



An
Coimisiún
Pleanála

Inspector's Report

ACP-323028-25

Development

Construction of Strandhill Phase 2 development consisting of 70 no. residential units comprising of 48 houses and 22 apartments and all associated site works. A Natura Impact Statement (NIS) accompanies this application.

Location

Crobally Upper, Tramore, County Waterford.

Planning Authority

Waterford City and County Council

Planning Authority Reg. Ref.

2460480

Applicant(s)

Fewer Harrington & Partners

Type of Application

Permission

Planning Authority Decision

Refuse Permission

Type of Appeal

First Party

Appellant(s)

Fewer Harrington & Partners

Observer(s)

Bernard Fitzpatrick

Date of Site Inspection

26th September 2025

Inspector

Matthew McRedmond

Contents

1.0 Site Location and Description	5
2.0 Proposed Development	5
3.0 Planning Authority Decision	6
3.1. Decision	6
3.2. Planning Authority Reports	7
3.3. Prescribed Bodies	11
3.4. Third Party Observations	11
4.0 Planning History.....	14
5.0 Policy Context.....	14
5.1. National Planning Policy	14
5.5. Waterford City and County Development Plan 2022-2028	16
5.6. Tramore Local Area Plan	18
5.7. Natural Heritage Designations	18
5.8. EIA Screening	19
6.0 The Appeal	19
6.1. Grounds of Appeal	19
6.2. Planning Authority Response.....	21
6.3. Observations.....	21
7.0 Assessment.....	22
8.0 AA Screening.....	32
9.0 Recommendation.....	33
10.0 Reasons and Considerations.....	33
11.0 Conditions	34

Form 2 - EIA Preliminary Examination 44

Appendix 1 – Form 1: EIA Pre-Screening & Form 2: Preliminary Examination

Appendix 2 – AA Screening

Appendix 3 – Water Framework Directive Assessment

1.0 Site Location and Description

- 1.1. The subject site (2.1ha) is located in Tramore town, southeast of Tramore racecourse and the Phase 1 development of the subject site that was permitted under ABP-309262-21, and which is substantially complete. The townland of Corbally Lower is located north of Tramore Town Centre on the approach into the town from Waterford City via the Waterford Road.
- 1.2. The overall site is bound to the north by the old Waterford Road from which the site is accessed and north of the Waterford Road. There is an existing filling station located at the south east boundary of the site and a residential property known as Saint Anthony's adjoins the subject site to the east. The wider area also includes schools, GAA and soccer playing pitches, commercial premises and a range of residential properties. Tramore town centre and strand area is located approximately 1km to the south.

2.0 Proposed Development

- 2.1.1. The proposal comprises the construction of 70no. residential units and all associated site works. The following key details are noted:

Site Area	2.1ha
No of units	70 no. units consisting of: 48no. houses with: <ul style="list-style-type: none">• 2no. x 4-bed detached• 14no. 4-bed semi-detached• 28no. 3-bed semi-detached• 2no. 3-bed end of terrace• 2no. 3-bed mid terrace 22no. apartment units (14no. 2-bed and 8no. 1-bed)
Density	39.5 units/hectare

Car Parking Provision	124 spaces (2no. each for house units for a total of 96no. spaces and 22no. for apartment units, 6no. visitor spaces) Plus 2no. accessible car parking spaces
Vehicular entrance	New entrance from existing Phase 1 Development under construction (Ref. 20270, ABP-309262-21).
Usable Open Space	10.4% of total site area – 1,865.7m ² in three separate amenity areas of 646.5sqm. 160.2sqm and 1,059sqm

2.1.2. The total number of units were reduced to 69no. at further information (FI) stage with 2no. units being replaced with a single unit at the southwest of the site. The creche permitted in phase 1 was also included at FI stage to include a proposal to increase size and capacity to reflect the number of permitted and proposed units.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. On the 17th June 2025, Waterford City and County Council refused permission for the proposed development for the following 2no. reasons:

1. *Having regard to the location of the proposed development on a prominent site on the main approach road into Tramore Town, and considering the excessive level of cut and fill proposed at the site, in particular the levels of fill proposed, and the associated excessive differences in levels throughout the site, it is considered that, by reason of the design and layout of the proposed development and the poor relationship with the Waterford Road (R675), with insufficient contribution to the development of a new urban public realm, the proposed development would represent a substandard form of development creating a poor urban edge and streetscape which would also seriously detract from residential amenities in the area. Furthermore, the proposed*

development would be contrary to Policy Objectives Place 02 and Place 05 of the Waterford City & County Development Plan, 2022-2028, which seek to ensure all developments are of a high quality design with a focus on placemaking, cognisant of their context and need for variety, distinctiveness, focus on public realm and design, and would therefore be contrary to the policies and objectives of the Waterford City & County Development Plan, 2022-2028 and the proper planning and sustainable development of the area.

2. *Based on the details provided with the application and in response to the request for further information, the Planning Authority is not satisfied that it has been demonstrated that it is technically feasible to the satisfaction of Uisce Éireann, as the Water Authority, to connect to the public water supply and the public foul sewer connections in the area. In the absence of the confirmation of feasibility with Uisce Eireann that connection to public water supply and foul sewer are feasible and acceptable, it is considered that the proposed development would be premature pending the confirmation of feasibility of connections to water supply and foul sewer to serve the proposed residential development. The proposed development would therefore be prejudicial to public health and contrary to the proper planning and sustainable development of the area.*

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Local Authority Planner had regard to the locational context of the site, national and local planning policy context, the referral responses received, and any submissions made on the application. Their assessment included the following:

- The proposed mix of 3-bed and 4-bed houses is considered acceptable.
- The separation distances, private open space, car parking and cycle parking for proposed houses are all in accordance with Compact Settlement Guidelines.
- Site is considered an 'Intermediate Urban Location' based on Design Standards for Planning Authorities 2022. Apartment proposal is considered to

be in compliance with SPPR 1 (mix), 3 (floor areas), 4 (dual aspect), and 6 (apartments per floor). SPPR 5 (ceiling heights) Ground floor of 2.4m requires amendment. SPPR, 7, 8 and 9 not applicable.

- Principle of development is acceptable under 'New Residential' land use zoning. Open space areas located on open space and recreation zoned lands.
- Appropriate letters of consent have been provided.
- Density of 39.5 dwellings per hectare on the net site area of 1.77 hectares is appropriate.
- Proposed layout and design acceptable. Further detail required in relation to finishes.
- Environment section recommended grant of permission subject to conditions on waste management, construction works management and soil importation (if necessary).
- 10.4% of open space is considered acceptable, particularly when considered with open space provision in Phase 1.
- Storm water and water services sections of the PA have reviewed the proposal and raised no issues. Uisce Eireann (UE) comments are noted in relation to confirmation of feasibility being out of date and will need to be addressed by applicant.
- Lands to front of site required for active travel scheme, which will require relocation of proposed steps.
- The PA Heritage Office noted that if the proposal for treatment of surface and storm water is to the satisfaction of Water Services Section and due to distance between the development site and the SAC and with implementation of mitigation measures set out in Section 4.5 of the NIS they are satisfied the proposed development will not have adverse impacts on the integrity of Tramore Dunes and Back Strand SAC and SPA. Findings of and recommendations of archaeological impact report to also be implemented. Landscaping scheme to enhance biodiversity to also be implemented.

- Part V proposal is acceptable (16no. apartments and 6no. duplexes).
- Additional details required on engineering proposals including drainage, road widths, footpaths widths, construction materials, autotrack details and public lighting details.
- A detailed site boundary drawing is required from the applicant.
- Landscaping plan required taking consideration of active travel plans along Waterford Road.
- An Architectural Heritage Impact Assessment is required to evaluate the visual impact on Spring Farm and possible omission of dwelling type K in vicinity of this protected structure.
- Archaeological conditions recommended.
- The Planning Authority recommended that further information was sought in relation to a number of items.

Further Information Response

3.2.2. The applicant submitted a further information response in May 2025. The following details were included in the FI Response:

- Revised plans to indicate and include the layout of the Crobally Active Travel Scheme at the front of the site (Waterford Road), including relocation of proposed steps.
- Response on Uisce Eireann Confirmation of feasibility (CoF), drainage and foul sewer connections. CoF has not been provided at FI stage.
- Revised site layout with road layouts, footpath widths etc. Swept path analysis also included.
- Site sections provided showing levels of cut and fill. Soil from within Phase 1 to be used for fill purposes with retaining walls and gabions to achieve level ground.
- Revised open space arrangements with northern area omitted and 2no. open spaces at northeast and south west of the site now proposed.

- Updated contiguous elevations for the Waterford Road and Ring Road provided that show full extent of proposal including boundary treatments.
- A public lighting design.
- Redesign of house units 46 and 47, including parking allocation.
- Bulky storage space provided at lower ground floor of apartment building and lower ground floor ceiling heights increased to 2.7m.
- Detailed landscape plan including hedgerow strategy and boundary details.
- Removal of metal walkway and provision of stairways and lifts internal to the apartment building.
- An Architectural Heritage Impact Assessment by a qualified conservation architect. Revisions of layout included to remove House Type K, which is replaced with House Types M2 and P to reduce impact on Spring Farm protected structure.
- External finishes brochure provided, which includes hard landscaping specifications.
- Modified creche details including additional floor space to cater for increased number of units.

Planning Authority Response

3.2.3. The Local Authority Planner was satisfied with the information submitted by the applicant at further information stage in relation to incorporation of the active travel scheme, consents, open space, revised road layout details, ceiling heights, landscape details and proposed creche (although absence of creche boundary treatment is noted). The Planning Authority were however, not satisfied with the absence of a confirmation of feasibility from UE, the level differences and treatment of the Waterford Road interface where there is a level difference of up to 5m and leads to a poor treatment of the public road. A Refusal of Permission was recommended.

