

An
Bord
Pleanála

Board Direction
BD-018406-24
ABP-320641-24

The submissions on this file and the Inspector's report were considered at a Board meeting held on 06/12/2024.

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

Reasons and Considerations

Having regard to the planning history of the site, the nature of the proposed development, the documentation provided with the application, the policies of Waterford City and County Development Plan 2022-2028, and guidance provided by the Design Manual for Urban Roads and Streets, it is considered that subject to compliance with the conditions set out below, the proposed development of an additional vehicle entrance, associated siteworks and retention of the timber boundary fence would not detract from the character of the protected structure or the local area, seriously injure the amenities of the area, or endanger public safety by creating a traffic hazard and would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation for a split decision to refuse permission for the retention of the 1800mm high timber fence, the Board did not share the Inspector's view that the fence would negatively impact the amenity of the area or detract from its character, particularly with suitable landscaping treatment to replace plants/bushes to be removed to accommodate sightlines for the approved entranceway.

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 information and particulars received by the Planning Authority on the 19th day of June 2024, and on the 15th day of July 2024, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of clarity.

2. (a) The entrance shall be in accordance with the details received by the Planning Authority on the 15th day of July 2024. It shall be located such that clear and unobstructed sightlines are available from a point 2 metres back from the nearside edge of the roadway at the centre of the entrance to a point to the north of the entrances for a distance of 23 metres and to a point to the south of the entrance for a distance of 7.9 metres.

(b) The location of the entrance gate shall be revised in accordance with the details submitted to the Planning Authority on the 15th of July 2024 to ensure 23 metre sight line to the north of the entrance and the area within the sightline triangle shall be maintained free from obstruction to ensure sightlines are maintained.

(c) 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 public road, with a gradient not exceeding 2½% or as otherwise agreed in writing with the Planning Authority.

(d) The gated vehicular entrance to the public road shall have inward opening gates only.

(e) The existing finished road levels shall not be raised or lowered to facilitate the proposed development without the prior consultation of the Planning Authority Roads Department and the subsequent written agreement of the Planning Authority.


(f) The existing stone wall on either side of the proposed entrance shall be made good.

(g) Surface water from the entrance shall not be allowed to flow onto the public roadway and shall be disposed of to the satisfaction of the Planning Authority.

Reason: In the interest of public and traffic safety.

- 3 Prior to commencement of the development, the developer shall agree in writing with the Planning Authority, details of proposed landscaping along the timber fence boundary.

Board Member



Declan Moore

Date: 09/12/2024