granted and extended under previous development plans. I note that the current development plan and Ministerial guidelines, including Sustainable Residential Development and Compact Settlements: Guidelines for Planning Authorities, emphasise the importance of the creation of quality urban environments and prioritisation of sustainable transport modes. Development plan Policy Objective CS 16 requires proposals are compatible with the context of the site in terms of character and contribute to the visual and general/residential amenity of the settlement and its built quality. Section 4.4 of the Sustainable Residential Development and Compact Settlements Guidelines outlines Key Indicators of Quality Design and Placemaking, including 'Ensuring places are well connected and accessible by sustainable modes.

Also acknowledging that quality of journey is equally important and that places are perceived as safe and are not dominated by cars' and 'Placing an emphasis on the creation of a coherent urban structure and design approach that responds to local character and is attractive'. Policy and Objective 4.2 of the Compact Settlements Guidelines requires that the key indicators of quality urban design and placemaking set out in Section 4.4 are applied in the consideration of individual planning applications.

- 7.3.2. I also concur with the PA concerns in relation to an area of public open space to the north adjoining the side elevation of 2A which is not overlooked and is designed to facilitate a turning space and offers little by way of amenity value.
- 7.3.3. I note the presence of additional Rural Village zoned lands to the north of the appeal site and that the layout facilitates links to potential future development on adjoining lands. I have concerns that permitting the design and layout as proposed would set an undesirable precedent for similar development within the vicinity of the appeal site.
- 7.3.4. The layout also appears to be based on potential future connections to development of lands to the east with three proposed internal estate roadways ending at the eastern boundary and a lack of detail in relation to boundary treatments. I note that the adjoining lands to the east are located outside of the existing Rural Village zoning in the Development Plan and I have concerns in relation to the lack of appropriate boundary treatments at this location.
- 7.3.5. The appeal site is situated within a 'Most Sensitive' Scenic Classification in the Landscape and Seascape Character Assessment. The Development Plan states that each character area is assigned an indicator of sensitivity, which indicates the extent to which the landscape will be vulnerable to change in its character. The categories reflect the criteria of the capacity to absorb new development as well as the potential to create disproportionate visual impacts. The 'most sensitive' areas are defined as having 'Very distinctive features with a very low capacity to absorb new development without significant alterations of existing character over an extended area.'
- 7.3.6. The PA raised concerns in relation to the visual impact of the proposed two storey dwellings. Following a request for FI photomontages of additional views and an updated Landscape and Visual Impact Assessment (LVIA) were submitted. The

LVIA concludes that the proposed development will not result in a significant change to the process of evolution that is already underway at this urban edge site. The LVIA concludes that the skyline of Ardmore Head has been interrupted by existing dwellings and that the additional houses proposed under this application will consolidate the existing Heritage development by infilling into the existing voids between houses contributing to a more consolidated cohesive aesthetic. The PA assessment noted the updated LVIA and accepted that the proposed dwellings would consolidate the existing development pattern, although in terms of visual impact the PA did not accept that impacts as described would be neutral and/or positive.

- 7.3.7. Having inspected the site and surrounding area, I consider the proposal, whilst visible from the surrounding areas including the approaches to the village on the R673 Regional Road, from distant views will integrate with existing development. However, I consider the suburban design and layout fails to respond to the site's location in a highly sensitive and elevated site located in a rural village and adjacent to the coast.
- 7.3.8. Having regard to the above I consider the proposal fails to comply with Development Plan Policy Objective CS 16 which requires proposals are compatible with the context of the site in terms of character and contribute to the visual and general/residential amenity of the settlement and its built quality and recommend that permission should be refused. Furthermore, the proposal fails to provide for quality urban design and placemaking as set out in Policy and Objective 4.2 of Sustainable Residential Development and Compact Settlements Guidelines. This is a new issue and the Commission may wish to seek the views of the parties to the appeal in this regard.

