



An
Coimisiún
Pleanála

Inspector's Report PL-501248-WD-26

Development	Demolition of existing dwelling and construction of two two-storey dwellings.
Location	Coffey Lane, Ardmore, Waterford
Planning Authority	Waterford City and County Council
Planning Authority Reg. Ref.	2660091
Applicant(s)	Bill Dowling
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party Normal Planning Appeal
Appellant(s)	Bill Dowling
Observer(s)	Joan Dwyer James Power Richard Lee & Anne Roche Fiona McMahon Fraterman Des & Kay Fitzgerald
Date of Site Inspection	5 th August 2026

Inspector

Kenneth Moloney

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1.0 Site Location and Description

- 1.1. The appeal site is located in the village of Ardmore, Co. Waterford. The site is located along a narrow lane situated off the Main Street, i.e. Coffey Lane.
- 1.2. The subject site is essentially the rear curtilage of an existing property that faces onto the Main Street. The rear of the site faces onto Coffey Lane. The site is essentially an infill site
- 1.3. The site measures approximately 0.03 hectares, and there is an existing single storey structure on the site with access to Coffey Lane.
- 1.4. The site abuts a rear lane that provides access to the rear of properties on Coffey Lane and the Main Street.

2.0 Proposed Development

- 2.1. The proposed development involves the demolition of a single storey structure to facilitate the construction of 2 no. 2 storey 3-bedroom dwellings.
- 2.2. The existing single storey structure to be demolished has a floor area of 24 sq. metres.
- 2.3. The proposed houses are adjoined by a common bin storage area.
- 2.4. Proposed unit no. 1 faces onto Coffey Lane and is served by private open space provision of approximately 29 sq. metres, which is situated to the rear and side of the proposed house.
- 2.5. Proposed unit no. 2 is situated to the rear of proposed unit no. 1 and is accessible by a side access to the side of unit no. 1. The private open space provision for unit no. 2 is approximately 42 sq. metres and is situated to the side and the rear of the proposed house.
- 2.6. Amended proposals submitted with the first party appeal include increasing the private open space provision in unit 1 to 38.2 sq. metres, from 22.8 sq. m., and increasing the private open space provision in unit 2 from 42 sq. m. to 50 sq. m.

3.0 Planning Authority Decision

3.1. The Planning Authority decided to **refuse** permission for the following reason.

1. Having regard to the location of the site within the Ardmore Architectural Conservation Area (ACA), and to the established character of the area, it is considered that the proposed development, by reason of the overall design approach adopted, particularly for dwelling unit no 2 to the rear, would be materially out of character with the pattern of development in the area and would constitute a visually intrusive and discordant feature at this location. The proposal, in the absence of an Architectural Heritage Impact Assessment (AHIA), would fail to respect the historic grain, scale and vernacular character of the area and would adversely affect the setting of the ACA.

The proposed development would injure the visual amenities of the area, would materially contravene Policies BH 05, BH 06, BH 11 and BH 12 of the Waterford City and County Development Plan 2022–2028, would set an undesirable precedent for similar proposals in the vicinity, and would be contrary to the proper planning and sustainable development of the area.

2. The proposed development fails to provide a sufficient quantum of high-quality private amenity space resulting in a substandard level of residential amenity for the future occupants of dwelling unit No 1. Furthermore, the reliance on high-level windows in dwelling unit No 2 would result in poor outlook and inadequate daylight provision, to the detriment of future occupants. The proposed development is therefore contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. The Planning Officer's report dated 7th April 2026, notes the following.

- ABP refused permission in Sept. 2024 for development on the subject site due to contravention of policy objective BH 05 (ACA) of the CDP.
- Current proposal fails to overcome substantive concerns of previous refusal.

ACA and Design

- Conservation Officer raises serious concerns in relation to impact on architectural heritage and historic character of the ACA.
- The application lacks an Architectural Heritage Impact Assessment required in accordance with policy objective BH 06.
- Coffey Lane is characterised by modestly scaled, traditionally proportioned buildings which collectively form a cohesive and sensitive historic streetscape.
- The proposal fails to respond appropriately to the established context in terms of height, scale, bulk, mass and building alignment.
- The proposed material finishes are inappropriate for an ACA.
- Development would result in an overbearing and visually intrusive structure contrary to Section 11.7 of the CDP.
- The proposed development would neither preserve nor enhance the character of the ACA.
- Proposal materially contravenes Policies BH05, BH06, BH11, and BH12 of the CDP.

Residential Amenity

Existing Property on Site

- Proposal results in the loss of the private amenity space for the existing property without justification.
- Unclear how access to the existing first-floor apartment will be maintained.
- No planning application submitted to regularise the use in existing property.

Impact on Neighbouring Properties

- Proposed development would appear incongruous within its setting and would have an overbearing and detrimental impact on adjoining properties and on the character of the wider area.

Proposed Dwellings / Design Layout

- Private amenity space inadequate for dwelling no. 1.
- Absence of boundary treatment undermines the adequacy of the space.
- Dwelling no. 2 lacks architectural merit.
- The reliance on high-level windows to mitigate overlooking results in a poor standard of outlook and daylight provision, compromising residential amenities.
- Private open space for dwelling no. 2 of 42 sq. m. is inadequate relative to CDP standards.
- Proposal represents overdevelopment.

