

An  
Bord  
Pleanála

**Board Direction**  
**BD-008397-21**  
**ABP-309072-21**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 02/06/2021.

The Board decided to make a split decision, to

- (1) grant permission, for the following reasons and considerations and subject to the following conditions for the construction of a vehicle storage building for the Irish Coastguard Service

and

- (2) refuse permission for a 30 metres tall communications mast structure

generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

### **(1) Reasons and Considerations**

Having regard to the provisions of the Waterford County Development Plan 2011-2017, to the planning history of the site, and to the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the natural heritage or visual amenity of the area, would not seriously injure residential amenity in the vicinity and would comprise reasonable amendments to the development as permitted under P.A. Reg. Ref. 18/356. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## **Conditions**

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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 interest of clarity.

2. The development shall be carried out and completed in accordance with the relevant terms and conditions of the permission granted under planning register reference number 18/356, except as amended in order to comply with the conditions attached to this permission.

**Reason:** In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission.

3. The flagpole shall not be provided.

**Reason:** In the interest of residential amenity.

4. The developer shall submit details of the treatment of the western boundary of the car park area. This boundary should discourage the movement of individuals to the area west of the car park. This shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interests of clarity and the residential amenity of adjacent property.

5. Details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity.

6. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:

- (a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;
- (b) Location of areas for construction site offices and staff facilities;
- (c) Details of on-site car parking facilities for site workers during the course of construction;
- (d) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
- (e) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- (f) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;
- (g) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.

A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority.

**Reason:** In the interest of amenities, public health and safety.

7. Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0830 to 1300 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the residential amenities of property in the vicinity.

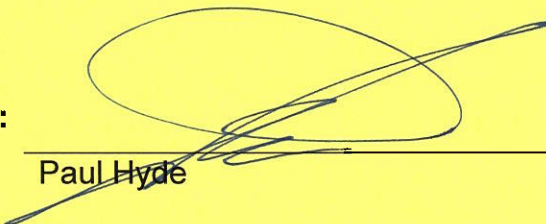
8. All mitigation measures contained in Section 7.1.1 and Section 7.4 of the 'Stage 2: Appropriate Assessment – Natura Impact Statement' submitted by the applicant shall be carried out.

**Reason:** In the interest of the protection of the Mid-Waterford Coast SPA (Site Code 004193).

## **(2). Reasons and Considerations.**

Having regard to the prominent location of the site on a designated visually vulnerable headland in a coastal area, the Board considered that a 30m high mast on this site would seriously injure the amenities of the area and be contrary to the policies of the Planning Authority as set out in the Waterford County Development Plan (2011 – 2017) as extended and amended, which seeks to restrict development that will have an adverse impact on the landscape along the coast. The proposed development would interfere with the character of the Copper Coast UNESCO World Heritage site, which is of special amenity value, and which it is necessary to preserve. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

**Board Member:**



Paul Hyde

**Date:** 16/06/2021