



An
Coimisiún
Pleanála

Inspector's Report ABP-322499-25

Development	Construction of a house with associated site works
Location	Cush of Grange, Grange, County Waterford.
Planning Authority	Waterford City and County Council
Planning Authority Reg. Ref.	25/60149
Applicant	Noel Coffey
Type of Application	Planning Permission
Planning Authority Decision	Refused
Type of Appeal	First Party
Appellant	Noel Coffey
Observer(s)	None
Date of Site Inspection	6 th August 2025
Inspector	Gary Farrelly

1.0 Site Location and Description

The subject site has a stated area of 0.35 hectares and is located within the townland of Grange, County Waterford, which is located approximately 8km east of Youghal, County Cork. The site is accessed off a single carriageway local road L-2025. The site is characterised as an agricultural field with the east and west boundaries being defined by hedgerow and north and west boundaries being undefined.

2.0 Proposed Development

Permission is sought to construct a single storey dwelling, detached garage and wastewater treatment system. The internal floor area of the dwelling will measure 167.17sqm and will have a ridge height of 5.1 metres. The detached garage will have an internal floor area of 60sqm with a ridge height of 4.4 metres. External finishes are not specified on the submitted drawings. A site suitability report has been prepared. The result of the subsurface percolation value was 48.67min/25mm. A septic tank system with a percolation area is proposed to be installed.

3.0 Planning Authority Decision

3.1. Decision

The planning authority (PA) decided to refuse permission by Order dated 30th April 2024 for the following reason:

- 1. The application site is situated within an 'Area Under Strong Urban Influence' as detailed in the Waterford City and County Development Plan 2022-2028, where new rural housing is restricted to persons who demonstrate an economic, social or local need to live in a rural area in accordance with Policy Objective H 28 as set out in Section 7.11.2 of the Waterford City and County Development Plan 2022-2028. Having regard to the details submitted as part of this application, the Planning Authority is not satisfied that the applicant comes within the scope of the housing need criteria for a house at this location. Accordingly, it is considered that the proposed development would contravene the Development Plan policies, would constitute random rural development in*

the area and would militate against the preservation of the rural environment. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

Planning Report

The area planner (AP) report on file assessed the proposed development in terms of the applicant's local housing need, design and siting, access and wastewater treatment. The AP considered that the applicant did not demonstrate a local housing need and recommended refusal of the application. This recommendation was endorsed by the Senior Executive Planner.

Other Technical Reports

None

3.3. Prescribed Bodies

None

3.4. Third Party Observations

None

4.0 Relevant Planning History

PA ref. 23/60384 (subject site)

Permission was refused for the construction of a house, garage and wastewater treatment system. The reason for refusal was the same as the subject appeal.

5.0 Policy Context

5.1. Waterford City and County Development Plan 2022-2028

Section 7.11 Housing in Rural Villages and the Open Countryside

To strengthen the structure and resilience of rural communities the Council will;

- Support the achievement of critical mass in our rural towns, villages and settlement nodes, by ensuring that these are a focus for local housing,
- Discourage urban generated housing the open countryside which should normally take place in our rural settlement nodes, towns and villages.

Section 7.11.2 Housing in the Open Countryside

Policy Objective H 28

We will facilitate the provision of single housing in the countryside, in rural areas under urban influence, based on the core consideration of demonstrable economic, social or local need to live in a rural area, as well as general siting and design criteria as set out in this plan and in relevant statutory planning guidelines, having regard to the viability of smaller towns and rural settlements.

Housing Need

Persons with an economic need to live in the particular rural area would include those whose employment is intrinsically linked to the rural area in which they wish to building (e.g. farming) and who require a dwelling to meet their own housing needs close their place of work.

Persons with a demonstrable social need to live a particular local rural area would include those that have lived a substantial period of their lives (7 years or more) in the local rural area and who require a dwelling to meet their own housing needs close to their families and to the communities of which they are part. A local area for the purpose of this policy is defined as an area generally within a 10km radius of the applicant's former place of residence.

5.2. National Policy

- Project Ireland 2040 – National Planning Framework (revised 2025) and National Development Plan 2021-2030

National Policy Objective 24

Support the sustainable development of rural areas by encouraging growth and arresting decline in areas that have experienced low population growth or decline in

recent decades and by managing the growth of areas that are under strong urban influence to avoid over-development, whilst sustaining vibrant rural communities.

