



**An
Bord
Pleanála**

**Board Direction
BD-014742-23
ABP-314341-22**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 28/11/2023.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the zoning objective for the site, the design and layout of the proposed development, the planning history pertaining to the site, and the policies and objectives of the Waterford City and County Development Plan 2022-2028, it is considered, subject to the conditions set out below, that the proposed development would not seriously injure the residential amenities of the area, would not be prejudicial to public health 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.

Note: The Board noted that environmental enforcement is a matter for the local authority and that there was a requirement on the part of each unit within the shopping centre to have appropriate waste management arrangements in place .

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars submitted on the 15th day of June 2022 and by the further plans and particulars received by An Bord Pleanála on the 6th day of September, 2022, 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. This permission shall be for a period of three years from the date of this Order. The bin store and all associated site works shall then be removed unless, prior to the end of the period, permission for its retention shall have been obtained.

Reason: To allow for a review of the development having regard to the circumstances then pertaining and in the interests of visual amenity.

3. A plan containing details for the management of waste (and, in particular, recyclable waste) within the development, including the provision of facilities for the storage, cctv monitoring, separation and collection of the waste and, in particular, recyclable materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Thereafter, the waste shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste in the interest of protecting the environment.

4. (a) The bin storage areas shall be contained within the site boundary and as shown on the revised Site Plan submitted on the 15th of June 2022. These areas shall be fenced off in accordance as per the details submitted, within two months of the grant of this permission.

(b) Bin storage shall not be permitted on the opposite (eastern) side of the road, adjacent to the third party property and existing structures at this location to be removed.

Reason: In the interest of residential and visual amenities of the area

5. Prior to the commencement of development details of the bin washdown area and associated surface water drainage measures to serve the bin storage areas shall be submitted to and agreed in writing with the Planning Authority.

Reason: In the interests of public health.

6. Litter in the vicinity of the bin storage areas shall be controlled in accordance with a scheme of litter control which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

Board Member



Joe Boland

Date: 30/11/2023