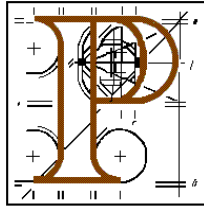


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Waterford City and County

Planning Register Reference Number: 15/665

An Bord Pleanála Reference Number: PL 93.246405

APPEAL by Rita Canney of 14 Whitethorn Avenue, Grantstown Village, Waterford against the decision made on the 10th day of March, 2016 by Waterford City and County Council to grant subject to conditions a permission to Liam Power care of James A. Griffin of 'Caisleán', Cork Road, Waterford in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Retention permission for removal of boundary ditch and hedgerow, erection of post-and-rail boundary fencing, provision of vehicular entrance widening and resurfacing of a roadway together with the erection of road signage, extension of water services and provision of surface water drainage system at Saint Mary's Church, Ballygunner, Waterford. The proposed development was revised by further public notices received by the planning authority on the 23rd day of February, 2016.

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 location and use of the site in association with Saint Mary's cemetery, the nature and scale of the development proposed to be retained and completed, and the character and setting of the area, it is considered that, subject to compliance with the conditions set out below, including compensatory planting in respect of roadside trees and hedging previously removed, the development would be acceptable in terms of visual impact and of traffic safety and convenience. The development proposed to be retained and completed would, therefore, be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. The development shall be carried out, retained and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 12th day of February, 2016, 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 and the development shall be carried out, retained and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. (1) The northern boundary of the widened road to the south of the site shall be densely planted with indigenous deciduous trees and hedging species in accordance with the details of the planting proposed for the northern boundary of the site as set out on drawing number P-01 (Site Plan – Details) submitted with the planning application. The planting shall be undertaken for the entire northern boundary of the road and for the turning circle.
- (2) Any plants that 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.

Revised plans and particulars showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The planting shall be completed to the written satisfaction of the planning authority within one planting season of the date of this Order.

Reason: To compensate for the removal of the roadside boundary trees and hedgerow, in the interest of visual amenity and ecological biodiversity.

3. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

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

Dated this day of 2016.