Inspector's Report
PL-501718-WD-26

Development	Partial demolition of a rear boundary wall to widen a pedestrian gate for use as a vehicular access gate.
Location	30 Cluain Ailinn, The Burgery, Dungarvan, Co. Waterford.
Planning Authority	Waterford City and County Council
Planning Authority Reg. Ref.	2660298
Applicants	Ildikó Ajtai
Type of Application	Permission
Planning Authority Decision	Grant Permission + Conditions
Type of Appeal	Third Party Normal Planning Appeal
Appellants	Gary & Elizabeth Weldon
Observers	None
Date of Site Inspection	20th October 2026
Inspector	Siobhan Carroll

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1.0 Site Location and Description

1.1. The appeal site no. 30 Cluain Ailinn, has a stated area of 0.020 hectares and is located in the suburbs of Dungarvan c.2km to the north-east of the town centre. It is a housing estate located at the Burgery, Abbeyside comprising predominantly semi-detached and terraced two-storey dwellings.

1.2. No. 30 Cluain Ailinn is a mid-terrace dwelling. The dwelling has a floor area of 170sq m. The front of the property is served by pedestrian access, and the dwelling addresses a green space which is situated to the west of the terrace. On inspection of the site, I observed that a timber gate for vehicular access to the rear of the property has been constructed and a van was parked within the site and four vehicles were parked in the communal parking area to the north-west of the site.

2.0 Proposed Development

2.1. Permission is sought for the partial demolition of a rear boundary wall to widen a pedestrian gate for use as a vehicular access gate. It comprises the following;

(i) the construction of a new pier with new gates to the vehicular access gate,

(ii) a 1m extension to the existing canopy structure,

(iii) a covered pergola and walkway, all in the rear garden.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. On the 24th of June 2026 the Planning Authority issued a decision to grant planning permission subject to 3 no. conditions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

3.2.2. Report dated 15/06/2026 – It was considered that the retention of the entrance to facilitate the secure parking of the applicant's van would be acceptable in terms of the configuration of the estate, with the absence of any parking to the front of the site. In relation to the retention of the proposed covered pergola and covered walkway it was considered that it would not pose undue impacts on the neighbouring property.

3.2.3. Other Technical Reports

3.2.4. District Engineer: Report dated 15/06/2026 – The creation of an access to the rear is acceptable from a traffic perspective.

3.3. Third Party Observations

3.3.1. The Planning Authority received one submission/observation in relation to the planning application. The main issues raised are similar to those set out in the appeal.

4.0 Planning History

4.1. Reg. Ref. 01/1168 – Permission was granted for the demolition of 2 no. houses & outhouses together with the construction of 133 houses,8 commercial Units, 114 Bed Hotel, Leisure Centre, & Retirement Village at The Burgery, Dungarvan, Co. Waterford.

5.0 Policy Context

5.1 Waterford City and County Development Plan 2022 – 2028 (As Varied)

5.1.1. The appeal site at no. 30 Cluain Ailinn, Co. Waterford is located on lands zoned objective 'RS' Existing Residential. The objective is to provide for residential development and protect and improve residential amenity.

5.1.2. Volume 2 – Development Management Standards

5.1.3. Section 4.0 – Residential Miscellaneous

5.1.4. Section 4.7 – Off-street Parking in Residential Areas - Proposals for off street parking in existing front gardens in residential areas, therefore, need to be balanced against loss of amenity (visual and physical) and communal spaces.

5.1.5. The removal of front garden walls, pillars, gates, piers, and railings will not generally be permitted where such removal will have a negative visual impact on the character of the streetscape, or reduce the level of communal parking to an unacceptable degree. In particular, these works will generally not be permitted in Architectural Conservation Areas, areas of architectural, historic character, within the curtilage of a protected structure and well-established housing estates.

