

An
Bord
Pleanála

Board Order
ABP-315557-23

Planning and Development Acts 2000 to 2022

Planning Authority: Waterford City and County Council

Planning Register Reference Number: 22/914

Appeal by Bluebell Developments Limited care of Bryan McCarthy and Associates of 9a Durand's Court, Parnell Street, Waterford against the decision made on the 13th day of December, 2022 by Waterford City and County Council to refuse permission for the proposed development.

Proposed Development: Construction of a two-storey building comprising of a dual-surgery dental practice at ground floor, and a health and welfare related consultancy at first floor in addition to the provision reception areas, ancillary offices, staff facilities and meeting rooms. External works to the structure include roof plant, signage, storm attenuation tank, reconfiguration of existing car parking layout, together with all associated site development works at The Vee Centre, The Vee, Cork 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.

Reasons and Considerations

Having regard to the 'General Business' zoning objective in the Waterford City and County Development Plan 2022-2024, relating to the site and the nature and extent of the proposed development, it is considered that the proposal, subject to compliance with the conditions set out below, represents a positive response to an underutilised site, would be compliant with the parking requirements of the above Development Plan, would be acceptable in terms of traffic safety and would not seriously injure the amenities of the area or of property in the vicinity. Therefore, the Board considered that the proposed development would 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 to An Bord Pleanála on the 17th of January 2023, 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. Details of the materials, colours and textures of all the external finishes to the proposed building shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of the visual amenities of the area.

3. The developer shall enter into a water connection agreement with Uisce Éireann, prior to the commencement of the development and shall adhere to the standards and conditions set out in that agreement.

Reason: In the interest of public health.

4. No advertisement or advertisement structure, other than those shown on the drawings submitted with the application, shall be erected or displayed on the building or within the curtilage of the site, in such a manner as to be visible from outside the building, unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity.

5. The construction of the development shall be managed in accordance with a Construction and Environmental Management Plan, which shall be submitted to, and agreed in writing with the planning authority prior to commencement of development. This plan shall provide, inter alia, details and location of the proposed construction compound, details of intended construction practice for the development, including hours of working, noise and dust management measures, measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network, details of arrangements for routes for construction traffic, parking during the construction phase, and off-site disposal of construction/demolition waste.


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

6. A minimum of two spaces of the proposed car parking spaces shall be provided for electric vehicle charging. Details of how it is proposed to comply with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of sustainable transport.

7. 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.

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

Dated this *10TH* day of *April* 2024.