

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Waterford City and County

Planning Register Reference Number: 15/761

An Bord Pleanála Reference Number: PL 93.246313

APPEAL by Diarmuid O'Neill and Margaret O'Neill of Ballygagin House, Ballygagin, Dungarvan, County Waterford against the decision made on the 18th day of February, 2016 by Waterford City and County Council to grant subject to conditions a permission to Shanley Industrial Engineering Limited care of Ailtire Architectural Services of Leigh, Ring, County Waterford in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: The construction of a storage building (5.4 metres ridge height over ground level), erection of a 2.4 metres high steel palisade fence and ancillary works to rear of existing building at Ballygagin, Dungarvan, County Waterford.

DECISION

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

Having regard to the provisions of the Waterford County Development Plan 2011-2017 as set out in paragraph 10.57.2, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the zoning designation for the area and would not seriously injure the residential or rural amenities of this designated Green Belt area. 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 landscaping of the development shall incorporate a continuous hedge of indigenous species (for example, holly, hawthorn or beech), which shall be planted for the full length of the western and northern boundary.

Reason: In the interest of residential and visual amenity.

3. No fans, louvres, ducts or other external plant other than those shown on the submitted drawings shall be installed unless authorised by a prior grant of planning permission.

Reason: In the interest of visual amenity.

4. Receptacles for waste shall be provided and available for use at all times on the premises in accordance with details which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of the amenities of the area.

5. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or 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.

6. 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.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2016.