5.1.6. Development Management Objective - DM 10: Where permitted, drive-ins/ front garden parking provision should generally:

- Not have outward opening gates;
- Have a vehicular entrance not wider than 3 metres, or 50% of the width of the front boundary, whichever is the lesser;
- Have an area of hard standing (parking space of 2.5 m x 5 m) and be constructed in accordance with SuDS and include measures to prevent drainage from the driveway entering onto the public footpath or road;
- Retain the balance as garden;
- In the case of established housing developments any replacement of front walls should match the existing material and design elements of neighbouring or adjacent properties within that particular housing development, such as piers, railing, stone/brick/render detailing etc.;
- Have gates, walls, pillars and railings made good, and;
- Permeable paving should be used in the interests of sustainable drainage.

5.1.7. Section 4.9 – House Extensions - The design and layout of extensions to houses should have regard to the amenities of adjoining properties particularly as regards sunlight, daylight and privacy. The character, scale and form of the existing building and site should be respected.

5.1.8. Development Management Objective - DM 11: Extensions should:

- Respect and follow the pattern of the existing building as much as possible.

- Where contemporary designs are proposed, proposals should not detract from the visual amenities of the main dwelling or neighbouring properties.
- Extension works should not encroach, overhang or otherwise physically impinge third party properties.
- Proposals should be designed in such a way as to eliminate overshadowing or overlooking of adjoining property.
- Avoid additional surface water runoff arising from the site.

5.2. Natural Heritage Designations

5.2.1. Dungarvan Harbour SPA (Site Code 004032) is located 552m to the east of the appeal site at the closest point.

5.2.2. Glendine Wood SAC (Site Code 002342) is located 1.8km to the north-east of the appeal site.

6.0 EIA Screening

6.1. The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended (or Part V of the 1994 Roads Regulations).

6.2. No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of report.

7.0 The Appeal

7.1. Grounds of Appeal

A third party appeal was submitted by Gary & Elizabeth Weldon. The issues raised are as follows;

- The grounds of appeal raised concerns in relation to the permanent alteration of the originally approved estate layout. The proposal would create a private vehicular access which would consequently affect the communal parking, circulation and residential amenity.

- It is submitted that the Planning Authority did not adequately assess a number of planning issues arising from the proposal.
- In relation to the assessment of the proposal the appellants consider that the decision of the Planning Authority relies on assumptions and conclusions which are not supported by objective evidence or technical assessment.
- The report of the Planning Officer acknowledges that it was “unclear” whether the land adjoining the entrance formed part of a designated parking space. It was concluded in the report that a parking space existed in the absence of verifying the original layout.
- The District Engineer advised that a swept path analysis was not considered necessary. This recommendation did not refer to any technical reasoning or objective assessment.
- It is submitted that the vehicular access materially alters the manner in which vehicles circulate within the communal area of the cul-de-sac and that these impacts have not been adequately assessed.
- It is stated that in the report of the Planning Officer that reversing manoeuvres associated with the rear entrance are comparable to the reversing manoeuvres associated with residents using the existing parking space.
- It is submitted that this is not an equivalent comparison. Vehicles departing the communal parking spaces typically reverse only a short distance 4-5m before proceeding in a forward direction. It is considered that the subject vehicular access requires a vehicle to undertake a substantially longer reversing manoeuvre approximately 45-50m through the communal area.
- The appellants contend that the Planning Authority did not demonstrate that the retained access will not adversely affect the safe and efficient operation of the communal area.
- The conclusion of the Planning Authority that the proposal was acceptable however the report of the Planning Officer did not provide evidence to demonstrate that the retained access will not adversely affect the safe and efficient operation of the communal area.

- It is submitted that the loss of the boundary wall and the creation of a widened access alters the character and function of the communal area.
- It is stated in the report of the Planning Officer that it is acknowledged that the proposal removes the necessity for on street parking. However, the report does not assess the cumulative impacts of these changes on parking availability, parking displacement, safe vehicle movements and the efficient operation of the communal parking area.
- The appellants submit that the original estate layout was a material planning consideration that was disregarded. The proposal changes a communal pedestrian access into a private vehicular entrance. It is submitted that the decision would set a precedent.
- The appeal refers to the as-built drawings from the permission granted under Reg. Ref. 01/1168 which illustrates the estate layout as constructed. It is stated that it shows a designated parking space immediately outside no. 30. Therefore, it is stated that this area was clearly designated for communal parking using pedestrian access only.
- The Planning Authority in their assessment of the proposal accepted that the "Existing Shed and Covered Path" constituted exempt development. The application drawings identify the structure – "Existing Shed and Covered Path" as having an area of 24.5sq m. The appellants query the accuracy of this as they state the dimensions on the drawings do not reconcile with the stated area.
- Drawing no. SA/PL – 06A shows overall dimensions of 4.22m x 6.145m providing a footprint of 25.9sq m which exceeds 24.5sq m. Drawing no. SA/PL-05A records the width of the structure as 4.205m which is inconsistent with the other drawing. The appellants therefore raised concern in relation to the accuracy of the measurements and the accuracy of the applicant stating that the development is exempt.
- The planning statement submitted with the application states that the rear vehicular entrance and associated canopy were provided to enable a trade van to be parked securely within the site curtilage. The appellants consider