3.2.4. Other Technical Reports

- Executive Engineer – Requested FI in relation to road widths, autotrack assessment and street lighting design. Additional, conditional items were noted.
- Active Travel – Proposed steps are required to be relocated to provide space for footpath as part of active travel proposals.
- Conservation Officer – An Architectural Heritage Impact Assessment is requested by way of further information and possible alterations to layout including omission of Type K dwelling. Replacement units M2 and P as submitted at FI stage should be omitted as they would contravene policies and objectives BH11 and BH12 to protect the special character of protected structures and their vistas and settings.
- Environment Section – No objection to the proposal subject to conditions including waste management, construction management and importing of soil to the site.
- Heritage Officer – No objection to the subject proposal subject to conditions including implementation of mitigation measures in NIS, Archaeological Management solutions of the Cultural Heritage Impact Assessment and delivery of the landscaping scheme to enhance biodiversity.

3.3. Prescribed Bodies

- 3.3.1. **Department of Housing, Local Government and Heritage** – Recommended inclusion of archaeological related conditions in any grant of permission.
- 3.3.2. **Uisce Eireann** – Updated confirmation of feasibility required for this phase 2 application.

3.4. Third Party Observations

- 3.4.1. A number of submissions were made in relation to this application. The main issues raised can be summarised as follows:

Character and Design

- Proposal for apartments is out of scale and character for the approach to Tramore from Waterford City that is primarily low rise. When taken with Phase 1 apartments this is overdevelopment and will lead to lack of open space.
- Location of apartments adjacent to filling station and public road is also a concern in terms of safety (fuel, oils, noise, emissions and hazardous materials). Significant risk of explosion adjoining a filling station. Locating apartments (and associated open space) so close to a commercial garage is unsuitable for a residential setting, particularly along a main thoroughfare where the visual impact is also disruptive.
- Proposed apartment design is not suitable for the elderly.

Open Space

- Loss of green space not considered appropriate, whereby griselinia hedging is removed. Green Space is a key asset on the approach to Tramore and should be protected. Existing green spaces should be retained for biodiversity and visual character.
- Proposed public open space within the development is not considered appropriate due to sloping ground and location – should be centrally located.

Traffic Impacts

- Air quality will be negatively impacted as a result of increased traffic. Potential for higher carbon emissions if energy efficient standards are not applied.
- Proposed pedestrian pathways close to roundabout are a traffic and safety hazard. Increased traffic will also lead to safety concerns.
- Insufficient parking (including for visitors) will lead to traffic impacts and strain on infrastructure and congestion. Overspill on to adjoining roads will occur.
- A total of 152 units will lead to traffic congestion when taken with Strandhill and An Carn and including race day traffic, school traffic, gaa

club etc. Old Waterford Road traffic issues would be exacerbated, and this route should be improved before any permission is given for new development. Traffic delays could impact on emergency services.

- Phase 1 development has already had an impact on traffic and parking in the area.

Impacts on Protected Structure (Spring Farm)

- 3-storey houses will lead to loss of privacy, unappealing visual impact and lack of light – particularly to Spring Farm. Views from various angles to this protected structure should be preserved. Spring Farm is an important visual asset in Tramore and should be adequately protected. There has been significant investment in Spring Farm to enhance the heritage value of Tramore and this should be protected.
- Boundary of Spring Farm with proposed development must be strengthened and impacts on septic tank of Spring Farm must be considered.
- Proposal does not add to the character of Spring Farm or its setting and should be refused permission on this basis.

Amenity Impacts

- Special character and visual appeal of Tramore must be maintained.
- Proposal will result in overlooking and overshadowing of existing properties and residential amenity reduction. Increased noise and light pollution also likely. This will result in loss of property value.
- Proposed density will lead to strain on services and infrastructure in the area including health care services.

Environmental Impacts

- Construction impacts will lead to considerable disruption including noise, dust and road deterioration.

Airport Operations

- Proposal, including crane activity during construction, may have an impact on Airport operations, two miles north east of the site. A safety assessment is required if crane operations are proposed on site during construction.

Consent

- Adequate consent has not been provided, and the application should be invalidated.

4.0 Planning History

4.1.1. The following planning history is of relevance to the subject proposal:

4.1.2. **WCCC Ref. 20270 (ABP Ref. 309262-21):** Permission granted by An Bord Pleanála for construction of 91 no. residential units and a single storey creche in phase 1 of the subject site.

4.1.3. **WCCC Ref. 2460482 (ABP Ref. 321881-25):** Permission granted for the change of use from 8 houses to 15 houses at the western boundary of the Phase 1 site as granted permission under ABP-309262-21.

5.0 Policy Context

5.1. National Planning Policy

5.1.1. The NPF (First Revision, 2025) is the Government's high-level strategic plan for shaping the future growth and development of the country to the year 2040. A key element of the NPF is a commitment towards 'compact growth', which focuses on a more efficient use of land and resources through reusing previously developed or under-utilised land and buildings. National Strategic Outcome No. 1 is 'Compact Growth'. Activating strategic areas and achieving effective density and consolidation, rather than more sprawl of urban development, is a top priority.

5.1.2. The NPF contains several policy objectives that articulate the delivery of compact urban growth as follows:

- NPO 7 outlines a presumption in favour of development in existing settlements, to ensure compact growth and sequential patterns of growth.
- NPO 9 aims to deliver at least 30% of all new homes targeted for settlements other than the five cities, to be within the existing built-up footprints.
- NPO 37 seeks to integrate alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility.
- NPO 42 targets the delivery of 50,000 homes per annum up to 2040.
- NPO 43 prioritises new homes that support sustainable development at an appropriate scale relative to location.

5.1.3. Relevant national policy also includes Sustainable Residential Development and Compact Settlements: Guidelines for Planning Authorities, 2024 ('the Compact Settlement Guidelines') which states a density range for 'Suburban/Urban Extensions of Key Towns/Large Towns above 5000 population' as 30-50 dwellings per hectare (dph).

5.1.4. SPPR 1 of the Compact Settlement Guidelines relates to Separation Distances. A separation distance of at least 16 metres between opposing windows serving habitable rooms at the rear or side of houses, duplex units and apartment units, above ground floor level shall be maintained. Reduced separation distances can be provided where there are no opposing windows and where privacy measures are designed in. The Compact Settlement Guidelines supersede the Guidelines on Sustainable Residential Development in Urban Areas and accompanying Urban Design Manual.

5.1.5. Urban Development and Building Heights, Guidelines for Planning Authorities is a government policy that states building heights must be generally increased in appropriate urban locations. There is therefore a presumption in favour of buildings of increased height in our town/city cores and in other urban locations with good public transport accessibility.

5.1.6. The relevant apartment standards are the Sustainable; Urban Housing Design Standards for New Apartments (Dept. of Housing, Local Government and Heritage,

December 2023) ('The Apartment Guidelines') as the proposal was submitted prior to the 9th July 2025 when updated Apartment Guidelines were published.

5.2. Regional Spatial and Economic Strategy for the Southern Region

- 5.2.1. Within the RSES for the Southern Region Tramore is identified as having a high level of commuting (40%) into the Metropolitan Area that reflects its attractive coastal location with seafront and close proximity to Waterford City. Tramore is a considerable recreational and amenity asset for Waterford, with a relatively frequent bus route connecting Tramore to the City Centre.

5.3. Rebuilding Ireland – Action Plan on Housing and Homelessness 2016

- 5.3.1. This is a government initiative which identifies the critical need for accelerating housing supply.

5.4. National Biodiversity Action Plan (NBAP) 2023-2030

- 5.4.1. The NBAP includes five strategic objectives aimed at addressing existing challenges and new and emerging issues associated with biodiversity loss. Section 59B(1) of the Wildlife (Amendment) Act 2000 (as amended) requires the Board, as a public body, to have regard to the objectives and targets of the NBAP in the performance of its functions, to the extent that they may affect or relate to the functions of the Board. The impact of development on biodiversity, including species and habitats, can be assessed at a European, National and Local level and is taken into account in our decision-making having regard to the Habitats and Birds Directives, Environmental Impact Assessment Directive, Water Framework Directive and Marine Strategy Framework Directive, and other relevant legislation, strategy and policy where applicable.

5.5. Waterford City and County Development Plan 2022-2028

- 5.5.1. The Waterford City and County Development Plan 2022-2028 (WCCDP) is the relevant statutory plan that applies to the subject site. The Plan designates Tramore as a Large Urban Town – the third tier within the County Settlement hierarchy.

Zoning

- 5.5.2. The appeal site has a land use zoning of 'R1 – New Residential – “Provide for new residential development in tandem with the provision of the necessary social and physical infrastructure.” Residential is permitted in principle under this zoning.

Protected Structure

- 5.5.3. The house to the south-west of the site, Spring Farm, is a protected structure, RPS no WA750265, described as *‘Seven-bay single-storey cottage ornée-style house, c.1820, on a cranked plan with outbuildings. Painted lime rendered boundary wall to perimeter of site’.*

Core Strategy Policy Objectives

- 5.5.4. The following policies and objectives of the Plan are of relevance:
- CS 03 Compact Growth - In a manner consistent with NPO 34 and 35, we will promote and support an efficient, equitable and sustainable pattern of residential and other development that delivers compact growth and critical mass for sustainable communities in Waterford, by managing the level of growth in each settlement.
 - CS 13 Settlement Strategy – includes a requirement to Support the development of Tramore in a manner which encourages a more self-sustaining model of settlement, and a move away from an over-dependence on employment in Waterford City.

General Housing Policy Objectives

- 5.5.5. Other policies of the Development Plan (including volume 2 – Development Management Standards) of relevance to the subject proposal are summarised as follows:
- H02 – Ensure new developments are appropriate in terms of scale, form, character and location in relation to services and amenities and that proposals are designed in accordance with applicable guidance and standards.
 - Trans 09 – Connectivity and permeability: Ensure all developments provide connectivity/permeability to the adjacent road network and adjoining zoned lands.

