



An
Bord
Pleanála

Board Order
ABP-311374-21

Planning and Development Acts 2000 to 2021

Planning Authority: Waterford City and County Council

Planning Register Reference Number: 21/373

Appeal by Anthony and Pauline Fowler of The Hideaway, Old Crobally Road, Tramore, County Waterford against the decision made on the 19th day of August, 2021 by Waterford City and County Council to grant subject to conditions a permission to Uptown Property Developments Limited of 15A Main Street, Tramore, County Waterford in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of four number two storey, four bedroom, detached dwelling houses to include new driveway, footpaths, landscaping, boundary treatments and all associated site works. This site was subject of a grant of planning permission for service sites reference number 19761, all at Sites 4-7 Seanród, Crobally Upper, Tramore, County Waterford. Further public notices were received by the planning authority on the 27th day of July, 2021.

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 condition set out below.

Reasons and Considerations

Having regard to the Existing Residential zoning that applies to the site under the Waterford City and County Development Plan 2022-2028, under which residential development is acceptable, together with the nature and scale of the proposed development, the planning history of the site and the pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out in accordance with the plans and particulars lodged with the application, as amended by the additional information submitted on the 20th day of July, 2021, 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. Approved houses shall not be occupied prior to completion of works associated with permission register reference 19/761, including the site access and internal carriageway, footpaths, public open space and landscaping, street lighting, boundary treatments and underground services.

Reason: In the interest of the proper planning and sustainable development of the area.

3. Water supply and drainage arrangements shall comply with the requirements of the planning authority for such works and services, details of which shall be submitted to, and agreed in writing with the planning authority, prior to the commencement of development.

Reason: In the interest of public health.

4. All service cables associated with the proposed development (such as electrical, communal television, telephone and public lighting cables) shall be run underground within the site.

Reason: In the interests of orderly development and the visual amenities of the area.

5. Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreement(s) with Irish Water.

Reason: In the interest of public health.

6. The construction 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 traffic management and noise reduction measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

7. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and 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.

8. 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.

Dr. Maria FitzGerald

Maria FitzGerald

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this 7th day of December 2022.