these are circumstances personal to the applicant and that they should not alter the planning merits of the development.

- The report of the Planning Officer referred to the applicant's need for secure off-street parking and cited that there is no parking to the front of the site. The appellants consider that this is contrary to the as-built drawing referring to the original estate permission which shows that adequate car spaces are located in the estate parking layout.
- The report of the Planning Officer does not demonstrate that the development would remain acceptable irrespective of those personal circumstances, nor does it explain why those circumstances outweighed the wider planning consideration raised in relation to the estate design, parking provisions, traffic movement and precedent.
- In conclusion, the appellants request that An Coimisiún Pleanála set aside the decision of Waterford City and County Council and refuse permission for the proposed development.

7.2. **Applicant Response**

A response to the third party appeal was submitted by Southgate Associates on behalf of the applicant Ildikó Ajtai. The issues raised are as follows;

- The applicant acquired the property no. 30 Cluain Ailinn in August 2025. They altered the existing rear access to the property with the provision of a vehicular gate in place of the existing pedestrian gate. This was done to allow a trade works van to be parked securely within the site curtilage. This was carried out following a series of robberies targeting works vans in the area.
- In February 2026 the applicant received an Enforcement Notice from Waterford City and County Council regarding the following; (1) erection of a timber structure to the rear/side of the building (2) Removal of part of the rear boundary wall (3) Material widening/erection of a rear entrance to serve the dwelling (4) Removal of an existing residential car space.
- The applicant fully engaged with the Enforcement Unit of the Council who subsequently accepted the timber structure as falling within the Exempt

Development definitions. The applicant was advised that retention permission was needed to be sought for the removal of part of the rear boundary wall and the material widening/erection of a rear entrance to serve the dwelling and for the existing canopy. In relation to the existing residential car space, they were advised that the car parking space could be assessed under the retention for the widening of the gate.

- As part of the application the applicant decided to apply for permission for additional works to the rear garden under the one application. The additional proposed works are an extension to the existing canopy, covered walkway and pergola and a new brick pier to the widened opening in the rear boundary wall to match the existing piers.
- The report of the Planning Officer set out the reasons as to why the permission was granted by the Planning Authority. It is highlighted that the report referred to "the location of the vehicular gate within a cul-de-sac with shared on-street parking and the lack of clarity whether the area on the street side of the gate was a delineated space. It was concluded in the report that it was at most a single space and therefore the loss of a parking space is mitigated by a new secure off-street parking space created for the dwelling and reducing the necessity for on-street parking for the applicant.
- It was concluded that "retention of the entrance to facilitate the secure parking of the applicant's van would be reasonable and would be acceptable in terms of the existing configuration of the estate noting the absence of any parking to the front of the site, also noting its location on a cul-de-sac.
- The Planner's report noted that the existing on-street parking arrangements necessitate reverse turning movements. The District Engineer expressed no objection to the retention application and that a swept path analysis was not deemed necessary.
- Retention permission for the canopy structure and covered walkway adjoining the timber shed/structure (deemed exempt) was considered in conjunction with the permission sought for a pergola and covered walkway. In relation to these structures, it was concluded that they were setback from the boundary with the nearest neighbour and were modest in height and therefore were

considered not to pose undue adverse impacts on the neighbouring property no. 28 not undermine the residential amenity of the wider estate.