7.4. Surface Water Drainage

- 7.4.1. The planning application outlined that infiltration test results indicating silty gravelly sand in 2 trial holes and rock close to the surface in another two trial holes where no soakaway testing was carried out. In response to this the initial planning application included proposals to collect all surface water from the roofs and driveways in sites 1-16 and discharge to a soakaway within each individual dwelling plot. These soakaways were identified as the main SuDS measures adopted on sites along with

provision of grassed gardens to limit runoff. It is proposed to provide storm sewer pipes connecting to the existing storm sewer constructed in the access road of the estate. Surface water generated by the footpaths and roads serving houses 7-25 and roofs and driveways of houses 17-25 is proposed to discharge to the storm sewer system and an underground attenuation tank will provide storage.

7.4.2. Following a request by the PA for FI the applicant submitted a revised Engineers Report and drawings. The report refers to details of a CCTV survey of the existing storm water sewer serving the existing dwellings at The Heritage which found that the surface water network serving the existing estate collects surface water from all roofs, roads and footpaths and traverses the existing estate and terminates in a field located to the north east of the development site and that no attenuation tank is fitted to this existing network and there is no outfall to the public sewer system. An attenuation tank was proposed as part of the original planning application which was never installed and an outfall to the mains surface water sewer was not constructed. An existing tank located inside the site entrance collects surface water from the access road serving the existing estate. The FI response refers to the need to have regard to the storm network serving the existing estate and the presence of rock in areas of the appeal site, the existing layout of the estate and the need to solve legacy issues relating to surface water drainage and proposes to connect the storm water serving the proposed units into the existing storm water system. The FI response omitted the soakaways from the rear gardens of sites 1-16 and proposed permeable paving to driveways, bio retention planters and water butts to units 1-15 and due to rock being present it was proposed to provide bio retention planters and water butts to units 16-24. The provision of swales and detention basins was ruled out due to the existing layout and existing location and size of existing green areas which would not be suitable to fit swales and the presence of rock in the area of proposed open space serving proposed units 6-24. Surface water from footpaths, roads and roofs will be diverted to an attenuation tank and discharged to the main storm sewer located north of the site on New Line Road. The FI response outlines that the surface water drainage proposals will also address the legacy issues relating to surface water in the existing Heritage estate.

7.4.3. Following receipt of FI, the PA assessment stated that there is a presumption against underground tanks as a means of managing surface water and noted the

Water Services section objection in this regard. While some SuDS measures are proposed to be incorporated into the layout, the PA considered that the proposed open space should be lowered to act as a SuDS measure and that the matter of surface water drainage, including the stormwater sewer traversing a private garden, have not been satisfactorily resolved, including issues relating to existing surface water management at The Heritage.

7.4.4. In relation to proposed works within the Heritage estate, which has not been taken in charge by the local authority, the site location map submitted with the planning application indicates that the access road, footpaths and open space areas within the Heritage are within the blue line boundary and therefore within the ownership of the applicant. A number of wayleaves are also identified, including from the northern boundary of the applicant's land holding through a property to the north on New Line road through which it is proposed to provide a surface water connection to the surface water mains on New Line Road (although the wayleave does not appear to extend fully to meet New Line Road). Following a request for FI the red line boundary was revised to incorporate the existing access road to The Heritage and location of proposed attenuation tank to the northeast and proposed 375mm pipe for surface water drainage from the attenuation tank through the above-mentioned property on New Line Road to facilitate a connection from the site to connect to the public mains on New Line Road. A letter attached to the appeal from the owner of the property through which the wayleave traverses states that the applicants have permission to enter the lands for the purpose of repair and maintenance of the sewer and storm pipes that run through the lands.

