



An  
Bord  
Pleanála

**Board Direction**  
**BD-004239-19**  
**ABP-304263-19**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 10/10/2019.

The Board decided to grant permission, for the following reasons and considerations, and subject to the following conditions.

### **Reasons and Considerations**

In coming to its decision, the Board had regard to the following:

- the Waterford County Development Plan 2011 (as varied)
- the pattern of development in the area
- the provision of an existing public car parking adjacent to the site
- the nature, scale and layout of the proposed development
- the submissions on file
- the inspectors report

the Board considered that, subject to the conditions outlined below, the proposed development would represent a sensitive, positive and appropriate re-use of the existing Railway Cottage structure and would improve the tourist offering associated with the Waterford to Dungarvan Greenway and promote and support the use of the Greenway as a cycling and pedestrian amenity and destination. The Board considered that the connection to the public sewer was achievable and therefore that the proposed development would not be prejudicial to public health and would therefore be in accordance with the proper planning and sustainable development of the area.

The Board was satisfied that the nature, scale and layout of the proposed development was acceptable and sympathetic to its context and surroundings and would not have a negative impact on the residential or visual amenities of adjoining properties and therefore, considered that the principle of the development adjacent to the Greenway was acceptable and therefore in accordance with the proper planning and sustainable development of the area.

Furthermore the Board was satisfied that having regard to the pattern of development, and permissions granted, in the area since the making of the development plan, the provisions of S.37(2)(b)(iv) of the Planning and Development Act 2000 (as amended) applied under which instance the Board may decide to grant a permission even if the proposed development contravenes materially the development plan relating to the area of the planning authority to whose decision the appeal relates.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board was satisfied that the proposed development was acceptable in principle and in terms of its nature, scale, design and context and that a feasible connection to the foul sewer could be achieved and therefore that the proposed development was and therefore in accordance with the proper planning and sustainable development of the area.

## Conditions

- 1 Plans and particulars
- 2 Materials and finishes
- 3 Irish Water Condition
- 4 CMP 1
- 5 S48 Unspecified

**Board Member**

**Date:** 10/10/2019

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Paul Hyde