- DM04 – Applications are required to adhere to best practice urban design guidelines ‘Urban Design Manual – A Best Practice Guide’.
- Section 3.2 of the Development Plan sets out that *“In the application of densities, it is also important to recognise and reflect the function and character of the urban area (i.e. city, towns, villages and settlement nodes), as set out in the settlement hierarchy in Volume 1: Section 2.9 - Table 2.2”*
- DM05 – A range of criteria will be considered in relation to residential proposals including proximity to public transport and services, design and layout, size and scale of the proposed development and ability to propose its own density among other physical features of the site such as topography.
- Table 3.1 of the Development Plan sets out a range of standards for new residential developments including 15% public open space, private open space quantum, separation distances of 22m, car parking standards (2 spaces per 3-bed or more units), sightlines of 70m in 50kph areas, and compliance with DMURS.
- Chapter 11 addresses Heritage and BH11 – Maintain and enhance special character of protected structures, and BH 12 – protect settings and vistas of Protected structures are both relevant.

5.6. Tramore Local Area Plan

- 5.6.1. A pre-draft issues paper for a new Tramore Local Area Plan was published in 2023, but no draft plan has yet been published. The relevant plan is therefore currently the Waterford City and County Development Plan 2022-2028.

5.7. Natural Heritage Designations

- 5.7.1. The following designated sites are located within 15km of the appeal site.
- Tramore Dunes and Back Strand SAC - 520m
 - Tramore Back Strand SPA - 580m

- Mid-Waterford Coast SPA – 3.9km
- Lower River Suir SAC – 9.6km
- River Barrow and River Nore SAC – 11km

5.8. EIA Screening

5.8.1. I have had regard to the determination of the Planning Authority in relation to EIAR requirements. Having regard to the nature of the proposed development comprising the development of 74no. residential units (as amended with the subject appeal), within an established urban area and where infrastructural services are available, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required. See completed Form 1 and 2 at Appendix 1.

6.0 The Appeal

6.1. Grounds of Appeal

A First-Party Appeal has been submitted against the decision made by Waterford City and County Council to refuse permission for the proposed development.

The grounds of appeal can be summarised as follows:

- Noted that 91 residential units were granted under Ref. 20/270 (ABP Ref. 309262-21), which was amended by permission Ref. 2460482 (ABP Ref. 321881-25), which increased the number of permitted houses by 8.
- The subject application is for phase 2, for a further 69 residential units, reduced by 1no. unit at further information stage. The creche design was also amended at further information stage to increase capacity and was brought within the red line boundary.
- The reports of the Planning Authority were noted including support for principle of development, unit mix, density, separation distances, private open space, parking, apartment standards and quantum and location of public open space. Noted the Planning Authority were satisfied with the majority of

elements of the proposal but recommended a refusal based on the absence of a confirmation of feasibility from Uisce Eireann, the level of cut and fill and the presentation to Waterford Road. The grounds of appeal provide a response to these reasons for refusal.

- Letter of Confirmation of Feasibility from Uisce Eireann provided, indicating that the subject site can be serviced and a diversion agreement will be sought upon application for a connection agreement.
- Levels within the site were set with the granting of permission for Phase 1, where the road layout was determined. The Waterford City and County Council owned land to the front (Waterford Road) of the site, eliminates the possibility of vehicular access from this side and limits the alteration of ground levels.
- The appeal includes a proposed amendment to rear gardens to provide a tiered treatment to rear gardens instead of a significant level change between back gardens of individual properties. This is shown in the submitted Drawing ACP-02 to address the Planning Authority concerns in relation to level changes.
- A proposed revision to unit types addresses the finished floor levels of dwellings relative to the Waterford Road by introducing split-level duplex units (5no. blocks of 3no. apartments) in lieu of detached, semi-detached and terraced houses. The duplex units face Waterford Road instead of the side gables originally proposed. This is considered by the appellant to provide the streetscape and visual appearance sought by the Planning Authority.
- The revised layout allows for an area of open space around the steps to elevated ground level within the site, which is also considered a more favourable treatment, reducing visual impact and enhancing passive surveillance. An additional pedestrian access is also proposed in the revised layout. A photomontage illustrating the proposed amended option is included.
- An NIS addendum is included with the appeal that indicates the proposed alternative design options do not alter the findings and mitigation measures identified in the original NIS.

6.2. Planning Authority Response

A response to the appeal from the Planning Authority was received outside of the statutory period.

6.3. Observations

There was 1no. valid observation in relation to the first-party appeal. The main points of the observation can be summarised as follows:

- Reference is made to the Phase 1 element of the proposed development that was refused permission by WCCC and subsequently granted permission by An Bord Pleanala. The substantial issues the Planning Authority had with visual impact of the Phase 1 proposal were noted.
- Boundary wall to east of existing apartment block in Phase 1 is not compliant with the conditional grant of permission as the height of the wall is overbearing on adjoining properties.
- Amendment application for 8no. additional units under Ref 24/60482 is noted (ACP Ref. 321881-25).
- The reasons for refusal under the current application (Ref. 24/60480, ABP Ref. 323028-25) were noted as being similar to the reasons for refusal for the Phase 1 application and the observers seeks the upholding of this decision by An Coimisiun Pleanala.
- Gradients of proposed open spaces makes these spaces unusable. Proximity to filling station of open space area to north east of site is also unsuitable for amenity space due to fumes, noise and views of filling station canopy. The second area of open space to the south west overlooks a busy roundabout and is similarly unsuitable. A more central open space would be more appropriate.
- Proposed retaining wall structure at base of eastern open space is not fit for purpose and is potentially liable to surface water run-off, with inadequate

drainage proposed. Existing wall to rear of forecourt could also not provide for additional loading. Discussions with the applicant about a reinforced retaining wall structure with appropriate drainage has not been agreed.

- Existing 4-storey apartment block is omitted from the provided Waterford Road street elevation.
- The proposal would encircle the Spring Farm protected structure, overlook it and interfere with the setting of the property.
- The issue of fill and steep level differences within the site and the impacts on adjoining properties and areas required further detailed examination by the applicants. The existing apartment building and impact on St. Anthony's is an illustration of this impact.
- The Phase 2 proposal also incorporated amendments to the internal road layout to facilitate additional units and Uisce Eireann connections. This raised further questions about the level of cut and fill within the site.

7.0 **Assessment**

7.1. Having examined the application details and all other documentation on file, including the grounds of appeal, the reports of the local authority, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered can be assessed under the following headings:

- Water and Wastewater Connections
- Design and Layout
- Other Issues

7.2. **Water and Wastewater Connections**

7.2.1. Reason for Refusal No. 2 relates to the absence of an appropriate confirmation of feasibility from Uisce Eireann in relation to water and foul water connections. The proposal was considered premature by the Planning Authority in this regard.

7.2.2. In relation to this matter, I note the content of the first party appeal from the applicant and the supporting letter from the applicant's design engineer. I note the letter

attached to the appeal from Uisce Eireann dated 8th May 2025 which confirms that Uisce Eireann received a pre-connection enquiry in relation to the subject proposal. Uisce Eireann stated that the appropriate connections to water and wastewater infrastructure are feasible without upgrades. The existing sewer running through the site is noted and any diversion works must be agreed with Uisce Eireann.

7.2.3. The first ground of appeal prepared on behalf of the applicant refers to water supply and consultation with Uisce Eireann. This Uisce Eireann reference number for the Confirmation of Feasibility is CDS25001845. This confirms that the proposed connection to Uisce Eireann infrastructure is feasible, and a diversion agreement must be made if required, to ensure access to pipes for maintenance. A copy of the Confirmation of Feasibility document is appended with the engineer's report.

7.2.4. Based on the foregoing, subject to appropriate conditions, I am satisfied that appropriate confirmation of feasibility has been provided by the applicant and that reason for refusal no. 2 can be dismissed. I consider this to be consistent with the proper planning and sustainable development of the area.

7.3. **Design and Layout**

7.3.1. Reason for refusal no. 1 sets out that the subject proposal is unacceptable based on failure to adequately address the excessive level differences throughout the site, and the level of cut and fill required. The Planning Authority submits that this would lead to a poor quality of design and provide an insufficient contribution to the public realm. Matters of urban edge treatment and design approach, including failure to provide a quality streetscape are also referenced.

7.3.2. The appeal sets out how the application sought to respond to the topography of the site also being set by the Phase 1 grant of permission, whereby the level of the internal road was set to provide connections to services infrastructure. The appeal provides that the level differences between rear gardens was an attempt to maximise the area of level garden to the rear gardens of dwelling that would otherwise have resulted if rear gardens had been sloped or tiered. It is submitted that a tiered rear garden option (Drawing ACP-02) reduces the level difference between rear gardens and appropriate separation distances are maintained with all back gardens being 11m in depth. The first-party appeal asks that An Coimisiun Pleanala condition the tiered garden approach if it is considered to be appropriate.