Back land Development / Infill Development

- Proposed Unit no. 2 is not infill and represents back land development.
- Development fails to reinforce existing streetscape.

Car Parking

- Table 7.1 of CDP requires 2 car parking spaces per 3-bedroom house.
- No off-street car parking provided.
- A financial contribution in lieu is not appropriate in this instance.
- Existing on-street car parking is restricted due to road width and parking restrictions.
- Existing road networks would not have the capacity to accommodate 4 no. additional car parking spaces giving rise to traffic concerns and traffic congestion.
- Adequate parking provision has not been demonstrated

3.2.2. Other Technical Reports

- **Environment Section:** No objection subject to conditions.
- **Conservation Officer:** In summary the following issues are raised;

- Architectural Heritage Impact Assessment (AHIA) required to evaluate proposal.
- Contrary to Section 11.6 of CDP as proposed materials will not integrate with the surrounding streetscape.
- The height, massing and alignment of the proposal would have a negative impact on the low-lying modest village character.
- Development would adversely impact on the setting of the special character of the ACA and section 11.7 (Vista and Settings) of CDP.

3.3. Prescribed Bodies

- **Uisce Éireann:** Grant of permission recommended subject to conditions.

3.4. Third Party Observations

11 no. received from neighbouring residents. Issues raised were subsequently addressed in observations to the appeal.

4.0 Planning History

- **ABP-320151-24 (L.A. Ref. 23/60570)**

4.1. The Board **REFUSED** permission on the 21st of October 2024 for the demolition of a single-storey dwelling and replacement with a dormer dwelling with provision for street frontage car parking.

4.2. The reason for refusal is as follows.

1. The proposed development, by reason of its excessive height relative to surrounding buildings, its bulk and massing, its building line and its design would be out of character with the pattern of development in the vicinity and would constitute a visually discordant feature that would be detrimental to the distinctive architectural and historic character of this area, which it is appropriate to preserve and would be contrary to Policy BH05 of the Waterford City and County Development Plan, 2022 – 2028. The proposed

development would be contrary to the proper planning and sustainable development of the area.

5.0 Policy Context

5.1 Waterford City and County Development Plan, 2022 – 2028.

5.1.1. Table 2.2 (Settlement Hierarchy and Typology) of the CDP identifies Ardmore as a 'Rural Town', which is the fifth settlement tier in the county settlement hierarchy. Rural towns and villages have less than 1,500 pop. and serve the wider rural region. While rural in scale these towns provide a range of employment along with commercial, cultural and community services.

5.1.2. The appeal site is zoned 'Rural Village' and the objective for lands zoned Rural Village is as follows:

Protect and promote the character of the Rural Village and promote a vibrant community appropriate to available physical and community infrastructure

5.1.3. The appeal site is located within the Ardmore Architectural Conservation Area. CDP **Policy Objective BH 05** (ACA's) is relevant. BH 05 states as follows.

It is the policy of the Council to:

- Achieve the preservation of the special character of places, areas, groups of structures setting out Architectural Conservation Areas (ACA).
- Protect the special heritage values, unique characteristics and distinctive features, such as shopfronts within the ACA from inappropriate development which would detract from the special character of the ACA.
- Prohibit the demolition of historic structures that positively contributes to the distinctive character of the ACA.
- Encourage the undergrounding of overhead services and the removal of redundant wiring/ cables within an ACA and to assess all further cable installations against its likely impact on the character of the ACA as the cumulative impact of wiring can have a negative impact on the character of ACAs.

- Provide guidelines on appropriate development to retain its distinctive character; and protect elements of the streetscape such as rubble stone boundary walls, planting schemes and street furniture such as paving, post boxes, historic bollards, basement grills, street signage/plaques, etc. which make a positive contribution to the built heritage.
- Retain or sensitively reintegrate any surviving items of historic street furniture and finishes such as granite kerbing and paving that contribute to the character of an ACA.

5.1.4. **Policy Objective BH 06** (ACA's) is relevant and states the following.

It is the policy of the Council when considering development which may have a significant impact on a protected structure, its setting or curtilage or have an impact on an ACA, that the proposal be accompanied by an Architectural Heritage Impact Assessment (AHIA) detailing the potential impact of the development on the architectural heritage. The report should be compiled in accordance with the details set out in Appendix B of the Architectural Heritage Protection Guidelines for Planning Authorities, Department of the Environment.

5.1.5. The following Built Heritage objectives are also relevant

- **BH 11** (Maintaining and Enhancing Special Character). It is the policy of the Council to protect structures and curtilages included in the RPS or historic structures within ACA, from any works which would visually or physically detract from the special character of the main structure, any structures within the curtilage, or the streetscape or landscape setting of the ACA.
- **BH 12** (Settings and Vistas). It is the policy of the Council to ensure the protection of the settings and vistas of Protected Structures, and historic buildings within and adjacent to ACAs from any works which would result in the loss or damage to their special character.