- It is set out in the appeal that the Planning Authority did not adequately assess the planning issues specifically the impact and implications of the retained and proposed development on the estate.
- In response to the matter the first party highlighted that the report of the Planning Officer specifically references the land adjacent to the vehicular gate and uncertainty regarding its designation.
- The appellants referred to the original layout 25 years ago as showing parking spaces in the area. The applicant has understood this area to the rear of the property to be a turning area. The conclusion of the Planning Authority is that the road markings are unclear as the clearly designated parking bays stop short of the rear boundary wall of the applicant's property.
- The reasonable conclusion of the Planning Authority is that if this is a parking space, it is at most one space and if the space is used to access off-street parking for the applicant there is no material impact on the parking provision or on the ability to turn in the space adjacent to the vehicular gate.
- It is stated in the appeal that the District Engineer did not carry out an objective assessment of the application. The report of Planning Officer notes "Roads are satisfied with the proposal, that swept path analysis is not considered necessary and that car parking is not available to the front of the property. The first party consider this is a reasonable response to these matters.
- The appellants submit that retention of the vehicular gate has a material adverse effect on the use of the communal parking area and they disagree with the assessment of the Planning Officer in relation to the matter of reversing manoeuvres.
- In response to the matter the first party highlighted that the Planning Authority have deemed that the reversing manoeuvres required for a works van to access the vehicular gate are in line with current manoeuvres required for using the existing parking spaces and therefore would be acceptable. It is

highlighted that the communal parking area is used as a pickup point by waste collection lorries on a regular basis.

- It is set out in the appeal that the Planning Authority did not properly assess the original estate layout. The response to the matter is that the estate was granted approval in 2001 and was based on a design where the majority of parking was in a cluster to the rear of the houses with the majority of front entrances of houses including the applicant's house being accessed by way of a public path.
- The appellants hold the view that the area to the rear of the site is a parking space while the applicant holds the view that the land is used as a turning area. The appellants referred to the as-built layout drawing as showing a parking space. In response to this the first party note that the road marking shown is not what exists in reality and there is no outline of a single parking space in the area. Therefore, this implies that the 'as-built' drawing was not correct or the road markings were changed in the intervening years.
- The appeal refers to the exempt development and states that it was not properly assessed. In response to the matter the first party acknowledged that there are discrepancies in the drawings and that there are mistakes of incorrect labelling.
- The existing shed and covered path have been incorrectly labelled as exempted development and the existing canopy as an item subject for retention. The correct labelling is that the existing shed is exempt development and the canopy and covered path are the areas subject to retention.
- It is highlighted that the exempted development status of the shed was accepted by the Enforcement Unit of the Council.
- The appeal response includes revised drawings SA/PL 05B – Existing and Proposed Site Layout and Roof Plan and SA/PL 06B – Existing and Proposed Ground Floor Plan and Elevations. These indicated the correct labelling.
- The grounds of appeal refer to the reliance on the personal circumstances of the applicant. In response to this matter, it is submitted that the personal

circumstances of the applicant are the central reasons for the submission of the application. The applicant's husband is self-employed in the construction industry and central to his work is the use of a work van that contains his tools and materials. The applicant was concerned that the van was vulnerable as they have no parking space close to the front of the house and communal parking to the rear of the house does not guarantee they would have supervision over the van when parked there. The solution was to widen the existing gate to a vehicular gate wide enough to allow off-street parking on the applicant's property. The applicant understood that the land behind their boundary wall was a turning area so that the widening of the gate would not have a negative impact on the parking of their neighbours.

- It is set out in the appeal that to grant permission to retain the widened gate would set an undesirable precedent in the estate. It is highlighted that there is already a precedent to the widened gate in one of the properties immediately adjacent to the applicant's property and which accesses the communal parking area. The appeal response includes a photo showing this vehicular entrance. Therefore, such an arrangement already exists within the estate, and the proposal cannot be characterised as creating a precedent.
- In conclusion, for the reasons set out in the appeal response it is submitted that there is no substantive planning basis upon which the decision to grant permission should be overturned and it is respectfully submitted that the appeal should be dismissed.

7.3. **Planning Authority Response**

- None received.

