



An  
Bord  
Pleanála

**Board Direction**  
**BD-017802-24**  
**ABP-319658-24**

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The submissions on this file and the Inspector's report were considered at a Board meeting held on 08/10/2024.

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 development strategy for Annestown Village zoned as a Rural Village, the provisions of the Waterford County Development Plan 2022-2028, and 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 amenities of property in the vicinity, would not be prejudicial to public health and would be acceptable in terms of traffic safety, cultural heritage and visual amenity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## **Conditions**

1. The proposed 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. Agree finishes with PA – use model condition and reason.
  
3. The landscaping scheme shown on the plans and particulars received with the planning application shall be carried out within the first planting season following substantial completion of external construction works. All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.  
**Reason:** In the interest of residential and visual amenity.
  
4.
  - (a) The entrance gates to the proposed house shall be set back not less than four metres and not more than six metres from the edge of the public road. Wing walls forming the entrance shall be splayed at an angle of not less than 45 degrees and shall not exceed one metre in height.
  - (b) Regardless of the gradient of the driveway, the area between the edge of the roadway and the gate piers shall be reasonably flat and level with the laneway, with a gradient not exceeding 2.5%.
  - (c) The entrance and boundary wall onto the laneway shall be constructed of sod and stone, dry stone, stone-faced masonry or natural stone and mortar and shall not exceed 1.2 metres in height, unless otherwise agreed with the planning authority.

**Reason:** In the interest of traffic safety.

5. All public service cables for the development, including electrical and telecommunications cables, shall be located underground throughout the site.

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

6. Surface water – Use model condition and reason.

7. Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreement(s) with Uisce Éireann.

**Reason:** In the interest of public health.

8. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday, inclusive, between 0800 and 1400 hours on Saturdays, and not at all on Sundays or public holidays. Deviation from these times shall 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.

9. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

**Board Member**

*Patricia Calleary*  
Patricia Calleary

**Date:** 08/10/2024