7.4.5. Whilst I consider proposals to address legacy issues relating to surface water drainage at the existing Heritage estate are to be welcomed, I have a number of concerns in relation to surface water proposals relating to the proposed development. I consider the surface water proposals which provide for an attenuation tank and connection to mains fail to accommodate more updated and modern SuDS measures. Whilst I note the presence of rock on part of the site and the applicants case that the subject site is not greenfield and that floorplates from the previous permission on the site have altered the natural hydrological and hydrogeological characteristics of the site, I do not consider that sufficient justification has been provided to categorise the site as exceptional circumstances.

The layout appears to be based on integrating with the existing development with no justification for consideration of an alternative layout incorporating more updated and modern SuDS measures.

- 7.4.6. The Development Plan includes a number of policy objectives relating to surface water drainage, including Policy Objective UTL 09 which requires the use of SuDS measures to be incorporated in all new development, and Policy Objective H 18 which requires an ecosystems services approach utilising SuDS.
- 7.4.7. I note the PA's second reason for refusal refers to absence of a satisfactory resolution of the estate surface water design. Whilst I note that matters relating to non-compliance with permission at the existing development are a matter for the PA and I note the first party's case that a bond is available to the PA in this regard, I am not satisfied that the proposal is acceptable with regard to surface water drainage. I consider the development fails to provide for appropriate SuDS and integrated nature-based solutions for the management of urban drainage to promote biodiversity, urban greening, improved water quality and flood mitigation. Having regard to the above, I consider the proposal is contrary to Section 6.3 of the Development Plan and policy objectives UTL 09 and H 18 relating to surface water drainage and SuDS.

7.5. Traffic

- 7.5.1. Access to the proposed development is via the adjoining The Heritage estate which has not been taken in charge by the local authority. The site location map submitted with the planning application indicates that the access road, footpaths and open space areas within the Heritage are within the blue line boundary and therefore within the ownership of the applicant. The access road and footpaths are also identified as wayleaves. Following a request for FI the red line boundary was revised to incorporate the existing access road to The Heritage.
- 7.5.2. A Road Safety Audit (RSA) submitted with the application considers the proposed scheme and connections to the existing scheme and identifies a number of problems and recommendations relating to existing roads and footpaths. In assessing the proposal, the PA noted that the RSA report is based on a visual inspection only, that there is no timeframe to address the recommendations made, the substandard nature of the existing roadway is not addressed, and that the existing road has not

been taken in charge. Following a request for FI the PA noted that the core sample thickness of the road is less than the optimum standard, that the estate roadway is required to be constructed in accordance with the governing planning permission and that issues raised relating to the completion of the existing estate with regard to the estate roadway have not been satisfactorily addressed.

7.5.3. In relation to the PA's concerns regarding the existing estate roads I note that as part of the proposed development it is proposed to install a 40mm wearing course to the existing roads within The Heritage estate and that the applicant has confirmed that recommendations contained in the Road Safety Audit will be delivered as part of the planning permission.

7.5.4. I consider that matters relating to the existing road which is within the applicant's ownership can be addressed by a condition requiring the works to be completed prior to occupation of the proposed housing units. However, as outlined in section 7.3 above, I consider the layout proposed, which is dominated by roads and car parking, provides for a poor response to the need for sustainable and efficient movement by alternative modes to the private car and fails to provide for a quality urban environment.

7.6. Other Matters

7.6.1. I note the concerns raised in relation to the potential use of the dwellings as holiday homes. I do not consider the potential use of the units as holiday homes is relevant to the assessment of the appeal, however, if the Commission decides to grant permission, they may consider the inclusion of a condition prohibiting the use of the dwellings for the provision of overnight commercial guest accommodation without a prior grant of planning permission.

8.0 Water Framework Directive Assessment

8.1. 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 and 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 (refer to Appendix 4).

9.0 AA Screening

9.1. I have considered the proposed development of 25 dwellings and associated site works in light of the requirements S177U of the Planning and Development Act 2000 as amended (refer to Appendix 3). The closest Natura 2000 sites are Ardmore Head SAC (Site Code: 002123) located 0.34km east of the site and Helvick Head to Ballyquin SPA (Site Code: 004192) located 3.6km northeast of the site.