8.0 **Assessment**

Having examined the application details and all other documents 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 is as follows:

- Principle of Development
- Vehicular access
- Other development on the site

8.1. Principle of Development

8.1.1. The proposed development relates to the retention of the partial demolition of a rear boundary wall to widen a pedestrian gate for use as a vehicular access gate and for the erection of existing canopy structure in rear garden. Permission is also sought for the construction of a new pier with new gates to the vehicular access gate, a 1m extension to the existing canopy structure and a covered pergola and walkway in the rear garden of 30 Cluain Ailinn, The Burgery, Dungarvan, Co. Waterford.

8.1.2. The site is subject to Existing Residential 'RS' zoning objective under the provisions of the Waterford City and Development Plan 2022-2028 (as varied). This objective seeks to provide for residential development and protect and improve residential amenity.

8.1.3. Accordingly, the proposal which comprises the provision of vehicular access to the site to facilitate on-site car parking and the provision of a canopy and covered pergola all constitute development which is subsidiary to the residential use of the property. Therefore, I consider that the development proposed and proposed to be retained is in accordance with the 'RS' zoning objective of the site and that the proposed development is acceptable in principle, subject to all other relevant planning considerations being satisfactorily addressed.

8.2. Vehicular access

8.2.1. The grounds of appeal primarily refer to the proposal to retain the vehicular access gate which facilitates vehicular access to the site and parking of the applicant's works van. Concern is raised at the loss of the off-site car parking space immediately to the north of the site and the implications of the provision of the vehicular access upon the communal parking area to the rear of the property and adjoining properties within the terrace. The appellants contended that the Planning Authority did not satisfactorily assess the proposal and relied upon the personal circumstances of the

applicant. It was detailed in the appeal that the proposal would create an undesirable precedent for similar vehicular entrances.

8.2.2. The appeal refers to the original design of the housing estate which was granted under Reg. Ref. 01/1168 and the as-built layout. The appellants stated that the as-built drawing show a parking space immediately to the north of the appeal site no. 30 Cluain Ailinn. The appeal submission includes a drawing of the Master Plan of the scheme referring to the permission granted under Reg. Ref. 01/1168. This drawing would appear to indicate the outline of car parking to the rear of the appeal site.

8.2.3. In response to the matter the first party stated that the road marking shown is not what exists in reality and there is no outline of a single parking space in the area. Therefore, this implies that the 'as-built' drawing was not correct or the road markings were changed in the intervening years. The Planning Officer in their assessment of the matter stated that "it is unclear whether the area immediately adjoining the entrance is delineated as a car parking space, but it could be concluded that a single space exists at this location."

8.2.4. Having regard to the length of the boundary of the site adjacent to the communal parking area of circa 3.87m, I would concur with the assessment of the Planning Officer that it is reasonable to conclude that a single car parking space exists at this location. Therefore, I would accept the case put forward by the applicant that the loss of the parking space adjoining the site with the opening of the vehicular entrance would be compensated with the provision of on-site parking. Furthermore, I would note, having regard to the design and layout of the estate with the front of the dwellings within the subject terrace directly addressing the footpath and communal open space that there is no car parking to the front of the appeal site. Accordingly, I consider the applicant has presented a clear requirement for a secure on-site parking space in the absence of such existing provision.

8.2.5. The appeal refers to the assessment of the District Engineer in respect of the proposed development and stated that their recommendation that a swept path analysis was not necessary did not refer to any technical reasoning or objective assessment. In response to this matter the first party noted the report of Planning Officer which stated that the Roads section was satisfied were the proposal and that swept path analysis was not considered necessary. Having regard to the limited

nature of the proposal a single vehicular entrance to serve a single on-site car parking space and the fact that there is a distance of over 13m immediately to the north of the entrance for a vehicular to manoeuvre into and out of the entrance, I would concur with assessment that a swept path analysis is not required. Furthermore, having regard to the location of the existing car parking spaces to the north-west and away from the proposed vehicular entrance, I am satisfied that the subject entrance would not negatively impact on the use of these car parking spaces.