Proposed Design

- 7.3.3. I refer to the drawings and details submitted with the application. It is clear from the Architectural Design Statement that a number of design iterations and layout options were considered before the final, submitted layout was put forward in the subject application. The site itself does consist of a challenging topography with up to 10m level differences between the upper access road to the south of the Phase 1 open space, and the Waterford Road outside the site. Level differences of between 4-5m arise between the Waterford Road and the central access road within the Phase 2 proposal. I acknowledge that a balance is required between achieving an appropriate density for the site, provision of appropriate open space, site levels and visual appropriateness.
- 7.3.4. The proposal submitted at FI stage included 2no. end terrace units orientated to face the Waterford Road, with the side gable of 2no. detached dwellings also facing the public road to the south. The proposed apartment block is split levelled with two floors facing the central access road to the north and four levels facing the Waterford Road to the south. The proposal includes a sloped pedestrian path to the west, a second sloped path from the homezone to Waterford Road between units 46 and 47, and steps to address the gradient between the Waterford Road and the homezone adjacent to the proposed apartment block. The Planning Authority were not satisfied with this proposal and considered there to be an inappropriate treatment to Waterford Road, primarily due to the ground level differences and the steps facing the bus stop area in the vicinity of unit 41 and the apartment building.
- 7.3.5. While I consider the apartment building to be an appropriate design and proposal at this location, I consider the overall proposal as put forward at FI stage to be unacceptable due to the side gable of proposed units facing the public road. This is a busy public thoroughfare, is an important entry point to Tramore from Waterford City, and it's importance will be further enhanced through active travel measures that are to be implemented along this link. The proposed steps present a largely blank interface to the location of the proposed bus stop, which further reduces the potential for a positive interface with the public realm at this location.
- 7.3.6. The First-Party appeal includes an alternative option to address the level changes within the site, particularly facing Waterford Road. 5no. blocks of 3no duplex

apartments are proposed in lieu of the proposed detached, semi-detached and terraced houses put forward at FI stage of the application. The duplex units propose a lower ground level, 2-bed apartment facing Waterford Road, and a larger, 3-bed apartment at upper ground floor and first floor level, that is accessed from the internal road. This revised proposal allows front elevations to present to Waterford Road, which I consider a more favourable proposal and provides a level of activation and interest along this important access route to Tramore. The height of the proposed duplex units would present as 3-storey facing the public road, with an overall height that is consistent with the proposed 4-storey apartment block.

- 7.3.7. The proposed re-design also includes a reorientation of the access steps from Waterford Road to the higher level of the internal access road. Steps are proposed in two locations with an adjoining area of green space for each, to soften the transition in levels and in my opinion would enhance the feeling of security and passive surveillance of these steps. The access steps directly adjacent to the proposed bus stop and apartment block would provide a more appropriate tiered approach to the level differences at this location and provide a more visually appealing design.
- 7.3.8. The proposed dwelling heights in the revised arrangement submitted with the first-party appeal range from 9m (2-storey) to the rear of the site to 13.3m (3-storey) at the Waterford Road interface. While I note the pitched roofs could be lower in height to reduce the overall height of the dwellings, I also accept that a mix of dwelling types and sizes are necessary and there is a demand for large family homes and the format is generally consistent with 2-storey, pitched roof type dwellings in the area. I consider the 3-storey element an acceptable solution to the challenging ground levels within the site and the overall heights would not be excessive when viewed adjacent to the proposed apartment building and with a considerable setback from Waterford Road. While finished floor levels may have been lowered, this would require considerable additional ground excavation from that proposed, and significant alteration of the natural topography of the area, which I do not consider to be a favourable design solution in the context of altering the existing environment. The site is zoned for 'New Residential' and having reviewed the submitted site sections I am of the opinion that the proposed level of ground alteration and design layout is acceptable to bring the subject site into this use.

7.3.9. Based on the revised proposal submitted with the appeal, a total number of 74 units is proposed. This provides a total density of 41.8 dwellings per hectare, which is consistent with the range of 30-50dph for urban extensions within a large town of 5,000+ population. I acknowledge there is a requirement for an appropriate design for this topographically challenging site and the requirements for an appropriate density at this serviced, urban location. I note also that the Planning Authority considered the density and dwelling mix to be acceptable, in accordance with objective H02 and H17 of the Development Plan. Having regard to the foregoing, I consider the proposed design as submitted with the First Party Appeal to be an appropriate response to the second reason for refusal and recommend an appropriate condition is attached to any grant of permission to ensure the amended design is the option brought forward for the development of the site.

Visual Impact

7.3.10. I refer to the submitted photomontage provided with the First Party appeal and the Architectural Heritage Impact Assessment (AHIA) as submitted at FI stage of the application. I note the Planning Authority had specific issues with the visual impact on the protected structure Spring Farm to the west of the proposed site. I note from the submitted plans and details that an area of open space is proposed to the front of Spring Farm to retain views and protect the setting of this heritage asset. I note the 2no. units at the south west of the site, closest to Spring Farm were amended and relocated to the north east to further open views towards the protected structure. I further note that unit type 'P' is additionally amended as part of the appeal documentation, with building footprints of unit type 'K'/'L' being moved further northeast. I noted from my site visit that Spring Farm is considerably screened by existing landscaping when viewed from the south. I specifically note that this is residential zoned land, and I consider that an appropriate density of development is required for serviced urban sites such as this. While development would be visible in any form from many viewpoints in the area, I am of the opinion that the applicant has proposed an appropriate level of protection of the setting of the Protected Structure by way of incorporating an area of open space and provides adequate setback to the proposed dwellings. I discuss the matter of the impacts on the protected structure below.

- 7.3.11. While the proposed development does propose buildings of 3-4 storeys, I do not consider this to be out of context with the existing view of roof lines in the permitted Phase 1 development. The view of the site is limited to the immediate locality and does not impact significantly, or negatively, on any views of particular amenity or specific landscape value. While I note the local importance of this entry point to Tramore, it is my opinion that the Waterford Road entrance route to Tramore would be enhanced by providing active residential frontages along this road, that will be further enhanced through the introduction of planned active travel measures outside of the site.
- 7.3.12. I consider the extension of the built form of Tramore, with the provision of residential development, to be a natural addition to the town. When I consider the increased ground levels, the proposed heights do not present incongruently on the moderate landscape value of this site and are an acceptable visual extension of Phase 1. While I note the alternative option submitted with the appeal does not include detailed landscape specifications, this can be appropriately conditioned with any grant of permission. I consider an appropriate landscaping detail will improve the visual appeal of the site over time as planting matures further and softens the views of the site from Waterford Road.

Retaining Walls

- 7.3.13. In relation to the proposed retaining walls and the need for same within the subject proposal, I refer to the submitted section drawing FI-05 (Retaining Wall Details at rear gardens submitted at FI stage), External Finishes Brochure (submitted at FI) and drawing FI-02 (Landscape Plan submitted at FI stage). I note at FI stage the retaining wall structures between opposing rear gardens was proposed as a gabion embankment structure 3m in height with a 1.8m post and rail fence on top. The revised option submitted at appeal stage includes reference on drawing ACP-02 to a 1.8m post and rail fence on top of a lower embankment. This is facilitated through a stepped garden arrangement, which reduces the transition in height between rear garden areas. I concur with the observation on the appeal that more detailed engineering specifications are required to ensure the structural integrity of these retaining wall structures, but I consider this can be provided by way of condition with any grant of permission.

- 7.3.14. Other retaining walls within the proposed development include a similar gabion embankment to the rear of the petrol filling station located to the southeast corner of the site. The observation to the appeal also submits that insufficient structural details are provided in relation to this retaining structure. The wall and associated fence atop, would benefit from landscaping as shown on the revised site layout plan, as part of the overall development to mitigate the visual appearance of the wall and fence and enhance visual amenity for future residents. Structural details are also required to ensure the integrity of the wall adjoining existing uses. I recommend a condition to request a revised landscape plan and structural plans to include these details, be attached in any grant of permission.
- 7.3.15. I consider the detail of other retaining walls within the site to be acceptable and provide a critical function within this topographically challenging site and do not consider the visual amenity of future residents nor the surrounding area would be significantly impacted by the design proposed.

Open Space

- 7.3.16. The observer to the appeal raised an issue with the unsuitability of the proposed open spaces due to proximity to the filling station and to a busy roundabout.
- 7.3.17. The proposed open spaces within the proposed development provide a critical feature in the design and layout of the scheme, while also having a direct influence on the level of residential amenity for future residents. I note 10.5% (0.18ha) of the developable site (1.77ha) is proposed as open space, which is less than the CDP standard requirement of 15% as set out in Table 3.1 of the plan. The retaining wall structures allow the public open spaces to be graded to limit ground level changes to 1-2m, which enhances their usability for all age groups. I note the Planning Authority were satisfied with the design and quantum of open space proposed, particularly when considered with the adjoining open space provided in Phase 1, which is approximately 2,700sqm and is centrally located.
- 7.3.18. The landscaping strategy for the Phase 2 site (subject application) seeks to provide a network of open spaces across the site, while also protecting existing levels of amenity. The landscape strategy for the site generally consists of the following:
- Public Open Space to South West: 1,230sqm

- Public Open Space to North East: 646sqm with planting proposed along southern boundary to filling station
- Communal Open Space with landscape planting between proposed apartment block and existing filling station
- Robust landscape treatment in areas around proposed houses including boundary walls for privacy and security

7.3.19. I consider the proposed open spaces to be conveniently located to serve the proposed dwellings within this scheme and are appropriately overlooked to provide security and passive surveillance. While the quantum of open space is less than the 15% required by the Development Plan, I note there is an additional landscape strip to the front of the site along Waterford Road that is in the ownership of Waterford CCC and the site is somewhat constrained by both density requirements and the topography of the site. Furthermore, I note the Compact Settlement Guidelines allow for a range in public open space of 10-15% of the total site area, which the subject proposal complies with. The proposed gradients are appropriate for the topography of the site and I note there are a number of amenities in the area that would also be of benefit to residents including the strand area and local sports clubs.

7.3.20. As the subject proposal for 10.5% of proposed public open space is inconsistent with the requirements of the CDP, I consider Section 37(b) of the Planning and Development Act 2000 (as amended) may apply. Section 37 (b) states as follows:

(b) Where a planning authority has decided to refuse permission on the grounds that a proposed development materially contravenes the development plan, the Board may only grant permission in accordance with paragraph (a) 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 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.