National Policy Objective 28

Ensure, in providing for the development of rural housing, that a distinction is made between areas under urban influence, i.e. within the commuter catchment of cities and large towns and centres of employment, and elsewhere:

- In rural areas under urban influence, facilitate the provision of single housing in the countryside based on the core consideration of demonstrable economic or social need to live in a rural area and siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements;
- In rural areas elsewhere, facilitate the provision of single housing in the countryside based on siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements.
- Climate Action Plan (CAP) 2025 / CAP 2024
Climate Action Plan 2025 builds upon last year's Plan by refining and updating the measures and actions required to deliver the carbon budgets and sectoral emissions ceilings and it should be read in conjunction with Climate Action Plan 2024.

5.3. Regional Policy

- Regional Spatial and Economic Strategy for the Southern Region

RPO 27 Rural

To support rural economies and rural communities through implementing a sustainable rural housing policy in the Region which provides a distinction between areas under urban influence and other rural areas through the implementation of National Policy Objective 19 regarding Local Authority County Development Plan Core Strategies. Local authorities shall:

b. Have regard for the viability of smaller towns and rural settlements; Core Strategies shall identify areas under urban influence and set the appropriate sustainable rural

housing policy response which facilitates the provision of single housing in the countryside based on the core consideration of demonstrable economic, social or local exceptional need to live in a rural area and siting, environmental and design criteria for rural housing in statutory guidelines and plans;

5.4. National Guidelines

- Sustainable Rural Housing, Guidelines for Planning Authorities (April 2005)

Chapter 4: Rural Housing and Planning Applications

5.5. Natural Heritage Designations

The subject site is not located within any designated site. The nearest designated site is the Blackwater River (Cork/Waterford) Special Area of Conservation (SAC) (Site Code 002170) which is located approximately 490 metres northwest of the subject site.

5.6. Environmental Impact Assessment (EIA) Screening

The proposed development has been subject to preliminary examination for environmental impact assessment (I refer the Board to Appendix 1 regarding this preliminary examination). 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 Environmental Impact Assessment Report (EIAR) is not required.

6.0 The Appeal

6.1. Grounds of Appeal

A first party appeal was lodged to the Commission on 12th May 2025 by Noel Coffey. The grounds of appeal are summarised as follows:

- The applicant has been farming for over 20 years, is a registered farmer and has a herd number.
- The home address is located in Duckspool in Abbeyside on the outskirts of Dungarvan.
- The applicant cannot continue to commute to Grange to farm livestock as it is near impossible to farm whilst living remote. Animal welfare is the utmost importance.
- The applicant qualifies for housing need under Section 7.11.2 of the development plan as he has an economic need to live in the area as he is an established farmer. A number of receipts and invoices are provided from 2018 detailing various farming expenses.
- There has been a material change in circumstances since the last application (Ref. 23/60384). The applicant works on the land full time and has increased his livestock numbers.
- The applicant has family ties in the area as her sister lives locally.
- There is no indication anywhere within the development plan as to the minimum size a farm needs to be to be accounted for as a sustainable farming practice. The applicant has proven that the landholding is profitable.

6.2. Planning Authority Response

The PA did not issue a response to the grounds of appeal.

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 having inspected the site, and having regard to the relevant local, regional and national policies and guidance, I consider that the sole substantive issue in this appeal to be considered is in relation to the following:

- Rural Housing Need

7.2. The Commission should note that having regard to the single storey nature of the dwelling designed to a ridge height of 5.1 metres and modest floor area of 167sqm, I have no significant concerns with the proposed development in terms of design or impact on visual amenity. Having regard to the results of the submitted site characterisation form, which recorded a subsurface percolation value of 48.67min/25mm, I am satisfied that the proposed development can accommodate a septic tank system and therefore would be acceptable in terms of public health. Additionally, having regard to the achievable 55 metre sightlines in both directions at the proposed entrance, as outlined on the submitted site layout drawing, and having inspected the site where I observed adequate sightlines, I have no significant concerns with the proposed development in terms of traffic safety.