5.1.6. Volume 2 of the CDP includes Development Management Standards and the following is relevant.

- Table 3.1 General Standards for New Residential Development in Urban Areas

- Table 3.2 'Minimum Private Open Space Requirements for Dwelling Units'
- Table 7.1 'Car Parking Standards'
- Section 7.8 'Assessment Criteria for Deviation from Car and Bicycle Parking Standards'
- Section 10 Architectural Conservation Areas. Table 10.1 '*Architectural Character Areas Building Guide*' includes guidance. The following is relevant.

Windows and Doors – Many of the historic buildings in Waterford retain original windows and doors. However, in some areas, these features have been replaced with u.P.V.C aluminium or timber windows of inappropriate design. This has the potential to significantly alter the architectural character or the structure and affects its visual integrity, particularly in a terrace or streetscape.

Replacement Dwellings – Where replacement buildings are deemed acceptable in towns or villages, new buildings should consider existing plot size, where possible, in order to retain the existing grain, character and setting of the streetscape.

New Buildings – All new buildings should contribute to the visual enhancement of the area while respecting its physical character.

- Pastiche or replication of historic design is not always appropriate, and high quality contemporary architectural design is acceptable in some cases.
- The elevation treatment of the new development should be well proportioned and built having respect to its context.
- Buildings should follow the eaves heights, roof pitches and building lines which predominate in the streetscape and should employ windows of matching proportions and alignment. Materials should be of good visual quality and durability.

Developments in Long Gardens or Curtilages – New development within these sites should be subsidiary to the main building on site and should respect the pattern of the historic urban grain.

- 5.1.7. Appendix 10 – Ardmore Architectural Conservation Area (ACA). The following extract is relevant.

Along the Main Street are modest single and two storeys rendered terraced houses that date mainly from the early 19th century. Many of the single storey houses would have been originally thatch as evidenced by the long low massing of the buildings. Two examples of urban thatch houses remain in the village. These are 2 of a cluster of 8 thatched houses in within 8 km of the village. From the core of the village and along Coffey Lane and Cliff Road there are early 19th century single storey fisherman's cottages, which despite some renovations have mainly retained their character. Some of the cottages on Cliff have their gardens on the other side of the road on the cliff. The undulating roof lines and modest vernacular detailing contribute to the character of the village.

5.2. Variation no. 1 of the Waterford City and County Development Plan, 2022 – 2028.

- 5.2.1. Variation no. 1 was made by Plenary Council on the 13th of November 2025. The Variation was proposed to provide for the following;

- a zoning amendment,
- the Joint Retail Strategy for the Waterford City Metropolitan Area,
- Blue / Green Infrastructure Strategy,
- County Settlement Typology, Core Strategy Policy and Phasing, and
- Regeneration and Active Land Management.

There are no direct amendments to the appeal site.

5.3. The National Planning Framework – First Revision (April 2025)

Several national policy objectives (NPOs) are applicable to the proposed development. These include NPO 7 (compact growth), NPO 9 (compact growth),

NPO 12 (high quality urban places), NPO 22 (standards based on performance criteria), and NPO 45 (increased density).

5.4. Section 28 Ministerial Planning Guidelines

5.4.1. Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities, 2024. Applicable policy for the proposed development includes:

- Section 5.3: includes achievement of housing standards as follows:
 - SPPR 1 – Separation Distances (minimum of 16m between opposing windows).
 - SPPR 2 – Minimum Private Open Space specifies standards for houses (1 bed 20sqm, 2 bed 30sqm, 3 bed 40sqm).
 - Policy and Objective 5.1 which recommends a public open space provision of between 10%-15% of net site area, exceptions to this range are outlined.
 - Section 5.3.4 ‘Car Parking – Quantum, Form and Location’ sets out that the car parking approach should take account *‘of proximity to urban centres and sustainable transport options, to promote more sustainable travel choices. Car parking ratios should be reduced at all urban locations, and should be minimised, substantially reduced or wholly eliminated at locations that have good access to urban services and to public transport’*
 - SPPR 3 – Car Parking specifies the maximum allowable rate of car parking provision based on types of locations.

5.4.2. The Architectural Heritage Protection Guidelines for Planning Authorities, 2004, offers guidance to planning authorities on determining planning applications in relation to protected structures.

- Chapter 3 deals with Architectural Conservation Areas.

5.5. Natural Heritage Designations

- Ardmore Head SAC (Site Code: 002123) is located approximately 0.65 km east.
- Helvick Head to Ballyquin SPA (Site Code: 004192) is located approximately 3.5 km northeast.
- Blackwater Estuary SPA (Site Code: 004028) is located approximately 6 km west.
- Blackwater River (Cork/Waterford) SAC (Site Code: 002170) is located approximately 6 km west.
- Ballyeelinan Wood pNHA (Site Code: 001692) is located approximately 3.6 km northeast.

6.0 EIA Screening

The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

7.0 The Appeal

7.1.1. The grounds of the first-party appeal maybe summarised as follows:

Reason for Refusal 1: Architectural Heritage

- The proposed development was carefully designed having regard to a desk top study of the site, the planning history, a detailed site visit, the NPF, Compact Settlement Guidelines (2024), the CDP, Design Manual for Quality Housing (2020).
- Previous application was for a large two storey dwelling with a contemporary design.