9.2. The proposed development comprises the construction of 25 dwellings and all associated site works. No nature conservation concerns were raised in the planning appeal.

9.3. Screening Determination: Finding of no likely significant effects

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on any European Site(s) in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- The nature and scale of the works
- Location-distance from nearest European site and lack of direct connections between the application site and the SAC/SPA
- Taking into account screening determination by the PA.

10.0 Recommendation

I recommend that permission be refused for the reasons and considerations set out below.

11.0 Reasons and Considerations

1. The Core Strategy of the Waterford City and County Development Plan 2022-2028 and Policy Objective CS 16 requires proposals in rural towns and villages to demonstrate that the scale of the proposed housing development is consistent with the number of housing units appropriate to the class/typology of settlement as set out in Section 2.9 and Table 2.2 of the plan, wherein Ardmore is categorised as a Class 4A Settlement (Rural Town) and where the Development Plan provides for the development of a maximum of c.20 houses during the life of the Development Plan, subject to compliance with the policies and standards of the Development Plan. Having regard to already permitted residential development in Ardmore since the adoption of the Development Plan, and the number of units proposed in the subject application, the proposed development would materially contravene Policy Objective CS 16 and the Core Strategy of the Waterford City and County Development Plan 2022-2028 and would therefore be contrary to the proper planning and sustainable development of the area.
2. Having regard to the proposals relating to surface water drainage, the Commission is not satisfied that the drainage proposal represents a sustainable approach to servicing the proposed development, and would if permitted, be contrary to Section 6.3 of the Development Plan and policy objectives UTL 09 and H 18 relating to surface water drainage and SuDS and would create an unacceptable precedent for other developments. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
3. Having regard to the sites location at the edge of Ardmore rural village and on a highly elevated and visually sensitive site, it is considered that the proposed development by reason of the suburban design and layout proposed which fails to provide for a quality urban environment, is dominated by roads and car parking, and fails to provide for appropriate boundary treatments with adjoining lands, would be out of character with the pattern of development in

the area, would fail to provide for a high quality environment for future residents and would set a precedent for further inappropriate development in the vicinity of the site. The proposed development would therefore be contrary to Policy Objective CS 16 of the Development Plan which requires proposals are compatible with the context of the site in terms of character and contribute to the visual and general/residential amenity of the settlement and its built quality, would fail to comply with Policy and Objective 4.2 of Sustainable Residential Development and Compact Settlements Guidelines relating to quality urban design and placemaking, and would be contrary to the proper planning and sustainable development of the area.

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.

Bernadette Quinn
Planning Inspector

22nd July 2025

Form 1

EIA Pre-Screening

An Coimisiún Pleanála Case Reference	ABP-322393-25		
Proposed Development Summary	The construction of 25 residential units and all associated works		
Development Address	The Heritage, Dysert (Townland), Ardmore, Co. Waterford		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	x
		No	
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes			Proceed to Q3.
No	x		
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes			EIA Mandatory EIAR required
No	x		Proceed to Q4

4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	x	Class	Preliminary examination required (Form 2)

5. Has Schedule 7A information been submitted?		
No	x	Pre-screening determination conclusion remains as above (Q1 to Q4)
Yes		Screening Determination required

Inspector: _____

Date: _____

Form 2

EIA Preliminary Examination

An Coimisiún Pleanála Case Reference	ABP-322393-25
Proposed Development Summary	The construction of 25 residential units and all associated works.
Development Address	The Heritage, Dysert (Townland), Ardmore, Co. Waterford
<p>The Commission carried out a preliminary examination [ref. Art. 109(2)(a), Planning and Development regulations 2001, as amended] of at least the nature, size or location of the proposed development, having regard to the criteria set out in Schedule 7 of the Regulations.</p> <p>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</p>	
<p>Characteristics of proposed development</p> <p>(In particular, the size, design, cumulation with existing/proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).</p>	<p>Proposal for 25 residential units adjacent to an existing residential development is not out of context at this urban location and will not give rise to any significant waste or pollutants.</p>
<p>Location of development</p> <p>(The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).</p>	<p>The closest European sites are Ardmore Head SAC (Site Code: 002123) located 0.34m from the site and Helvick Head to Ballyquin SPA (Site Code: 004192) located 3.6km from the site.</p> <p>There are no protected structures or recorded monuments in the vicinity.</p>

Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).		The proposed development is not likely to give rise to any significant impacts locally or transboundary impacts. Construction impacts will be short term and temporary and can be adequately mitigated and managed.
Conclusion		
Likelihood of Significant Effects	Conclusion in respect of EIA	Yes or No
There is no real likelihood of significant effects on the environment.	EIA is not required.	
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	Schedule 7A Information required to enable a Screening Determination to be carried out.	
There is a real likelihood of significant effects on the environment.	EIAR required.	

Inspector:

Date:

DP/ADP: _____

Date: _____

(only where Schedule 7A information or EIAR required)

Appendix 3: AA Screening Determination

Test for likely significant effects

Screening for Appropriate Assessment Test for likely significant effects	
Step 1: Description of the project and local site characteristics	
Brief description of project	The proposal is for 25 dwellings (refer to section 2 of Inspectors report for detailed description)
Brief description of development site characteristics and potential impact mechanisms	The site has an area of 1.195 hectares, is located on an elevated site approx. 380m southeast of Ardmore village centre and approx. 200m from the coast at Cliff Road. There is an existing residential estate known as The Heritage located to the west and access to the appeal site will be via the Heritage. The site contains a mix of bare ground, grass areas and floor plates constructed as part of a previously permitted residential development which was commenced but not completed. The closest European sites are Ardmore Head SAC (Site Code: 002123) located 0.34m from the site and Helvick Head to Ballyquin SPA (Site Code: 004192) located 3.6km from the site. Surface water is proposed to be discharged to an attenuation tank and connection to public main sewer on New Line Road. Foul water will be directed to the public mains. There are no drainage channels or watercourse within the site. The closest watercourse is located approx. 500m to the north at Duffcarrick River and the sea is located 200m to the east.
Screening report	Y
Natura Impact Statement	N
Relevant submissions	None
<p>The AA Screening Report considers European sites within a 10km radius and identifies 4 sites for consideration for AA Screening, in addition to the sites listed below the sites considered are Blackwater River (Cork/ Waterford) SAC (Site Code: 002170) located 6.6km from the appeal site and Blackwater Estuary SPA (Site Code: 004028) located 6.4km from the appeal site. I consider that there is no ecological justification for consideration of the sites beyond those listed below, and I have only included those sites with any possible ecological connection or pathway in this screening determination.</p>	
Step 2. Identification of relevant European sites using the Source-pathway-receptor model	

European Site (code)	Qualifying interests ¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections ²	Consider further in screening ³ Y/N
Ardmore Head SAC (Site Code: 002123)	Vegetated sea cliffs of the Atlantic and Baltic coasts; European dry heaths.	0.34km	No spatial overlap, therefore no direct connection with this SAC. No hydrological or ecological connection via air or land. The site does not support the habitats relevant to this SAC.	N

Link to Conservation Objectives: <https://www.npws.ie/protected-sites/sac/002123>

Helvick Head to Ballyquin SPA (Site Code: 004192)	Cormorant (Phalacrocorax carbo) Peregrine (Falco peregrinus) Herring Gull (Larus argentatus) Kittiwake (Rissa tridactyla) Chough (Pyrrhocorax pyrrhocorax)	3.6km	No spatial overlap, therefore no direct connection with this SAC. No hydrological or ecological connection via air or land. The appeal site is not of interest for mobile species relevant to this SAC.	N
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Link to Conservation Objectives: <https://www.npws.ie/protected-sites/spa/004192>

¹ Summary description / **cross reference to NPWS website** is acceptable at this stage in the report

² Based on source-pathway-receptor: Direct/ indirect/ tentative/ none, via surface water/ ground water/ air/ use of habitats by mobile species

³if no connections: N

Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites

No potential for likely significant effects on European sites during the construction or operational phase has been identified.

