

An
Bord
Pleanála

Board Order
ABP-312809-22

Planning and Development Acts 2000 to 2021

Planning Authority: Waterford City and County Council

Planning Register Reference Number: 21/765

Appeal by Paul Kelley and others care of Peter Thomson Planning Solutions of 4 Priory Grove, Kells, County Kilkenny against the decision made on the 25th day of January, 2022 by Waterford City and County Council to grant subject to conditions a permission to James O'Mahony care of JPO Architectural Associates of 6-9 Trinity Street, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: A change of use from an existing dormer bungalow to a medical practice. The development will consist of refurbishment of the existing bungalow, new signage to the southwestern elevation, demolition and relocation of existing fuel store, six number solar panels fixed to south facing roof, the provision of 19 new car parking spaces, new entrance walls and gate including signage and associated site works, all at The Hermitage, Grantstown, Count Waterford, as amended by the further public notice received by the planning authority on the 21st day of December, 2021 to include new drainage connection to temporary main on Williamstown Road, new solid boundary treatment to northern and eastern boundary, clarification of working hours and car park lighting and revised demonstration of development need.

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.

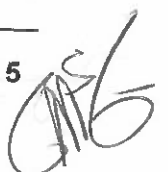
Reasons and Considerations

Having regard to the provisions of the Waterford City and County Development Plan 2022 - 2028, it is considered that, subject to compliance with the conditions set out below, the proposed development would integrate in a satisfactory manner with the existing built development in the area, would not seriously injure the residential or visual amenities of the area or of property in the vicinity and would be acceptable in terms of pedestrian and traffic safety. 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, as amended by the further plans and particulars submitted on the 13th day of December 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 commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

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2. Water supply and drainage arrangements, including the 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.

3. Boundary treatments shall be in accordance with the details submitted to the planning authority on the 9th day of August, 2021. All existing site boundaries shall be retained and strengthened by way of supplementary planting.

Reason: In the interest of visual amenity.

4. The public opening hours of the medical practice shall be between the hours of 0830 and 1700 from Mondays to Fridays inclusive. Any changes to these times shall be subject to a new planning application.

Reason: In the interests of clarity and residential amenity.

5. Secure cycle parking shall be provided within the proposed development in accordance with the requirements of the planning authority. A drawing demonstrating compliance with this requirement shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To ensure an appropriate standard of development.

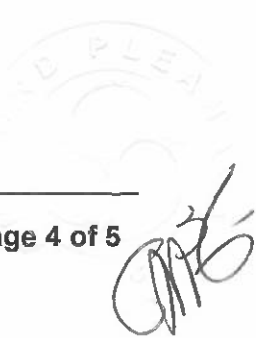
6. Details of the type, height, lumen level, and location of all external lighting shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To ensure an appropriate standard of development and to protect the residential amenities of the area.

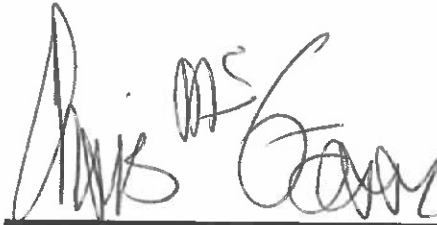
7. Site development and building works shall be carried out only between the hours of 0800 and 1900 from Mondays to Fridays inclusive, between 0800 and 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where 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 the 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.



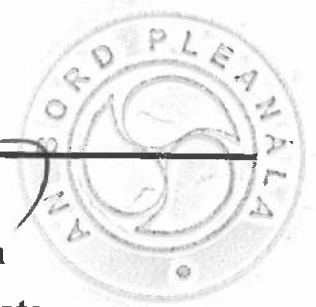
Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Chris McGarry

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**



Dated this 15th day of February 2023.