Rural Housing Need

7.3. The PA's sole reason for refusal of the application was that it considered that the applicant did not demonstrate compliance with rural housing need criteria. I note that the Waterford City and County Development Plan 2022-2028 (CDP) has identified all of the county as a 'rural area under strong urban influence'. National Policy Objective 28 of the National Planning Framework (NPF) recognises that a distinction is made for such rural areas due to them being within the commuter catchment of cities and large towns and centres of employment. Accordingly, the provision of single housing in the countryside in these areas should be facilitated based on the core consideration of demonstrable economic or social need to live in the area having regard to, inter alia, the viability of smaller towns and rural settlements. This is outlined within section 7.11.2 of the CDP and specifically reflected in Policy Objective H28 (New Homes in the Open Countryside) of the CDP. Section 7.11.2 (Housing Need) further explains the criteria required in order to comply with a demonstrable need.

- 7.4. I note that the subject site is located approximately 5km from the village of Clashmore and approximately 2km from the settlement node of Grange (both designated settlements within the CDP). Section 7.11 of the CDP outlines that these areas will be the focus for local housing, and any urban generated housing which should normally take place within these villages and nodes will be discouraged. I note that there are lands within these settlements zoned RV where the zoning matrix of the CDP considers dwellings/principal private residences permitted in principle.

Economic Need

- 7.5. The case put forward by the applicant is primarily on economic need grounds. The applicant currently lives approximately 21km from the site. It is stated that he is an established local farmer who is farming the landholding on a full time basis. It is contended that he makes multiple trips a day with nights being spent in the car during lambing. The applicant farms pure bred sheep such as Jacobs, is proposing to increase the livestock number in the coming years and requires a permanent residence onsite to support this. A number of documents have been submitted as part of the application and appeal, including a supplementary rural housing form, reasoning for purchasing the subject landholding, farm insurance policy, invoices showing farm and animal related purchases and accounts showing profits. A letter from the Department of Agriculture is also provided illustrating a herd number. The applicant's current livestock is 30 sheep and 8 cattle and this is projected to increase to 40 sheep and 16 cattle in 2025 (and 80 sheep and 50 cattle by 2028).
- 7.6. I note that the applicant's landholding extends to approximately 3.3 hectares although I acknowledge that the CDP does not stipulate a minimum landholding size for a viable farming enterprise. However, having inspected the site I observed no established farmyard or facilities for the livestock. Whilst I observed a number of livestock in the adjacent field of the subject site I noted no intensive operation that would require a constant onsite presence.
- 7.7. Whilst I acknowledge the accounting statements provided by the applicant, I am not satisfied that this demonstrates a full-time scale operation that requires a permanent residence onsite. Having regard to the applicant's current distance from the landholding, I accept that it would be desirable for him to be closer to the landholding at certain times, e.g. during lambing, however, it is my view that such desire could be

met within the rural node settlement of Grange, approximately 2km from the site, or the village of Clashmore approximately 5km from the site, where there are RZ zoned lands that consider private dwellings acceptable in principle.

- 7.8. Overall, on the basis of the details submitted, I consider that a demonstrable economic need has not been established by the applicant and therefore I consider that the proposed development would contravene policy objective H28 in this regard and therefore, would contribute to the encroachment of random rural development in the area and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure. It is my recommendation to the Commission that the PA's reason for refusal should be upheld.

Social / Local Need

- 7.9. Notwithstanding my conclusion above, the applicant provides information in relation to family connections, and therefore, it is necessary to establish whether a demonstrable social or local need can be met in accordance with policy objective H28.
- 7.10. The applicant currently resides in the family home approximately 21km from the subject site. The nearest family member to the site is a sister approximately 10.7km away. The applicant purchased the subject landholding in 2022 (as shown on the submitted land registry details). Therefore, having regard to the submitted information, it is clear that the applicant has not grown up in the area, has not lived in the area for a substantial period of his life as specified by section 7.11.2 of the CDP, and the family place of residence is not located in close proximity. Having regard to this, I consider that the applicant is not an intrinsic part of the rural community as described within 3.2.3 of the 2005 Sustainable Rural Housing Guidelines. Accordingly, I consider that the applicant has not demonstrated a social or local need for a permanent residence in this rural area and therefore does not comply with policy objective H28 of the CDP in this regard.

8.0 Appropriate Assessment (AA) Screening

- 8.1. I have considered the project in light of the requirements of Section 177U of the Planning and Development Act 2000, as amended. The subject site is located approximately 490 metres from the Blackwater River (Cork/Waterford) Special Area of Conservation (SAC) (Site Code 002170).