- In the ACP refusal (Ref-ABP-320151-24) the Inspector had concerns with the contemporary design and the ACA, and in particular the following.
 - Design, location, massing will lead to overbearing and overshadowing of neighbouring properties.
 - Potential for loss of privacy of neighbouring properties.
 - Overlooking.
 - ACA and design approach of the proposal.
 - Proposal having extreme setback from Coffey Lane.
- The objective of the current proposal is to achieve planning permission while ensuring the development blends respectfully with the established character of Ardmore.
- Typical architectural heritage includes
 - Sliding sash windows and slate roofs
 - Traditional roof forms including dormer style
 - Traditional canopies over entrance doors
 - Higher density contemporary design developments located to the rear of existing housing.
- Proposal has been respectful of CDP guidance in Section 10, Table 10.1 'ACA Guide'.
 - Building Line is maintained.
 - A dormer design is proposed which will avoid a top-heavy approach and following adjacent eaves.
 - Windows are contextual and entrance door includes a canopy feature.
- In respect of policy objective BH 06 there are no protected structures in the immediate area. Proposal is respectful of the ACA.
- In relation to policy objective BH 11 the proposal enhances the character and setting of the ACA, as currently the site is an unattractive element of the streetscape.

- The development maintains the existing building line and retains the traditional built character.
- In respect of policy objective BH 12 the proposal is a considerable visual improvement and will not be detrimental to any existing vistas.

Reason for Refusal 2: Residential Amenity

- Amended proposal includes private open space provision for Unit 1 is 38.2 sq. metres, increased from 22.8 sq. m.
- Amended private open space provision for Unit 2 is 50 sq. metres, increased from 42 sq. m.
- This exceeds the minimum requirements in the Compact Settlement Guidelines (2024) and SPPR 2.
- There is a provision for communal open space of 66.5 sq. m. including bike storage shed.
- In respect of Unit no. 2 two windows (one high level windows and one full height window) are provided for each habitable room.
- These windows are provided to enhance natural light and prevent overlooking.
- The other high-level windows proposed are on the eastern elevation which provide natural light to the stairs and landing.
- The glass to the en-suite will be opaque.

7.2. Applicant Response

- None

7.3. Planning Authority Response

- None

7.4. Observations

- 7.4.1. 5 no. observations received from neighbouring residents. The names of the observers are listed on the cover page above. The following is a summary of the issues raised by the submitted observers.

Existing Access Arrangements

- Development will have a detrimental impact onto a splayed access serving a lane off Coffey Lane.
- The splayed access serves many properties, and the proposal would have a negative impact on a historic right of way.
- In the event of a grant of permission a condition is requested to ensure no interference with splayed access.
- Proposal is premature in the absence of a clearly defined and permitted access arrangement.
- The proposal intends to build over an existing mass path which is a right of way.

Existing Structure on Site

- The existing storage building on the appeal site has never been used as a dwelling.
- The application is therefore misleading.
- Statutory notice is misleading as fails to refer to the construction of two houses.

Architectural Heritage

- Inappropriate design and unsympathetic to the character of the area and adversely impacting on ACA.
- Regard should be had to previous appeal decision (ABP-320151-24).
- The Conservation Officer highlights concern on impact of proposal on urban grain, historic plot pattern and modest scale and character of Ardmore and lack of integration.

- Proposed development introduces a rear dwelling and a form of development that departs from the traditional street-based development characteristic of Ardmore and Coffey Lane.
- Policy Objective BH 06 requires any development to impact upon an ACA or protected structure, must be accompanied by an AHIA.
- As the refusal reason states that the proposed development would materially contravene Policies BH 05, BH 06, BH 11 and BH 12, then the Commission is precluded from granting permission.
- Failure to address previous refusal reasons.

Car Parking

- Inadequate car parking provision resulting in additional parking along Coffey Lane which is restricted and constraint.
- Previous proposal related to one house, whereas current proposal is for two houses, and the car parking demand has doubled.
- The granting of permission will render the existing apartment in the main building on the Main Street unauthorized and incapable of being regularised at a later date.

Residential Amenities

- The amended private open space for house no. 1 is inadequate.
- The increase in private open space for house no. 2 comes at the expense of communal open space.
- The private open space for house no. 2 will adversely affect adjoining residential amenities.
- House no. 2 will receive poor sun and daylight due to orientation.
- High level windows on the west and east elevations of House no. 2 are justified to safeguard the privacy of adjoining amenities.
- Overshadowing and overbearing impacts of neighbouring amenities.
- Adverse impacts on vistas from Coffey Lane.

- The objective to achieve compact growth does not displace the requirement that development be appropriate to its receiving environment.
- Having regard to siting, scale and proximity the proposal will have adverse impacts on the property adjoining the appeal site, in particular to an existing patio area and light to the rear of the property.
- The site has different levels which can increase the perceived visual impact of the proposed development.
- There is a loss of a rear access and private open space to the existing apartment on the Main Street.

Other Issues

- Inadequate bin storage provision.
- The Part V compliance fails to refer to the applicant's existing apartments proposed to be developed on the Main Street.
- The size of the application site is not addressed.
- The site boundary in the current application is different to the site boundary in the previous application.