7.3.21. I refer to the Action Plan for Housing that identifies the critical need for accelerating housing supply and National Strategic Outcome No. 1 for 'Compact Growth'. Activating strategic areas and achieving effective density and consolidation, rather than more sprawl of urban development, is a top priority. Policy and Objective 5.1 of the Compact Settlement Guidelines, which were published after the Waterford City and County Development Plan came into effect, relates to Public Open Space. The following is stated:

"It is a policy and objective of these Guidelines that statutory development plans include an objective(s) relating to the provision of public open space in new residential developments (and in mixed-use developments that include a residential element). The requirement in the development plan shall be for public open space provision of not less than a minimum of 10% of net site area and not more than a minimum of 15% of net site area save in exceptional circumstances. Different minimum requirements (within the 10-15% range) may be set for different areas. The minimum requirement should be justified taking into account existing public open space provision in the area and broader nature conservation and environmental considerations.

7.3.22. If the Board is minded to consider the subject proposal as a material contravention of Table 3.1 of the Waterford City and County Development Plan, I provide that Section 37(b) (iii) of the Act applies in this instance, and that the subject proposal is consistent with the Compact Settlement Guidelines in terms of providing more than 10% of the site for open space purposes.

Design and Visual Impact Conclusion

7.3.23. Having regard to the foregoing, I consider the design and visual amenity of the amended option submitted with the First-Party appeal, adequately addresses the first reason for refusal in this instance. The subject proposal provides a well thought out adaptation of a topographically challenging site by the provision of retaining walls at

key locations and the minimisation of cut and fill across the site. The proposal provides a legible street edge along the Waterford Road on an important approach route to Tramore and provides adequate protection to the setting of the adjoining protected structure. The public open spaces proposed within the development are of an appropriate quality, usable, accessible by all and are provided with ample passive surveillance to ensure user safety and security.

7.3.24. I therefore conclude that the subject proposal is in accordance with the key objectives of the Waterford City and County Development Plan 2022-2028 and national planning guidance in the form of the Compact Settlement Guidelines. Accordingly, I consider the design and visual impact of the proposed development to be acceptable and permission can be granted with details of landscaping and structural design to be agreed by way of condition.

7.4. **Other Issues**

7.4.1. **Conservation:** As referenced earlier in my report, the Planning Authority indicated concerns with the level of impact on the Protected Structure at Spring Farm. While impacts of proposed developments outside the curtilage or attendant grounds of a protected structure or ACA should be assessed for impact on the character of these heritage assets, I do not consider the level of impact to be significant in this instance.

7.4.2. The views presented in the AIHA, the area of open space to the southwest of the site, the exposed, elevated nature of the subject site, the existing screen/boundary hedging to the front of Spring Farm, all result in a low level of impact on the views from the protected structures due to the separation distances to the proposed dwellings. A number of mitigation measures are recommended in the submitted Cultural Heritage Impact Assessment, including monitoring, screening and offsets if any archaeological finds are made during construction, and I consider it reasonable to include this by way of condition with any grant of permission. I therefore do not consider there to be a reason for refusal associated with conservation, as it relates to the subject proposal, in this instance.

7.4.3. The observation to the appeal also raises issue with the construction of existing boundary walls, particularly to the west of St. Anthony's, an existing building. Matters of enforcement of previous permissions are not a matter for the Commission and I do not propose to adjudicate on this matter in this appeal. In relation to impacts of the

proposed apartment building on adjoining properties, I am satisfied that the split level proposed and the separation distances to any residential properties is adequate to ensure no significant impacts on residential amenity arise.

8.0 **AA Screening**

8.1. **Screening Determination**

8.2. Significant effects cannot be excluded

8.2.1. 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 it is not possible to exclude that the proposed development alone will not give rise to significant effects on the Tramore Dunes and Back Strand SAC and Tramore Back Strand SPA European Sites in view of the sites conservation objectives.

8.2.2. It is therefore determined that Appropriate Assessment (stage 2) [under Section 177V of the Planning and Development Act 2000] of the proposed development is required.

8.3. **Appropriate Assessment Conclusion: Integrity Test**

8.3.1. In screening the need for Appropriate Assessment, it was determined that the proposed development could result in significant effects on the Tramore Dunes and Back Strand SAC and Tramore Back Strand SPA in view of the conservation objectives of those sites and that Appropriate Assessment under the provisions of S177U was required.

8.3.2. Following an examination, analysis and evaluation of the NIS all associated material submitted and taking into account relevant observations of third parties, I consider that adverse effects on site integrity of the Tramore Dunes and Back Strand SAC and Tramore Back Strand SPA can be excluded in view of the conservation objectives of these sites and that no reasonable scientific doubt remains as to the absence of such effects.

8.3.3. My conclusion is based on the following:

- Detailed assessment of construction and operational impacts.

- To maintain the special conservation status of existing bird species and extent of habitat.
- Effectiveness of mitigation measures proposed including standard practice construction mitigation measures, dust management and noise mitigation.
- Application of planning conditions to ensure these measures.
- The proposed development will not affect the attainment of conservation objectives for the Tramore Dunes and Back Strand SAC and Tramore Back Strand SPA.

8.3.4. Please refer to the attached appendices for detailed Stage 1 and 2 Appropriate Assessment.

8.4. **Water framework Directive**

8.5. I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives based on the mitigation measures, drainage arrangements and management of surface water as set out in the proposed development. Please see WFD Assessment attached at Appendix 3 of this report.

9.0 **Recommendation**

9.1.1. Having regard to the above assessment, I recommend that planning permission be granted subject to the conditions below.

10.0 **Reasons and Considerations**

10.1.1. Having regard to the provisions of the Waterford City and County Development Plan 2022-2028, to the 'R1-New Residential' land use zoning of the site that allows residential land use, to the 'Large Urban Town' designation of Tramore, to the nature of the proposed development and to the pattern of development in the surrounds, it is considered that subject to compliance with the conditions set out below, the

proposed development would not seriously injure the residential or visual amenities of the area or the amenities of property in the vicinity and would constitute an acceptable form of development at this location. The proposed development, would, therefore, be in accordance with the proper planning and sustainable development of the area.

11.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on the 21st August 2024, by the further information submitted on the 13th May 2025, and by the plans and particulars submitted with the appeal to An Coimisiun Pleanala on the 17th July 2025, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interests of clarity.</p>
2.	<p>The proposed development is to be constructed as per the amended site layout ACP-01 and associated plans and particulars in drawings ACP-02, ABP-03, ACP-04, ACP-5 and ACP-06 as submitted to An Comisiún Pleanala on the 17th July 2025.</p> <p>Reason: In the interests of clarity.</p>
3.	<p>The mitigation measures detailed in the submitted Natura Impact Statement shall be implemented in full.</p> <p>Reason: In the interests of clarity and to ensure protection of European sites.</p>
4.	<p>(a) Prior to the commencement of any house in the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house), pursuant to Section 47 of</p>

	<p>the Planning and Development Act 2000, that restricts all houses permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.</p> <p>Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good in accordance with the 'Regulation of Commercial Institutional Investment in Housing Guidelines for Planning Authorities', May 2021.</p>
5.	<p>a) All mitigation measures in relation to archaeology and cultural heritage as set out in the 'Cultural Heritage Impact Assessment' report submitted with the planning application (Archaeological Management Solutions, July 2024) shall be implemented in full by the developer. The developer shall engage a suitably qualified archaeologist to advise in relation to the implementation of the required archaeological mitigation measures and to complete all necessary archaeological works associated with the development.</p> <p>b) The Construction Environmental Management Plan (CEMP) shall include the location of any and all archaeological and cultural constraints relevant to the proposed development, as set out in the 'Cultural Heritage Impact Assessment' report (Archaeological Management Solutions, July 2024). The CEMP shall clearly describe all identified likely archaeological impacts, both direct and indirect, and all mitigation measures to be employed to protect the archaeological and cultural heritage environment during all phases of site preparation and construction activity.</p> <p>c) The planning authority and the National Monuments Service of the Department of Housing, Local Government and Heritage shall be provided with a final archaeological report describing the results of all archaeological monitoring and any archaeological investigative work/excavation required, following the completion of all archaeological work on site and any necessary post-excavation analysis. All resulting and associated archaeological costs shall be borne by the developer.</p>

	<p>Reason: To ensure the continued preservation [either in situ or by record] of places, caves, sites, features or other objects of archaeological interest.</p>
6.	<p>Details of the materials, colours and textures of all the external finishes to the proposed development, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interest of visual amenity.</p>
7.	<p>The site including the areas of open space shown on the approved plans shall be landscaped in accordance with a landscape and boundary treatment scheme which shall be agreed in writing with the planning authority prior to the commencement of development. The boundary treatment scheme shall include details of boundary treatments to the proposed creche and retaining wall structures within the site, to be agreed with the Planning Authority prior to the commencement of development. The landscape scheme shall be implemented fully in the first planting season following completion of the development, and any trees or shrubs which die or are removed within three years of planting shall be replaced in the first planting season thereafter. This work shall be completed before any of the dwellings are made available for occupation.</p> <p>Reason: In order to ensure the satisfactory development of the open space areas, and their continued use for this purpose.</p>
8.	<p>The access from the public road and internal road and vehicular circulation network serving the proposed development, including turning bays, parking areas, footpaths and kerbs shall be in accordance with the detailed construction standards of the planning authority for such works and design standards outlined in DMURS. In default of agreement the matter(s) in dispute shall be referred to An Coimisiún Pleanála for determination.</p> <p>Reason: In the interest of amenity and of traffic and pedestrian safety.</p>
9.	<p>A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials and for the ongoing operation of these</p>

