



Planning and Development Acts 2000 to 2019

Planning Authority: Waterford City and County Council

Planning Register Reference Number: 19/690

Appeal by John Walsh and Joan Walsh care of Peter Thomson Planning Solutions of 4 Priory Grove, Kells, County Kilkenny against the decision made on the 12th day of November, 2019 by Waterford City and County Council to grant subject to conditions a permission to Ray Sinnott on behalf of Mount Congreve Trust care of Michael Whelan Architectural Technician of Kilcanavee, Kilmacthomas, County Waterford in accordance with plans and particulars lodged with the said Council.

Proposed Development: To replace the existing agricultural entrance with a domestic entrance to provide access to residence at Mount Congreve, Killotteran, County Waterford. The proposed site is within the curtilage of a Protected Structure.

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 extended, and the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in terms of pedestrian and traffic safety, would have negligible impact on the Protected Structure and would not seriously injure the residential amenities of the area or of property in the vicinity. 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. The development hereby permitted shall be for domestic access to one dwelling only.

Reason: In the interest of clarity.

2. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Surface water from the site shall not be permitted to drain onto the adjoining public road nor to adjoining residential property.

Reason: In the interest of public health, and to safeguard the residential amenities of property in the vicinity.

3. Details of the proposed gates shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The gates shall be so designed as not to be capable of opening outwards.

Reason: In the interests of visual amenity and of pedestrian and traffic safety.

Philip Jones

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

Dated this day of 2020.