



Planning and Development Acts 2000 to 2022

Planning Authority: Waterford City and County Council

Planning Register Reference Number: 21/316

APPEAL by Declan McGrath of 10 The Estuary, King's Channel, Waterford against the decision made on the 5th day of April, 2022 by Waterford City and County Council to refuse permission to Deise Community Boat Club care of Malachy Walsh and Partners of Reen Point, Blennerville, Tralee, County Kerry.

Proposed Development: To retain development work including a new entrance, access road and site clearance at Gracedieu East, Waterford.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Reasons and Considerations

1. On the basis of the information provided with the planning application and the appeal, and having regard to the absence of more detailed scientific information to exclude adverse effects on site integrity of the Lower River Suir Special Area of Conservation (Site code: 002137), the Board cannot be satisfied that the project individually, or in combination with other plans or projects approved in the area, would not result in adverse impacts on the integrity of the Lower River Suir Special Area of Conservation in view of the site's Conservation Objectives. In such circumstances, the Board is precluded from granting permission for the development proposed to be retained.
2. Having regard to the location of the site in an area which is at risk of flooding, the Board is not satisfied on the basis of information submitted with the planning application and appeal, that issues relating to flood risk have been satisfactorily addressed. The development proposed to be retained would, therefore, be contrary to 'The Planning System and Flood Risk Management Guidelines for Planning Authorities' issued by the Department of Environment, Heritage and Local Government, 2009, (updated 2020), and to Section 9.8 Volume 2 and Appendix 13 'Strategic Flood Risk Assessment' of the Waterford City and County Development Plan 2022-2028. The development proposed to be retained would, therefore, be contrary to the proper planning and sustainable development of the area.

3. The development proposed to be retained seeks to achieve access to a local road where sightlines to the east of the development are not in accordance with the requirements set out in Table 8.1 of the Waterford City and County Development Plan 2022-2028. The traffic movements to which it would give rise, in conjunction with existing traffic movements, road capacity with restrictive width and poor horizontal alignment on approach, would interfere with the safety and free flow of traffic at a point where the maximum speed limit of 80kph applies. As such, the development proposed to be retained, if permitted, would conflict with the Waterford City and County Development Plan 2022-2028 and would endanger public safety by reason of traffic hazard and obstruction of road users and would, therefore, be contrary to the proper planning and sustainable development of the area.



Liam Bergin

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

Dated this *07th* day of *August* 2024