7.4.2. The following is a summary of an observation from the Department of Housing, Local Government and Heritage.

Architectural Heritage

- Proposal is located within an ACA.
- No objection to the demolition of the existing structure nor no objection to the principle of the development.
- The Dept. concurs with the PA's concerns in respect of design having regard to Chapter 11 of the CDP and Appendix 10 of the DM Standards.
- The proposal has a number of non-traditional features including façade arrangement with pitched half dormers over the upper windows and overhanging canopies to the front doors.

- Details such as uPVC fascia and soffits, cement barge-boards and uPVC windows do not align with the character of the ACA.
- It is submitted that the dormers represented in the appeal submission in figure 12 and 13 are not representative of historic dormers in terms of design and scale, nor is fig. 14 representative of a historic canopy.
- The flat roofed structure of no. 2 does not follow the CDP objectives on new development within the ACA or take guidance in Chapters 3, 6 and 13 of the Architectural Heritage Protection Guidelines.

8.0 **Assessment**

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

- Principle of Development
- Architectural Heritage
- Residential Amenities
- Impact on Established Residential Amenities
- Car Parking and Access
- Other Matters

8.1. **Principle of Development**

- 8.1.1. The proposed development is located in an area zoned 'Rural Village'. In accordance with the zoning matrix in Table 11.2 of the CDP a dwelling is permitted in principle within this zoning objective, therefore the principle of development is acceptable, subject to the detailed considerations below.

8.2. **Architectural Heritage**

- 8.2.1. The appeal grounds argue that the proposal is respectful of CDP guidance in Table 10.1 'ACA Guide', as building line is maintained, dormer design is proposed which will avoid a top-heavy approach consistent with adjacent eaves, and windows are contextual and entrance door includes a canopy feature. Furthermore, appeal grounds submit that there are no protected structures in the immediate area, as such no issues in respect of CDP Policy Objective BH 06. In addition, appeal grounds submit that the proposal enhances the character and setting of the ACA, by addressing an unattractive element of the streetscape, maintaining the existing building line and retains the traditional built character, therefore is consistent with CDP Policy Objective BH 11. In respect of CDP Policy Objective BH 12 appeal grounds submit the proposal is a considerable visual improvement and will not be detrimental to any existing vistas.
- 8.2.2. I would note that in the previous appeal on the subject site (ABP-320151-24) the Board refused permission for a dormer dwelling by reason of its height, building line and design which was considered a visually discordant feature and contrary to CDP Policy Objective BH 05.
- 8.2.3. Coffey Lane is located off the Main Street in Ardmore, and I noted from my site assessment that the houses along Coffey Lane are cottage style houses facing directly onto the lane, and their character is generally consistent with their description included in Appendix 10 (Architectural Conservation Areas) of the CDP.
- 8.2.4. Appendix 10 (ACA's) of the CDP refers to Coffey Lane as follows;

'from the core of the village and along Coffey Lane and Cliff Road there are early 19th century single storey fisherman's cottages, which despite some renovations have mainly retained their character'.

This character would, in my opinion, form part of the special interest of the Ardmore ACA.

- 8.2.5. In terms of the proposed development, I would consider that the flat roof design of Unit no. 2, although admittedly reduces the scale of the house, would be at odds with the established tight urban grain along Coffey Lane and the architectural character of the area, and in my view would adversely impact on the streetscape and therefore

the special interest of the ACA. In addition, I would note that the submission, on the file, from the Department of Housing, Heritage and Local Government contends that the flat roof design of Unit no. 2 does not follow guidance on ACA's.

8.2.6. I would also note, as evident from the submitted drawing 'Coffey Lane Elevation', which accompanied the planning application, that the ridge height of Unit no. 1 would exceed neighbouring ridge heights by approximately 1 metre, and therefore in my view, having regard to the tight urban grain of the area, would be visually prominent along Coffey Lane.

8.2.7. Furthermore, the proposed ridge line would be contrary to CDP guidance in Table 10.1 'Architectural Character Areas Building Guide'. The guidance in Table 10.1 refers to 'New Buildings' and states the following;

Buildings should follow the eaves heights, roof pitches and building lines which predominate in the streetscape and should employ windows of matching proportions and alignment. Materials should be of good visual quality and durability.

8.2.8. The proposed development as a whole, although I accept maintains the established building line of Coffey Lane and the elevation design addresses concerns of the previous application, includes two houses, almost back-to-back, however in my view this layout would be a departure from the established residential built form of Coffey Lane. I would therefore consider that the proposed development would adversely impact on the streetscape and in turn the special interest of the ACA, having regard to design, height and scale.

8.2.9. I would also note the submissions on the file from both the Department of Housing, Heritage and Local Government and the Council's Conservation Officer that the proposal has a number of non-traditional features including façade arrangement with pitched half dormers over the upper windows and overhanging canopies to the front doors. Furthermore, proposed details such as uPVC fascia and soffits, cement barge-boards and uPVC windows do not align with the character of the area of the ACA and overall, the materials would not integrate with the surrounding streetscape. I would consider that these proposed materials, on a visually prominent design, in a tight urban grain, such as Coffey Lane, would further erode the character of the area, and in turn, in my view, the special interest of the ACA.

