



Planning and Development Acts 2000 to 2018

Planning Authority: Waterford City and County Council

Planning Register Reference Number: 18/448

Appeal by Belvedere Manor Residents' Association care of Michael Fitzpatrick of 1 Fairfield Road, Belvedere Manor, Waterford and by Colm Dunphy of 4 Fairfield Close, Belvedere Manor, Waterford against the decision made on the 23rd day of August, 2018 by Waterford City and County Council to grant subject to conditions a permission to Waterford County GAA Board care of Horganlynch Consulting Engineers of Tellengana, Blackrock Road, Cork in accordance with plans and particulars lodged with the said Council.

Proposed Development: Demolition of existing on-site buildings (with the exception of the southern stand) and the construction of the following: new western boundary wall complete with turnstile housings, ticket office and exit gates, new western terrace complete with roof cover, new sanitary and concession accommodation at western end of ground, new northern open seated stand (uncovered), new part open seated stand at north east corner (uncovered), new sanitary accommodation at north east corner, new two-storey dressing room/administration building at eastern end of ground, new sanitary and concession accommodation at south east corner and new southern boundary wall at south east corner complete with turnstile housing ticket office and exit gates all at Walsh Park, Keanes Road, Slievekeale Road, 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:-

- (a) the zoning provisions for the site, as set out in the Waterford City Development Plan 2013-2019,
- (b) the existing, long-established, stadium use on the site,
- (c) the location of the site close to the city centre and the need for a modern stadium to host inter-county matches,
- (d) the separation distances between the proposed development and residential uses, and

- (e) the measures to be put in place to manage traffic and parking on match days,

it is considered that the proposed development, subject to compliance with the conditions set out below, would be acceptable in terms of pedestrian and traffic safety and convenience, would not seriously injure the amenity of residential property in the vicinity, would not be prejudicial to public health and 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 submitted with the application, as amended by the further particulars submitted to An Bord Pleanála on the 18th day of October 2018, except as may 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 development hereby permitted shall be ancillary to the principal use of the development site as a sports facility. The development shall not be used for the holding of concerts, events or functions unless subject to a separate planning permission or licensing under the provisions of the Planning and Development Act, 2000, as amended or the Planning and Development Regulations, 2001, as amended.

Reason: In the interest of clarity.

3. Prior to commencement of development, the developer shall submit to, and agree in writing with, the planning authority full details, including selected sample boards, of all external finishes, materials, textures and colours.

Reason: In the interest of visual amenity.

4. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with details submitted with the application and the requirements of the planning authority for such works and services. In particular, no surface water shall be discharged to any public combined sewer. Instead, surface water shall be discharged to an existing public surface water sewer located 100 metres to the south of the site, at Manor Lawn. Full details of the works necessary to achieve this, shall be submitted to the planning authority, and written agreement obtained, prior to commencement of any redevelopment of the site.

Reason: In the interest of public health.

5. All services and cables associated with the proposed development (such as electrical, television, telephone, and broadband) shall be run underground within the site.

Reason: In the interest of visual amenity.

6. Notwithstanding the provisions of the Planning and Development Regulations, 2001, or any statutory provision amending or replacing them, no advertisement signs, other than the signage indicated in the plans and particulars, (including any signs installed to be visible through the windows), advertisement structures, banners, canopies, flags, or other projecting elements shall be displayed or erected on the buildings or within the curtilage of the site, unless authorised by a further grant of planning permission.

Reason: To protect the visual amenities of the area and to allow the planning authority to assess any further signage through the statutory planning process.

7. A plan containing details for the management of waste (and recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and recyclable materials and for the ongoing operation of these facilities shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste and recyclable materials, in the interest of protecting the environment.

8. No additional development shall take place above parapet level of stands or any other buildings within the site, including lift motor enclosures, air-handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

Reason: To protect the residential amenities of property in the vicinity and the visual amenities of the area.

9. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site and in the water courses within the site. In this regard, the developer shall –

- (a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development,
- (b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and
- (c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

10. Prior to commencement of any redevelopment, the developer shall submit to, and agree in writing with, the planning authority, a detailed Mobility Management Plan for the operational phase of the development. The plan shall provide detailed arrangements for vehicular movement and parking (including bicycle parking), and for pedestrian movement arrangements, as set out in the documentation submitted with the application and appeal and shall provide for the employment of a mobility/events manager for the proposed development.

Reason: In the interest of traffic and pedestrian safety and to avoid traffic congestion.

11. The construction period of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority, prior to commencement of development. This plan shall provide details of intended construction practice for the development, including: -
 - (a) location of the site and materials compound(s) including areas identified for the storage of construction refuse,
 - (b) location of areas for construction site offices and staff facilities,
 - (c) details of site security fencing and hoardings,

- (d) details of on-site car parking facilities for site workers during the course of construction,
- (e) details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site,
- (f) measures to obviate queuing of construction traffic on the adjoining road network,
- (g) measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network,
- (h) alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works,
- (i) details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels,
- (j) containment of all construction-related fuel and oil within specially constructed bunds, to ensure that fuel spillages are fully contained,
- (k) off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil, and

- (l) means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.

Reason: In the interest of residential amenity, public health and safety.

Terry Ó Niadh

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

Dated this day of 2019.