

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Waterford City and County

Planning Register Reference Number: 16/273

An Bord Pleanála Reference Number: PL 93.246788

APPEAL by Bernie Rothwell care of Frank Ó Gallachóir of 94 Rathdown Park, Greystones, County Wicklow against the decision made on the 8th day of June, 2016 by Waterford City and County Council to grant subject to conditions a permission to WG O'Hare care of Parker Green International of Drumalane Mill, Newry, County Down, Northern Ireland in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Continuation of use of land as a temporary car park for a period of 2 years at lands bounded by High Street and Exchange Street, Waterford City.

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 temporary nature and relatively small scale of the development, the location of the site within the City Centre Commercial Area and the pattern of development in the vicinity, and having regard to the planning history of the subject site, it is considered that, subject to compliance with the conditions set out below, the development would not adversely affect the amenities of the area or of property in the vicinity, and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. The development shall be retained 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.

Reason: In the interest of clarity.

2. This permission is for a period of two years from the date of this order. The use of the site as a car park shall cease following the expiration of this period.

Reason: It is considered that the use of the site as a car park in this city centre location does not represent a long term sustainable use of the site, and that its use for this purpose can be permitted only for a further period of two years.

3. 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 within two months of the date of this order 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.