	<p>facilities for each unit shall be submitted to, and agreed in writing with, the planning authority not later than six months from the date of commencement of the development. Thereafter, the waste shall be managed in accordance with the agreed plan.</p> <p>Reason: In the interest of residential amenity, and to ensure the provision of adequate refuse storage.</p>
10.	<p>Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p>Reason: In the interest of public health.</p>
11.	<p>The developer shall enter into water supply and wastewater connection agreements with Uisce Eireann, prior to commencement of development. A Confirmation of Feasibility for connection to the Irish Water network shall be submitted to the planning authority prior to the commencement of development.</p> <p>Reason: In the interest of public health.</p>
12.	<p>Public lighting shall be provided in accordance with a final scheme to reflect the indicative details in the submitted Public Lighting Report, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development/installation of lighting.</p> <p>Such lighting shall be provided prior to the making available for occupation of any residential unit.</p> <p>Reason: In the interests of amenity and public safety.</p>
13.	<p>All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.</p> <p>Reason: In the interests of visual and residential amenity.</p>
14.	<p>Proposals for an estate/street name, house numbering scheme and associated signage shall be submitted to, and agreed in writing with, the</p>

	<p>planning authority prior to commencement of development. Thereafter, all estate and street signs, and house numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).</p> <p>Reason: In the interest of urban legibility and to ensure the use of locally appropriate placenames for new residential areas.</p>
15.	<p>The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company, or by the local authority in the event of the development being taken in charge. Detailed proposals in this regard shall be submitted to and agreed in writing with the planning authority prior to commencement of development.</p> <p>Reason: To ensure the satisfactory completion and maintenance of this development.</p>
16.	<p>The construction of the development shall be managed in accordance with a Construction Environment Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of the intended construction practice for the proposed development, including measures for the protection of existing residential development, hours of working, traffic management during the construction phase, noise and dust management measures and off-site disposal of construction/demolition waste.</p> <p>Reason: In the interests of public safety and residential amenity.</p>
17.	<p>Construction and demolition waste shall be managed in accordance with a final construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to</p>

	<p>commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.</p> <p>Reason: In the interest of sustainable waste management.</p>
18.	<p>Site development and building works shall be carried only out between the hours of 0700 to 1900 Mondays to Friday and between the hours of 0800 and 1400 hours on Saturday inclusive, and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
19.	<p>Prior to commencement of development, the developer or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Bord Pleanála for determination.</p>

	<p>Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area.</p>
20.	<p>Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.</p> <p>Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.</p>
21.	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.</p> <p>Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the</p>

	Development Contribution Scheme made under section 48 of the Act be applied to the permission.
--	--

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Matthew McRedmond
Senior Planning Inspector

14th October 2025

Form 1 - EIA Pre-Screening

Case Reference	ACP-323028-25
Proposed Development Summary	Development of 70no. residential units (amended to 74no. in the subject appeal), an amended creche design and all associated site works.
Development Address	Crobally Upper, Tramore, Co. Waterford
In all cases check box /or leave blank	
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road	

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

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

Inspector: _____ Date: _____

Form 2 - EIA Preliminary Examination

Case Reference	ACP-323028-25
Proposed Development Summary	Development of 70no. residential units (amended to 74no. in the subject appeal), an amended creche design and all associated site works.
Development Address	Crobally Upper, Tramore, Co. Waterford
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).	<ul style="list-style-type: none"> - Proposed residential use is compatible with other uses in area, - Modest size and intensity of development - No significant use of natural resources or production of waste - No significant risk of pollution or nuisance - No significant risk of accidents / disasters to human health
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	<ul style="list-style-type: none"> - Located within 'New Residential' zoned land on a serviced urban site - Local ecology only on site - Built Heritage is adequately protected - No water features at the site - No designated sites at the site
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 following: <ul style="list-style-type: none"> - Nature and scale of the development, - Lack of significant environmental sensitivities on the site, - Absence of significant in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.
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.

Inspector: _____ Date: _____

DP/ADP: _____ Date: _____

(only where Schedule 7A information or EIAR required)

Appendix 2: AA Screening

**Screening for Appropriate Assessment
Test for likely significant effects**

Step 1: Description of the project and local site characteristics	
Brief description of project	Proposed development of 70no. residential units (amended to 74 dwellings with the subject appeal), amended creche design and all associated works
Brief description of development site characteristics and potential impact mechanisms	Residential development site of 2.1ha. Site in undeveloped natural grass / pastoral state, and Phase 2 of already developed land to the northwest, existing natural and manmade boundaries, located c 500-600m to European sites, potential impact on ground water from effluent disposal and disposal of surface water, removal of natural vegetation may disturb species, significant amount of native planting proposed. The Tramore Dune and Back Strand SAC and the Tramore Back Strand SPA are located c. 0.5km east.
Screening report	Yes, screening report provided by the applicant.
Natura Impact Statement	Yes, NIS submitted by the applicant.
Relevant submissions	No submissions relevant to AA issues.

Step 2. Identification of relevant European sites using the Source-pathway-receptor model

Five European sites were identified as being located within a potential zone of influence of the proposed development as detailed in Table 1 below. I note that no further range of European Sites is necessary for consideration in relation to this proposed development.

Table 1:

European Site (code)	Qualifying interests¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections²	Consider further in screening³ Y/N
Tramore Dune and Back Strand SAC (000671)	Mudflats and sandflats not covered by seawater at low tide [1140] Annual vegetation of drift lines [1210] Perennial vegetation of stony banks [1220]	C0.5km east	Yes, close proximity with potential pathway for impacts. Surface discharge water during construction and operation.	Y

		<p>Salicornia and other annuals colonising mud and sand [1310]</p> <p>Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330]</p> <p>Mediterranean salt meadows (Juncetalia maritimi) [1410]</p> <p>Embryonic shifting dunes [2110]</p> <p>Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120]</p> <p>Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]</p> <p>Tramore Dunes and Backstrand SAC National Parks & Wildlife Service</p>			
Tramore Strand (004027)	Back SPA	<p>Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046]</p> <p>Golden Plover (<i>Pluvialis apricaria</i>) [A140]</p> <p>Grey Plover (<i>Pluvialis squatarola</i>) [A141]</p> <p>Lapwing (<i>Vanellus vanellus</i>) [A142]</p> <p>Dunlin (<i>Calidris alpina</i>) [A149]</p> <p>Black-tailed Godwit (<i>Limosa limosa</i>) [A156]</p> <p>Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157]</p> <p>Curlew (<i>Numenius arquata</i>) [A160]</p> <p>Wetland and Waterbirds [A999]</p> <p>Tramore Back Strand SPA National Parks & Wildlife Service</p>	c. 0.5km east	<p>Yes, close proximity with potential pathway for impacts.</p> <p>Surface discharge during construction and operation.</p>	Y

<p>Mid-Waterford Coast SPA</p>	<p>Cormorant (Phalacrocorax carbo) [A017]</p> <p>Peregrine (Falco peregrinus) [A103]</p> <p>Herring Gull (Larus argentatus) [A184]</p> <p>Chough (Pyrrhocorax pyrrhocorax) [A346]</p> <p>Mid-Waterford Coast SPA National Parks & Wildlife Service</p>	<p>c.3.9km south west</p>	<p>Sufficient geographical separation, so no potential pathway for impacts</p>	<p>N</p>
<p>Lower River Suir SAC</p>	<p>Atlantic salt meadows (Glauco-Puccinellietalia maritima) [1330]</p> <p>Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation [3260]</p> <p>Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels [6430]</p> <p>Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0]</p> <p>Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0]</p> <p>Taxus baccata woods of the British Isles [91J0]</p> <p>Margaritifera margaritifera (Freshwater Pearl Mussel) [1029]</p>	<p>c.9.6km north east</p>	<p>No hydrological connectivity and sufficient geographical separation, so no potential pathway for impacts</p>	<p>N</p>

	<p>Austropotamobius pallipes (White-clawed Crayfish) [1092]</p> <p>Petromyzon marinus (Sea Lamprey) [1095]</p> <p>Lampetra planeri (Brook Lamprey) [1096]</p> <p>Lampetra fluviatilis (River Lamprey) [1099]</p> <p>Alosa fallax fallax (Twaite Shad) [1103]</p> <p>Salmo salar (Salmon) [1106]</p> <p>Lutra lutra (Otter) [1355]</p> <p>Lower River Suir SAC National Parks & Wildlife Service</p>			
River Barrow and River Nore SAC	<p>Estuaries [1130]</p> <p>Mudflats and sandflats not covered by seawater at low tide [1140]</p> <p>Reefs [1170]</p> <p>Salicornia and other annuals colonising mud and sand [1310]</p> <p>Atlantic salt meadows (Glauco-Puccinellietalia maritima) [1330]</p> <p>Mediterranean salt meadows (Juncetalia maritimi) [1410]</p> <p>Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation [3260]</p> <p>European dry heaths [4030]</p>	c. 11km east	No hydrological connectivity and sufficient geographical separation, so no potential pathway for impacts	N

	<p>Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels [6430]</p> <p>Petrifying springs with tufa formation (Cratoneurion) [7220]</p> <p>Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0]</p> <p>Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0]</p> <p>Vertigo moulinsiana (Desmoulin's Whorl Snail) [1016]</p> <p>Margaritifera margaritifera (Freshwater Pearl Mussel) [1029]</p> <p>Austropotamobius pallipes (White-clawed Crayfish) [1092]</p> <p>Petromyzon marinus (Sea Lamprey) [1095]</p> <p>Lampetra planeri (Brook Lamprey) [1096]</p> <p>Lampetra fluviatilis (River Lamprey) [1099]</p> <p>Alosa fallax fallax (Twaite Shad) [1103]</p> <p>Salmo salar (Salmon) [1106]</p> <p>Lutra lutra (Otter) [1355]</p> <p>Vandenboschia speciosa (Killarney Fern) [6985]</p>			
--	--	--	--	--

	River Barrow and River Nore SAC National Parks & Wildlife Service			
--	---	--	--	--

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

Given the proximity of the site to The Tramore Dune and Back Strand SAC and the Tramore Back Strand SPA, potential effects could occur due to surface water run off during construction and operation and will require management to avoid impacts on European Sites.