- 8.2.10. Having regard to the proposed design, height, scale and finishes, as outlined above, which are out of character with the adjacent properties in the context of Coffey Lane within the Ardmore ACA, the proposal will have a detrimental visual impact on the setting of the ACA, and would be contrary to policy objectives BH 05, BH 11 and BH 12 of the CDP.
- 8.2.11. I note that the PA raised a concern that the application lacks an Architectural Heritage Impact Assessment required in accordance with policy objective BH 06 of the CDP. However, I would acknowledge that the appeal submission includes an architectural assessment and photomontage of the development proposal which in my view would address the deficit of information in the application documentation.
- 8.2.12. Finally, the Commission will note that the Planning Authority's refusal reason is based on the proposal being a material contravention of development plan Policies BH 05, BH 06, BH 11 and BH 12. I have set out the policy objectives BH 05, BH 06, BH 11 and BH 12 above in para 5.1.
- 8.2.13. Policy Objectives BH 05, BH 06, BH 11 and BH 12 of the development plan refers to guidance in respect of Architectural Conservation Areas and Built Heritage, and they are not, in my view, sufficiently specific so as to justify the use of the term "materially contravene" in terms of normal planning practice. The Commission should not, therefore, consider itself constrained by Section 37(2) of the Planning and Development Act, as amended. Therefore, in this instance, I would not consider that the proposed development would materially contravene the Waterford City and County Development Plan, 2022 – 2028, (as varied).

8.3. **Residential Amenities**

- 8.3.1. The appeal grounds include amended proposals that increase the private open space provision for each of the proposed residential units. The grounds of appeal also submit that the window arrangement in Unit no. 2 is appropriate and would provide a good standard of residential amenity.
- 8.3.2. I would note that in the amended proposals, submitted with the appeal, the private open space for Unit no. 1 is extended to 38.2 sq. metres, from 22.8 sq. m., which is facilitated by incorporating the communal bin storage area and the side garden area

(6.2 sq. m.) of the original proposal. The amended proposal also extends the private open space in Unit no. 2 from 42 sq. m. to 50 sq. m. by slightly extending the rear site boundary.

- 8.3.3. The grounds of appeal argue that the amended private open space provision exceeds the minimum requirements of the Compact Settlement Guidelines (2024) and SPPR 2, and also that there is adequate communal open space.
- 8.3.4. Table 3.2 '*Minimum Private Open Space Requirements for Dwelling Units*' of the CDP requires a minimum private open space provision of 60 sq. metres for 3-bedroom houses. The proposed houses, including that of the amended proposals, would therefore fail to meet this minimum requirement of the CDP. This would therefore provide an inadequate standard of residential amenity for future occupants.
- 8.3.5. The Compact Settlement Guidelines (2024) recommend a minimum private open space of 40 sq. m. for 3-bedroom houses. Notwithstanding the reduced private open space requirements in the Guidelines (2024), the proposed development would not meet these minimum requirements, having regard to the private open space provision for Unit no. 1.
- 8.3.6. I would note that the Guidelines (2024) in SPPR 2 provide for a reduction in the minimum requirements of private open space provision in the case of schemes that provide high quality semi-private open space. The proposed development includes communal open space of approximately 66.5 sq. metres situated between the development site and that of the original property on the site, which faces onto the Main Street.
- 8.3.7. However, I would be concerned that the quantum of communal open space on a restricted site would remove any quality private open space from the existing property which contains a residential element, and it has not been adequately demonstrated how the private open space requirements for this existing residential property would be met. The proposal would therefore be contrary to the provisions of the CDP and the proper planning and sustainable development of the area.
- 8.3.8. Separately, I acknowledge the PA's concern in respect of the high-level windows for Unit no. 2. However, these high-level windows serve bedrooms at first floor level, and I would note from the submitted drawings that these bedrooms also include a second standard window in addition to the high-level windows. The bedrooms

therefore benefit from a dual aspect orientation, which would provide a good standard of residential amenity and maximise the receiving natural light for the bedrooms. I therefore would not concur with the PA's conclusion that Unit no. 2 would receive a poor outlook and inadequate daylight provision, to the detriment of future occupants.

8.4. **Impact on Established Residential Amenities**

8.4.1. I have noted above that the proposed development would provide inadequate private open space provision and is therefore contrary to the minimum requirements of the CDP and the Guidelines (2024) in respect of private open space provision.

8.4.2. I would therefore consider, based on the submitted plans and having regard to the submitted observations on the file, that the inadequate private open space provision and the backland nature of house no. 2 would have a contributing adverse impact on the established adjoining residential amenities, given the proximity to these established amenities.

8.4.3. Table 3.1 'General Standards for New Residential Development in Urban Areas' of the CDP includes guidance on 'minimum separation distances', and I would note the following;

'adequate separation distances, between directly opposing rear first floor windows, should be provided when extending existing dwellings at first floor level, to ensure the retention of adjoining residential amenity'.

8.4.4. The guidance also recommends the following;

'a minimum of 2.2 meters shall be provided between the side walls of detached, semi-detached and end of terrace dwellings to ensure privacy and ease of access'.