8.2.6. It was stated in the appeal that the proposed vehicular entrance would create a precedent for similar entrances within the estate. In response to the matter the first party highlighted that there is already a precedent with the widened gate at a property to the north-west of the appeal site which accesses the communal parking area. On inspection of the site, I observed this existing gated vehicular entrance. Therefore, I would agree with the first party that the proposed vehicular entrance cannot be characterised as creating a precedent.

8.2.7. Accordingly, having regard to the details set out above, I am satisfied with the location and design of the subject vehicular entrance, and I am satisfied that it would be acceptable in terms of traffic safety.

8.3. **Other development on the site**

8.3.1. The appellants refer to the quantum of exempt development on the site, and they queried the accuracy of the stated area of the “Existing Shed and Covered Path” of 24.5sq m. They considered the footprint of the area was 25.9sq m based on the dimensions shown on Drawing no. SA/PL-06A.

8.3.2. In response to the issue the first party acknowledged that there were discrepancies in the drawings with incorrect labelling. The first party confirmed that the existing shed and covered path were incorrectly labelled as exempted development and the existing canopy as an item subject for retention. The correct labelling is that the existing shed is exempt development and the canopy and covered path are the areas subject to retention. The appeal response includes revised drawings which address the matter.

8.3.3. The appeal response submitted to the Commission on the 11/08/2026 includes revised drawings SA/PL 05B – Existing and Proposed Site Layout and Roof Plan and SA/PL 06B – Existing and Proposed Ground Floor Plan and Elevations. These indicated the existing shed with a stated floor area of 24.5sq m as deemed to be exempt development and the existing canopy and covered path as subject of retention.

8.3.4. It is highlighted in the appeal response that the exempted development status of the shed was accepted by the Enforcement Unit of the Council.

8.3.5. In relation to the exempted development status of the existing shed on site having reviewed the submitted drawings including the revised drawings submitted with the appeal response, I am satisfied that the footprint of the structure is 24.5sq m as stated on the drawings and therefore constitutes exempted development under the provisions of the regulations which were in force when the application was lodged with the Planning Authority.

9.0 AA Screening

9.1. I have considered the proposed development considering the requirements S177U of the Planning and Development Act 2000, as amended.

9.2. Dungarvan Harbour SPA (Site Code 004032) is located 552m to the east of the appeal site at the closest point.

9.3. Glendine Wood SAC (Site Code 002342) is located 1.8km to the north-east of the appeal site.

9.4. The proposed development comprises the partial demolition of a rear boundary wall to widen a pedestrian gate for use as a vehicular access gate, a 1m extension to the existing canopy structure and a covered pergola and walkway, all in the rear garden.

9.5. No nature conservation concerns were raised in the planning appeal.

9.6. No streams/watercourses are identified on site.

9.7. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European site. The reason for this conclusion is as follows:

- The small scale and nature of the development.
- The distance to the nearest European sites, and the absence of any hydrological or other pathways

9.8. Considering the screening report of Waterford City and County Council.

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

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 should be granted, subject to conditions.

12.0 **Reasons and Considerations**

12.1. Having regard to the provisions of the Waterford City and County Development Plan 2022-2028, to the location of the site in an established residential area, the 'existing residential' zoning objective and to the nature and scale of the proposed development and development proposed to be retained, 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 and would be acceptable in terms of traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

13.0 **Conditions**

1. The development shall be retained, carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by An Coimisiún Pleanála on the 11th day of August 2026, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

   Reason: In the interests of clarity.

2. The entrance permitted herein shall be for domestic purposes only in accordance with the details submitted. No commercial activity shall be carried out on site.

   Reason: To restrict the use of the entrance in the interest of residential amenity.

3. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

   Reason: In the interest of public health.

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."

Siobhan Carroll
Planning Inspector

28th of October 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	ACP 501718-WD-26
Proposed Development Summary	Partial demolition of a rear boundary wall to widen a pedestrian gate for use as a vehicular access gate.
Development Address	30 Cluain Ailinn, The Burgery, Dungarvan, 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?	☒ 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. **EIA is Mandatory. No Screening Required**	
☐ Yes, the proposed development is of a Class but is sub-threshold. **Preliminary examination required. (Form 2)** **OR**	

If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	
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: _____