Significant effects from other pathways have been ruled out i.e., habitat loss, spread of invasive species, impacts from noise and disturbance.

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

The proposed development will not result in any direct effects on either the SPA as it relates to Tramore Back Strand or the SAC as it relates to Tramore Dune and Back Strand. Mid Waterford Coast SPA, River Barrow and River Nore SAC and Lower River Suir SAC are sufficiently separated from the site. However, due to the application of the precautionary principle, impacts generated by the construction and operation of the proposed development require consideration.

Sources of impact and likely significant effects are detailed in the table below.

AA Screening matrix

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
Site 1: Tramore Back Strand SPA (004027) QI list: As above	Direct: No direct impacts within the SPA. Indirect: Due to proximity there is a potential risk of anticipated emissions from surface water runoff of particulate matter/hydrocarbons/pollution during the construction and operation phases	Potential negative indirect effect on habitat quality as a result of impacts on water quality due to the hydrological connection to the SPA and alterations to water quality arising from surface water run-off. Possibility of significant effects cannot be ruled out without further analysis and assessment.

	Likelihood of significant effects from proposed development (alone): Y	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? N/A	
	Impacts	Effects
Site 2: Tramore Dunes and Backstrand SAC (000671) QI List: As above	Direct: No direct impacts within the SAC. Indirect: Due to proximity there is a potential risk of anticipated emissions from surface water runoff of particulate matter/hydrocarbons/pollution during the construction and operation phases	Potential negative indirect effect on habitat quality as a result of impacts on water quality due to the hydrological connection to the SAC and alterations to water quality arising from surface water run-off. Possibility of significant effects cannot be ruled out without further analysis and assessment.
	Likelihood of significant effects from proposed development (alone): N	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? N/A	
	Impacts	Effects
Site 3: Mid Waterford Coast SPA (004193) QI List: As above	No direct, indirect, ex situ or in combination impacts.	No significant effects likely.
	Likelihood of significant effects from proposed development (alone): N	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? The proposed development will not result in any effects that could contribute to an additive effect with other developments in the area.	
	Impacts	Effects
Site 4: Lower River Suir SAC (002137) QI List: As above	No direct, indirect, ex situ or in combination impacts.	No significant effects likely.
	Likelihood of significant effects from proposed development (alone): N	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? The proposed development will not result in any effects that could contribute to an additive effect with other developments in the area.	
	Impacts	Effects
Site 5: River Barrow and River Nore SAC (002162) QI List: As above	No direct, indirect, ex situ or in combination impacts.	No significant effects likely.
	Likelihood of significant effects from proposed development (alone): N	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? The proposed	

	development will not result in any effects that could contribute to an additive effect with other developments in the area.
--	--

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

It is not possible to exclude the possibility that proposed development alone would result in significant effects on the Tramore Dunes and Back Strand SAC and Tramore Back Strand SPA from effects associated with surface water run off during the construction and operational phases.

An appropriate assessment is required on the basis of the possible effects of the project 'alone'. Further assessment in-combination with other plans and projects is not required at screening stage.

Proceed to AA Stage II

Screening Determination

Significant effects cannot be excluded

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 it is not possible to exclude that the proposed development alone will give rise to significant effects on the Tramore Dunes and Back Strand SAC and Tramore Back Strand SPA European Sites in view of the sites conservation objectives.

It is therefore determined that Appropriate Assessment (stage 2) [under Section 177V of the Planning and Development Act 2000] of the proposed development is required.

AA and AA Determination

Tramore Dunes and Backstrand SAC (Site Code 000671)

Summary of Key issues that could give rise to adverse effects (from screening stage):

- potential risk of emissions from surface water runoff of particulate matter/hydrocarbons/pollution during the construction and operation phases

See Section 1.1 of NIS

Qualifying Interest features likely to be affected	Conservation Objectives and Targets attributes (summary-inserted)	Potential adverse effects	Mitigation measures (summary)
Mudflats and sandflats not	To maintain favourable conservation condition as defined by stable or	Table 1 in Section 1 of the NIS identifies potential sources of	NIS SECTION 4.5 Construction mitigation measures including:

<p>covered by seawater at low tide [1140]</p> <p>Annual vegetation of drift lines [1210]</p> <p>Perennial vegetation of stony banks [1220]</p> <p>Salicornia and other annuals colonising mud and sand [1310]</p> <p>Atlantic salt meadows (Glaucopuccinellietalia maritima) [1330]</p> <p>Mediterranean salt meadows (Juncetalia maritimi) [1410]</p> <p>Embryonic shifting dunes [2110]</p> <p>Shifting dunes along the shoreline with Ammophila arenaria (white dunes) [2120]</p> <p>Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]</p>	<p>increasing area, subject to natural processes.</p> <p>No decline, or change in habitat distribution, subject to natural processes.</p> <p>Maintain the natural circulation of sediment and organic matter, without any physical obstructions.</p> <p>Maintain range of coastal habitats including transitional zones, subject to natural processes including erosion and succession.</p>	<p>impact that include pollution to Tramore Dunes and Backstrand SAC from surface water run-off at both construction and operational phases.</p> <p>There is a potential pathway for indirect risk from emissions from surface water runoff of particulate matter/hydrocarbons/pollution during the construction and operation phases of the housing development into the European Site...</p>	<ul style="list-style-type: none"> • Management of timing of hedge removal • Work during daylight hours • Silt traps installed • Removal of material daily from site • Dust suppression during construction • Servicing of plant and machinery to avoid leakage • Management of refuelling • Covering of soil heaps during heavy rainfall • No excavation during rainfall • Staff compounds designated • Management of waste <p>Operational mitigation measures including:</p> <ul style="list-style-type: none"> • Attenuation tank and hydrobrake to treat and control flow prior to discharge
--	---	--	--

Assessment of issues that could give rise to adverse effects in view of conservation objectives:

(i) Water quality degradation

During the construction phase there are potential sources of pollution to Tramore Dunes and Backstrand resulting from surface water runoff and erosion from site earthworks and temporary stockpiles. The presence of fuels, lubricants and other chemicals from construction activities also have the potential to impact water quality.

A degradation in water quality caused by the runoff of hydrocarbons, cement or other chemical can affect downstream mud complexes, fish, plant life and macroinvertebrates by altering pH levels of the water. This could potentially impact on the intensity of use of areas as foraging habitat.

Inadvertent spillages of hydrocarbon and/or other chemical substances could introduce toxic chemicals into the aquatic environment via surface water run-off. Aquatic plant

communities may also be affected by increased siltation. Submerged plants may be stunted and photosynthesis may be reduced. Significant impacts on fish stocks or invertebrate prey could potentially impact the foraging range and intensity for SCI species.

Mitigation measures and conditions

Proposed mitigation measures include:

- Good practice, standard construction methodologies to reduce surface water run-off during construction
- Appropriate management of chemical storage including spillage procedures, bunded storage areas, security, management of refuelling practices, leakages.
- Management of sediment and silt levels within the site.
- Appropriate foul and surface water management practices.

I am satisfied that the preventative measures which are aimed at interrupting the source-pathway-receptor are targeted at the key threats to protected habitats and by arresting these pathways or reducing possible effects to a non-significant level, adverse effects can be avoided. Mitigation measures can be included by way of condition if appropriate.

Tramore Back Strand SPA (Site Code 004027)

Summary of Key issues that could give rise to adverse effects (from screening stage):

- potential risk of emissions from surface water runoff of particulate matter/hydrocarbons/pollution during the construction and operation phases

See Section 1.1 of NIS

Qualifying Interest features likely to be affected	Conservation Objectives Targets and attributes (summary-inserted)	Potential adverse effects	Mitigation measures (summary) NIS SECTION 4.5
Light-bellied Brent Goose (Branta bernicla hrota) [A046] Golden Plover (Pluvialis apricaria) [A140]	Long term population trend stable or increasing. No significant decrease in the range, timing or intensity of use of areas by golden plover, other than	Table 1 in Section 1 of the NIS identifies potential sources of impact that include pollution to Tramore Backstrand SPA from surface water run-off at both construction and operational phases.	Construction mitigation measures including: <ul style="list-style-type: none"> • Management of timing of hedge removal • Work during daylight hours • Silt traps installed

<p>Grey Plover (Pluvialis squatarola) [A141]</p> <p>Lapwing (Vanellus vanellus) [A142]</p> <p>Dunlin (Calidris alpina) [A149]</p> <p>Black-tailed Godwit (Limosa limosa) [A156]</p> <p>Bar-tailed Godwit (Limosa lapponica) [A157]</p> <p>Curlew (Numenius arquata) [A160]</p> <p>Wetland and Waterbirds [A999]</p>	<p>that occurring from natural patterns of variation.</p>	<p>There is a potential pathway for indirect risk from emissions from surface water runoff of particulate matter/hydrocarbons/pollution during the construction and operation phases of the housing development into the European Site...</p>	<ul style="list-style-type: none"> • Removal of material daily from site • Dust suppression during construction • Servicing of plant and machinery to avoid leakage • Management of refuelling • Covering of soil heaps during heavy rainfall • No excavation during rainfall • Staff compounds designated • Management of waste <p>Operational mitigation measures including:</p> <ul style="list-style-type: none"> • Attenuation tank and hydrobrake to treat and control flow prior to discharge
---	---	---	---

Assessment of issues that could give rise to adverse effects in view of conservation objectives:

(i) Water quality degradation

During the construction phase there are potential sources of pollution to Tramore Backstrand resulting from surface water runoff and erosion from site earthworks and temporary stockpiles. The presence of fuels, lubricants and other chemicals from construction activities also have the potential to impact water quality.