This guidance would apply to the proposed development having regard to the layout of proposed Unit no. 2 relative to adjoining properties.

8.4.5. The front elevation of house no. 2 is west facing and faces directly towards the side of the adjoining residential property to the immediate west of the appeal site. The rear elevation of proposed house no. 2 is east facing and faces towards the rear garden of an established residential property. The separation distance from the west

facing elevation of house no. 2 to the neighbouring site boundary is 2 metres, which would not achieve the minimum separation distances in Table 3.2 of the CDP. The set back distance of the proposed east elevation of house no. 2 to the neighbouring site boundaries is 2.2 metres which is the minimum required separation distance.

- 8.4.6. I would consider that the proximity of the house no. 2, in particular its west facing elevation, would have an overbearing impact on adjoining established residential amenities, would set an undesirable precedent for other such development in the area, and would therefore be contrary to the proper planning and sustainable development of the area.

8.5. **Car Parking and Access**

- 8.5.1. Table 7.1 of the CDP sets out the maximum car parking standards for proposed houses and for 3 bedroom houses the requirement is two car parking spaces. The proposed development does not include any off-street car parking provision.
- 8.5.2. I would note that in the previous appeal (Ref. 320151-24) on the subject site which related to a single house without off-street car parking provision, that the Inspector recommended a refusal reason on the basis that the proposal does not comply with Development Standards Section 7.1 of the Waterford CDP. However, the Board did not agree with the Planning Inspector's recommended refusal reason, and therefore the Board's Direction omitted this refusal reason from the Board's Order. The development was refused permission for a single reason, relating to architectural heritage, as stated above in para. 4.2.
- 8.5.3. I would note that Section 7.8 '*Assessments for Deviations from Car Parking Standards*' of the CDP advises that the Planning Authority may consider relaxing or deviating from the above-specified parking standards under certain circumstances. These circumstances are subject to an assessment in respect of identified criteria.
- 8.5.4. I would be satisfied that the proposed development would satisfactorily meet the criteria in Section 7.8 of the CDP, in particular the following.
- Particular nature, scale and characteristics of the proposed development (deviations may be more appropriate for smaller infill proposals).
 - The range of services available within the area.

- 8.5.5. Further to the CDP flexibility in car parking standards, I would acknowledge that the Compact Settlement Guidelines (2024) advises that car parking should take account of proximity to urban centres and sustainable transport options, to promote more sustainable travel choices, and that car parking ratios should be reduced at all urban locations, and should be minimised, substantially reduced or wholly eliminated in locations that have good access to urban services and to public transport.
- 8.5.6. In conclusion therefore, I would consider, given the location of the proposed development, within the centre of a rural village, and its proximity to local public transport, and furthermore having regard to national, regional and local policy objectives to achieve compact forms of development and to encourage a modal shift away from the private car to more sustainable forms of transport, that the proposed development, without car parking provision, would be acceptable.
- 8.5.7. In addition to the above the observers have raised an issue in respect of access that relates to a lane situated to the rear of properties on Coffey Lane. The lane in question serves the rear of properties on Coffey Lane and also the rear of properties on the Main Street and is currently used for rear access and wheelie bin storage. The access lane is narrow in width and consists of a grass surfaced laneway with no public lighting.
- 8.5.8. In considering the impact of the proposed development on this access lane I would note that the existing property boundary on the appeal site, facing onto Coffey Lane, is set back from the public footpath on Coffey Lane. However, the proposed building line, is set forward of the existing building line, and adjoins the public footpath.
- 8.5.9. The access lane is located to the immediate east of the appeal site, and I would consider based on the submitted application documentation that the applicant has sufficient legal interest to proceed with the application as proposed.
- 8.5.10. However, the Commission will note, that section 34(13) of the Planning and Development Act, 2000 (as amended) states a person is not entitled solely by reason of a permission to carry out any development. As such any further legal dispute is considered a civil matter outside the scope of the planning appeal, which is a matter to be resolved by the respective parties.

8.6. **Other Matters**

- 8.6.1. I noted from my site assessment that there is an existing detached single storey structure on the appeal site. The structure itself has an access door, a single window facing northwards and 3 no. velux roof windows. The statutory notices state that it is proposed to demolish the existing single storey residential unit on the site, i.e. the aforementioned structure, however the observers submit that the structure in question was never in use as a dwelling.
- 8.6.2. Based on my site assessment I noted that the structure is not currently habitable, however notwithstanding, I would consider the fact whether the structure was in a residential use is not a material consideration to the current application or appeal as the proposed two houses would be considered on their own merits and their respective compliance with relevant CDP and national standards.
- 8.6.3. An issue in respect of Part V compliance is raised in the submitted observations, however I would consider that Part V compliance or exemption from same can be adequately addressed by condition, should the Commission favour a grant of permission.

9.0 **AA Screening**

- 9.1. I have considered case PL-501248-WD-26 in light of the requirements S177U of the Planning and Development Act, 2000, as amended.
- 9.2. The closest European Site, part of the Natura 2000 Network, is the Ardmore Head SAC (Site Code: 002123) which is located approximately 0.65 km to the east of the subject site.
- 9.3. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.
- 9.4. The reason for this conclusion is as follows:
- The scale and nature of the development.
 - The location of the site on developed serviced lands.

