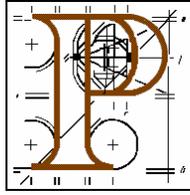


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2010

Waterford City

Planning Register Reference Number: 10/160

An Bord Pleanála Reference Number: PL 31.238070

APPEAL by Rita Canney of 14 Whitethorn Avenue, Grantstown Village, Waterford and by Glanbia Estates Limited care of Peter Thompson Planning Solutions of Suite 1, Burchall House, Parnell Street, Waterford against the decision made on the 9th day of November, 2010 by Waterford City Council to grant subject to conditions a permission to the said Glanbia Estates Limited.

PROPOSED DEVELOPMENT: A residential development comprising 40 number two-storey detached and terraced dwellinghouses, associated works and works to improve woodland public open space. Accommodation will consist of 12 number four bedroom detached houses (187.8 square metres), 12 number four bedroom detached houses (234.1 square metres) and 11 number five bedroom detached houses (282.6 square metres), all of the above houses to be provided with detached garages (25.0 square metres). Existing former stable and outbuilding structures to be altered and extended to provide five number two-storey dwellinghouses, including two number three bedroom terrace houses (124.1 square metres and 31.3 square metres) and three number two bedroom terrace houses (107.8 square metres, 104.5 square metres and 95.1 square metres). All of the above works to be undertaken complete with two new site entrances to Maypark Lane, car parking, demolition of existing structures, internal access roads, landscaping, reinstatement of existing pond and all associated site works at Glanbia Liquid Milk Depot, Maypark Lane, Waterford.

DECISION

REFUSE permission for the above proposed development based on the reasons and considerations set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

1. Having regard to the zonings of the site, to the Tree Preservation Order relating to this site and to the layout proposed which includes substantial encroachment and impact on the area zoned open space, and includes substantial loss of trees on the overall site, it is considered that the proposed layout would seriously injure the amenities of the area and the unique character of the heavily wooded area to the north of the site. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the internal roads layout proposed, which includes houses backing on to the public road, and a lack of any visual connection between the zoned open space area and the public road, it is considered that the layout as proposed would seriously injure the amenities of the area and would, therefore, be contrary to the proper planning and sustainable development of the area.
3. Having regard to the location of the site adjoining the Lower Suir candidate Special Area of Conservation, the extent of woodland on the site and extent of encroachment on the woodland, and in the absence of adequate baseline ecological surveys including survey of bats, the Board is not satisfied that a satisfactory appropriate assessment screening has been carried out for this development. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board did not agree that it would be adequate to require a bat survey by way of condition and considered that the layout as proposed, notwithstanding the revised proposals submitted with the appeal, was unacceptable for the reasons stated above.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2011.