Step 4 Conclude if the proposed development could result in likely significant effects on a European site

I conclude that the proposed development (alone) would not result in likely significant effects on Ardmore Head SAC (Site Code: 002123) and Helvick Head to Ballyquin SPA (Site Code: 004192). The proposed development would have no likely significant effect in combination with other plans and projects on any European site(s). No further assessment is required for the project.

No mitigation measures are required to come to these conclusions.

Screening Determination

Finding of no likely significant effects

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on any European Site(s) in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- The nature and scale of the works
- Location-distance from nearest European site and lack of direct connections between the application site and the SAC/SPA
- Taking into account screening determination by the PA.

Appendix 4: WFD IMPACT ASSESSMENT STAGE 1: SCREENING

Step 1: Nature of the Project, the Site and Locality

An Coimisiun Pleanála ref. no.	ABP-322393-25	Townland, address	The Heritage, Dysert (Townland), Ardmore, Co. Waterford
Description of project	It is proposed to construct 25 residential units and all associated works		
Brief site description, relevant to WFD Screening,	<p>The site has an area of 1.195 hectares, is located on an elevated site approx. 380m south east of Ardmore village centre and approx. 200m from the coast at Cliff Road. There is an existing residential estate known as The Heritage located to the west. The site contains a mix of bare ground, grass areas and floor plates constructed as part of a previously permitted residential development which was commenced but not completed.</p> <p>There are no drainage channels or watercourse within the site. The closest river watercourse is located approx. 500m to the north.</p> <p>The pattern of development in the area comprises detached and semi-detached houses and agricultural lands. There are no drainage ditches apparent in the appeal site. The site is elevated and slopes from south to north.</p> <p>The soakaway trial hole test results encountered silty gravelly sandy soil in two test holes and rock was found close to the surface in another two test holes.</p> <p>The National Soils Hydrology Map identifies the site as having well drained sandstone till soil type.</p>		
Proposed surface water details	Proposed attenuation tank and connection to mains.		

Proposed water supply source & available capacity	Water supply to be provided by way of connection to mains.					
Proposed wastewater treatment system & available capacity, other issues	Proposed connection to mains sewer.					
Others?						
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)
Duffcarrick River	500m north of site	DUFFCARRICK_010 IE_SE_17D090400	Moderate	Under review	None	Not hydrologically connected to surface watercourse
Groundwater Waterbody	Underlying site	Helvick Head IE_SE_G_073	Good	Not at risk	None	Mix of well-drained soil conditions and rock below the surface.

Coastal Waterbody	200m east of site	Eastern Celtic Sea SE_050_0000	High	Not at risk	None	Not hydrologically connected to the site	
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.	Site clearance /construction	DUFFCARRICK_010	None	None	None	No	Screened out
2.	Site clearance /construction	Helvick Head IE_SE_G_073	Drainage through soil/bedrock	Hydrocarbon spillages	Standard construction measures /conditions	No	Screened out

3.		Eastern Celtic Sea SE_050_0000	None	None	None	No	Screened out
OPERATIONAL PHASE							
4.	Surface water run-off	DUFFCARRICK _010	None	None	None	No	Screened out
5.	Groundwater discharge	Helvick Head IE_SE_G_073	None	None	None	No	Screened out
6.	Surface water run-off	Eastern Celtic Sea SE_050_0000	None	None	None	No	Screened out
DECOMMISSIONING PHASE							
7.	N/A	N/A	N/A	N/A	N/A	N/A	N/A