- The absence of any ecological pathway from the development site to the nearest European Site.

9.5. I conclude, on the basis of objective information, that the development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.

9.6. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

10.0 Water Framework Directive

10.1. An assessment of the proposed development has been undertaken with regard to the objectives set out in Article 4 of the EU Water Framework Directive.

10.2. Having considered the nature, scale, and location of the proposed development, it is concluded that the proposal will not result in any risk of deterioration in the status of any water body, including surface waters (rivers and lakes), groundwater, transitional waters, or coastal waters. This applies to both qualitative and quantitative status, and in respect of temporary and permanent effects.

10.3. In addition, the proposed development will not adversely affect the achievement of established environmental objectives, including the protection, maintenance, and improvement of water body status, as required under the Directive.

10.4. Accordingly, the proposed development is considered to be compliant with the requirements of Article 4.

11.0 Recommendation

11.1. I recommend that planning permission be refused for the reasons set out below.

12.0 Reasons and Considerations

1. The proposed development, by reason of its design, height, scale and finishes, would be out of character with the pattern of development in the vicinity and would be a visually prominent and discordant feature that would be detrimental to the distinctive architectural and historic character of this

area, which it is appropriate to preserve and would be contrary to Policy Objectives BH 05, BH 11 and BH 12 of the Waterford City and County Development Plan, 2022 – 2028, as varied. The proposed development would seriously injure the visual amenities and the architectural and historical interest of the area and would therefore be contrary to the proper planning and sustainable development of the area.

2. The proposed development, by reason of its inadequate provision of private open space would conflict with the provisions of the Waterford City and County Development Plan, 2022 – 2028, as varied, and with the minimum standards recommended in the Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities, published by the Department of Housing, Local Government and Heritage, in 2024, and would constitute excessive development on this restricted site. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
3. Having regard to the design, height and scale of development and the backland nature of the development, it is considered that the proposed development would constitute overdevelopment of the site, would have an unreasonable overbearing and visually dominant effect on adjoining sites and would seriously injure the residential amenities of the area. The proposed development would be contrary to Table 3.1 'General Standards for New Residential Development in Urban Areas' of the Waterford City and County Development Plan, 2022-2028, as varied. The proposed development, therefore, by the precedent it would set for other development, would seriously injure the amenities of property in the vicinity, would be contrary to the provisions of the development plan and to the proper planning and sustainable development of the area.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence me, directly or indirectly, following my professional

assessment and recommendation set out in my report in an improper or inappropriate way.”

Kenneth Moloney
Senior Planning Inspector

11th August 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-501248-WD-26
Proposed Development Summary	Demolition of existing dwelling and construction of two two-storey dwellings.
Development Address	Coffey Lane, Ardmore, 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?	☒ Yes, it is a 'Project'. Proceed to Q.2.
	☐ No, No further action required.
(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)	
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
☒ 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?	
☐ No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold.	
☒ Yes, the proposed development is of a Class but is sub-threshold.	Class 10(b)(i) of Part 2: threshold 500 dwelling units. Class 10(b)(iv) of Part 2: threshold 2 ha.
4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☐	Screening Determination required (Complete Form 3)
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ Date: _____

Appendix 2: Form 2 - EIA Preliminary Examination

Case Reference	PL-501248-WD-26
Proposed Development Summary	Demolition of existing dwelling and construction of two two-storey dwellings.
Development Address	Coffey Lane, Ardmore, 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).	The proposed development involves the demolition of a single storey structure to facilitate the construction of 2 no. 2 storey 3-bedroom dwellings. Given the urban location within a predominantly residential area, there are established residential uses in the immediate vicinity of the subject site. The proposal is not considered exceptional in the context of the established pattern of development in the area. During the construction phases the proposed development would generate waste. However, given the moderate size of the proposed development, I do not consider that the level of waste generated would be significant in the local, regional or national context. No significant waste, emissions or pollutants would arise during the construction or operational phase due to the nature of the proposed use. The development, by virtue of its residential type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change.
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development)	The subject site is not located within or adjoins any environmentally sensitive sites or protected sites of ecological importance, or any sites known for cultural, historical or archaeological significance.

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).	The nearest designated site to the appeal site is the Ardmore Head SAC (Site Code: 002123) situated approximately 0.65 km to the east, and Helvick Head to Ballyquin SPA (Site Code: 004192) located approximately 3.5 km northeast. The Blackwater Estuary SPA (Site Code: 004028) and the Blackwater River (Cork/Waterford) SAC (Site Code: 002170) is located approximately 6 km west. I consider that there is no real likelihood of significant cumulative impacts having regard to other existing and/or permitted projects in the adjoining area.
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	Having regard to the scale of the proposed development and the nature of construction works associated with the development, its location removed from any sensitive habitats / features, the likely limited magnitude and spatial extent of effects, and the absence of in combination effects, there is no potential for significant effects on the environment.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant	EIA is not required.

effects on the environment.	
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	N/A
There is a real likelihood of significant effects on the environment.	N/A

Inspector: _____ **Date:** _____

DP/ADP: _____ **Date:** _____

(only where Schedule 7A information or EIAR required)