A degradation in water quality caused by the runoff of hydrocarbons, cement or other chemical can affect downstream mud complexes, fish, plant life and macroinvertebrates by altering pH levels of the water. This could potentially impact on the intensity of use of areas of foraging habitat by SCI birds.

Inadvertent spillages of hydrocarbon and/or other chemical substances could introduce toxic chemicals into the aquatic environment via surface water run-off. Aquatic plant communities may also be affected by increased siltation. Submerged plants may be stunted and photosynthesis may be reduced. Significant impacts on fish stocks or invertebrate prey could potentially impact the foraging range and intensity for SCI species.

Mitigation measures and conditions

Proposed mitigation measures include:

- Good practice, standard construction methodologies to reduce surface water run-off during construction
- Appropriate management of chemical storage including spillage procedures, bunded storage areas, security, management of refuelling practices, leakages.
- Management of sediment and silt levels within the site.
- Appropriate foul and surface water management practices.

I am satisfied that the preventative measures which are aimed at interrupting the source-pathway-receptor are targeted at the key threats to protected bird species and by arresting these pathways or reducing possible effects to a non-significant level, adverse effects can be avoided. Mitigation measures can be included by way of condition if appropriate.

In-combination effects

I am satisfied that in-combination effects have been assessed adequately in the NIS, including the Phase 1 development of this site. The applicant has demonstrated satisfactorily that no significant residual effects will remain post the application of mitigation measures and there is therefore no potential for in-combination effects.

Findings and conclusions

The applicant determined that following the implementation of mitigation measures the construction and operation of the proposed development alone, or in combination with other plans and projects, will not adversely affect the integrity of the Tramore Backstrand SPA and Tramore Dunes and Backstrand SAC.

Based on the information provided, I am satisfied that adverse effects arising from proposed development can be excluded. No direct impacts are predicted. Indirect impacts would be temporary in nature and mitigation measures are described to prevent ingress of polluted surface water. Monitoring measures are also proposed. I am satisfied that the mitigation measures proposed to prevent such effects have been assessed as effective and can be implemented. No significant in combination effects are predicted.

Reasonable scientific doubt

I am satisfied that no reasonable scientific doubt remains as to the absence of adverse effects.

Site Integrity

The proposed development will not affect the attainment Conservation objectives of the Tramore Backstrand SPA or the Tramore Dunes and Backstrand SAC. Adverse effects on

site integrity can be excluded and no reasonable scientific doubt remains as to the absence of such effects.

Appropriate Assessment Conclusion: Integrity Test

In screening the need for Appropriate Assessment, it was determined that the proposed development could result in significant effects on Tramore Backstrand SPA and Tramore Dunes and Backstrand SAC in view of the conservation objectives of those sites and that Appropriate Assessment under the provisions of S177U was required.

Following an examination, analysis and evaluation of the NIS all associated material submitted, and taking into account observations on nature conservation, I consider that adverse effects on site integrity of the Tramore Backstrand SPA and Tramore Dunes and Backstrand SAC can be excluded in view of the conservation objectives of these sites and that no reasonable scientific doubt remains as to the absence of such effects.

My conclusion is based on the following:

- Detailed assessment of construction and operational impacts.
- Effectiveness of mitigation measures proposed including supervision and monitoring and integration into CEMP ensuring smooth transition of obligations to eventual contractor.
- Application of planning conditions to ensure application of these measures.
- The proposed development will not affect the attainment of conservation objectives for the Tramore Back strand SPA nor Tramore Dunes and Back strand SAC.

Appendix 3

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Bord Pleanála ref. no.	ACP-323028-25	Townland, address	Crobally Upper, Tramore, Co. Waterford
Description of project		Construction of 70no. dwellings (amended to 74no. at appeal) and all associated site works	
Brief site description, relevant to WFD Screening,		Site is located in the Townland of Crobally Upper, Tramore, Co. Waterford. The site has ground level differences of up to 5m. Excess storm water will drain to an attenuation tank that will discharge to the public network). A water quality monitoring station is located approx. 1.5km east of the site at Tramore Backstrand (ID: CW38002106TS1001) and the site is located within the Colligan Mahon catchment.	
Proposed surface water details		Connection to proposed attenuation tank before discharge to public network	
Proposed water supply source & available capacity		It is proposed to form a new water system on site which will connect to the existing watermain on the Old Waterford Rd. Uisce Eireann have indicated there is sufficient capacity to connect to this network.	
Proposed wastewater treatment system & available capacity, other issues		It is proposed to form a new gravity system on site which will exit on Racecourse Hill (Ring Road) & New Waterford Rd (R675). Uisce Eireann have indicated there is sufficient capacity to connect to this network.	

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)	
River Waterbody	500m north	Monlaum_010	Moderate	Review	Unspecified	Potential Surface Water run off	
Groundwater Waterbody	Underlying site	Tramore IE_SE_G_146	Good	Not at Risk	Anthropogenic and Agriculture	Yes, via groundwater	
Coastal	500m east	Tramore Back Strand IE_SE_120_0000	High	Not at Risk	Run off	Potential surface water run off	
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	Waterbody 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.	River	Monlaum_0 10	Yes. Via surface water	Siltation, pH (Concrete), hydrocarbon spillages	Standard construction practice NIS	Yes. Potential for spillages to surface water warrants further assessment	Screened in
2.	Ground	Tramore IE_SE_G_146	Yes, pathway exists via moderate drainage characteristics	Spillages, leakage to groundwater water table	As above	Yes – drainage characteristics warrants further assessment.	Screened in.
3.	Coastal	Tramore Back Strand IE_SE_120_0 000	Yes. Via surface water	Siltation, pH (Concrete), hydrocarbon spillages	Standard construction practice NIS	Yes. Potential for spillages to surface water warrants further assessment	Screened in
OPERATIONAL PHASE							
1.	River	Monlaum_0 10	Yes. Surface Water.	Hydrocarbon spillage/siltation, digestate leakage, inundation prior to treatment	hydro brake, attenuation tank	Yes. Drainage characteristics and potential for pollution of surface water warrants further assessment.	Screened in

2.	Ground	Comeragh IE_SE_G_154	Yes pathway exists via moderate drainage characteristics and high to extreme vulnerability	Spillages	As above	Yes. Drainage characteristics warrant further assessment	Screened in
3.	Coastal	Tramore Back Strand IE_SE_120_000	Yes. Via surface water	Siltation, pH (Concrete), hydrocarbon spillages	Hydrobrake and attenuation tank	Yes. Potential for spillages to surface water warrants further assessment	Screened in
DECOMMISSIONING PHASE							
1.	N/A						
STAGE 2: ASSESSMENT							
Details of Mitigation Required to Comply with WFD Objectives							
Surface Water							
Development/Activity e.g. culvert, bridge, other crossing, diversion, outfall, etc	<u>Objective 1:Surface Water</u> Prevent deterioration of the status of all bodies of surface water	<u>Objective 2:Surface Water</u> Protect, enhance and restore all bodies of surface water with	<u>Objective 3:Surface Water</u> Protect and enhance all artificial and heavily modified bodies of water with aim of achieving	<u>Objective 4: Surface Water</u> Progressively reduce pollution from priority substances and cease or phase	Does this component comply with WFD Objectives 1, 2, 3 & 4? (if answer is no, a development cannot		

		aim of achieving good status	good ecological potential and good surface water chemical status	out emission, discharges and losses of priority substances	proceed without a derogation under art. 4.7)
	Describe mitigation required to meet objective 1:	Describe mitigation required to meet objective 2:	Describe mitigation required to meet objective 3:	Describe mitigation required to meet objective 4:	
Construction works	<p>Construction mitigation measures including:</p> <ul style="list-style-type: none"> • Management of timing of hedge removal • Work during daylight hours • Silt traps installed • Removal of material daily from site • Dust suppression during construction 	Site specific mitigation methods as described.	Site specific mitigation methods as described.	Site specific mitigation methods as described.	YES

	<ul style="list-style-type: none"> • Servicing of plant and machinery to avoid leakage • Management of refuelling • Covering of soil heaps during heavy rainfall • No excavation during rainfall • Staff compounds designated • Management of waste <p>Operational mitigation measures including:</p>				
--	--	--	--	--	--

	<ul style="list-style-type: none"> Attenuation tank and hydrobrake to treat and control flow prior to discharge 				
Stormwater drainage	Adequately designed SUDs features, permeable paving and attenuation	SuDS features as described	SuDS features as described	SuDS features as described	YES
Details of Mitigation Required to Comply with WFD Objectives					
Groundwater					
Development/Activity e.g. abstraction, outfall, etc.	<u>Objective 1: Groundwater</u> Prevent or limit the input of pollutants into groundwater and to prevent the deterioration of the status of all bodies of groundwater	<u>Objective 2 : Groundwater</u> Protect, enhance and restore all bodies of groundwater, ensure a balance between abstraction and recharge, with the aim of achieving good status*	<u>Objective 3:Groundwater</u> Reverse any significant and sustained upward trend in the concentration of any pollutant resulting from the impact of human activity	Does this component comply with WFD Objectives 1, 2, 3 & 4? (if answer is no, a development cannot proceed without a derogation under art. 4.7)	

Development Activity 1: Development of processing and warehouse facility	Site specific construction mitigation methods including:	Site specific mitigation methods as described.	Site specific mitigation methods as described	Yes
	<ul style="list-style-type: none"> • Management of timing of hedge removal • Work during daylight hours • Silt traps installed • Removal of material daily from site • Dust suppression during construction • Servicing of plant and machinery to avoid leakage • Management of refuelling • Covering of soil heaps during heavy rainfall • No excavation during rainfall 			

	<ul style="list-style-type: none">• Staff compounds designated• Management of waste <p>Operational mitigation measures including:</p> <ul style="list-style-type: none">• Attenuation tank and hydrobrake to treat and control flow prior to discharge			
--	---	--	--	--