8.2. 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:

- To the scale and nature of the proposed development.
- Having regard to the absence of any hydrological connection to any European site, having reviewed the Environmental Protection Agency's AA Mapping Tool and having inspected the site.
- To the distance from the nearest European sites regarding any other potential ecological pathways and intervening lands.
- To the screening determination of the PA.

8.3. 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 AA, under Section 177V of the Act, is not required.

9.0 Water Framework Directive (WFD) Screening

9.1. No water deterioration concerns were raised by the planning authority or submissions. I have assessed the project and have considered the objectives set out in Article 4 of the Water Framework Directive (WFD) 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.

9.2. I note that there are no surface water bodies within the site and it is proposed to treat surface water via an onsite soak pit and drainage ditch. The subject site is located within the Glenville groundwater catchment (Code IE_SW_G_037) which is of good status and not at risk of not achieving its WFD objective.¹

9.3. 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 waterbodies either qualitatively or quantitatively. The reason for this conclusion is due to the minor scale and nature of the works, to the

¹ https://www.catchments.ie/data/#/waterbody/IE_SW_G_037?k=ybwnw5 (Accessed 19th August 2025)

percolation results of the submitted site assessment and proposed installation of a septic tank and percolation area.

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

10.0 Recommendation

My recommendation to the Commission is that permission should be **Refused** for the reasons and considerations set out below.

11.0 Reasons and Considerations

1. Having regard to the location of the site within a designated 'Rural Area under Strong Urban Influence' in the Waterford City and County Development Plan 2022-2028, where it is a policy objective of the planning authority (H28 – New Homes in the Open Countryside) to facilitate the provision of single housing in the countryside based on the core consideration of demonstrable economic, social or local need having regard to the viability of smaller towns and rural settlements, to the proximity of the site to the settlement node of Grange and to the village of Clashmore, and on the basis of the information provided within the application and appeal, it is considered that the applicant has not adequately demonstrated an identified locally based economic or social need for a rural dwelling house at this rural locality and that this requirement for a dwelling house cannot be met within any of the designated node or village settlements. Accordingly, it is considered that the proposed development would be contrary to policy objective H28, and would, as a result, contribute to the encroachment of random rural development in the area and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Declaration

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.

Gary Farrelly
Planning Inspector

19th August 2025

Appendix 1

(a) Form 1: EIA Pre-Screening

An Bord Pleanála Case Reference	ABP-322499-24			
Proposed Development Summary	The construction of a dwelling house, installation of wastewater treatment system and associated site works			
Development Address	Cush of Grange, Grange, County 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	No further action required
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?				
Yes	X	Part 1, Class 13: Wastewater treatment plants with a capacity exceeding 150,000PE Part 2, Class 10(b)(i): Construction of more than 500 dwelling units. Part 2, Class 11(c): Wastewater treatment plants with a capacity greater than 10,000PE		Proceed to Q.3
No				No further action required
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 Q.4

4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	X	- The development is for a single dwelling unit. - The development is for a domestic wastewater treatment unit for a capacity of 5PE.	Preliminary examination required (Form 2)
4. Has Schedule 7A information been submitted?			
No	X	Pre-screening determination conclusion remains as above (Q1 to Q4)	
Yes		Screening Determination required	

(b) Form 2 - EIA Preliminary Examination

The Board carries 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. This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	The development site measures 0.35 hectares. The size of the development is not exceptional in the context of the existing environment. The development is for a single dwellinghouse within a rural area. Localised construction impacts expected, topsoil removal etc. Wastewater treatment unit proposed; subsurface percolation value calculated at 48.67min/25mm in accordance with EPA Code of Practice. There is no real likelihood of significant cumulative effects with existing and permitted projects in the area.
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites	The subject site is not located within any designated site and is located approximately 490 metres from the Blackwater River (Cork/Waterford) SAC. My appropriate assessment screening above concludes that the proposed development would not likely result in a significant effect on any European Site. The subject site is located outside Flood Zones A and B for coastal or fluvial flooding.

of historic, cultural or archaeological significance).		
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).	Having regard to the scale of the proposed development (i.e. a single dwelling unit and domestic wastewater treatment system) and limited nature of construction works associated with the development, to its location removed from any environmentally sensitive sites, to the absence of any cumulative effects with existing or permitted projects in the area, there is no potential for significant effects on the environment.	
Conclusion		
Likelihood of Significant Effects	Conclusion in respect of EIA	
There is no real likelihood of significant effects on the environment.	EIA is not required.	X
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.	