

An  
Coimisiún  
Pleanála

Commission Order  
ABP-321142-24

---

**Planning and Development Acts 2000 to 2022**

**Planning Authority: Waterford City and County Council**

**Planning Register Reference Number: 23/273**

**Appeal** by Richard and Linda Murphy of The Straw House, Knockaveelish, Dunmore East, County Waterford and by Martina and Matthew Walsh of Knockaveelish, Dunmore East, County Waterford against the decision made on the 2<sup>nd</sup> day of October, 2024 by Waterford City and County Council to grant subject to conditions a permission to Deborah and Ian Kelly care of MDP and Partners of 2/3 Colbeck Street, Waterford in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Retention of development works as constructed including the main entrance, driveway and associated retaining walls, adjusted internal site levels, a domestic garage, installation of the existing wastewater treatment system, existing landscaping and boundary treatments and all associated site development works at Knockaveelish, Dunmore East, County Waterford, as amended by the further public notices received by the planning authority on the 10<sup>th</sup> day of September, 2024.

## **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 nature and extent of the garage, alterations and associated works proposed for retention, it is considered that, subject to compliance with the conditions set out below, the retention of development would be in accordance with the relevant provisions of the Waterford City and County Council City Development Plan 2022-2028, including Policy Objectives H02 and H20, would protect and provide for residential uses and amenities, would respect the character and visual amenities of the area, would not be prejudicial to public safety and would, therefore, be in accordance with the proper planning and sustainable development of the area

## Conditions

The development shall be retained, carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 23<sup>rd</sup> day of August 2024, 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. For the avoidance of doubt, this permission shall not be construed as approving any development shown or referenced on the plans, particulars and specifications, the nature and extent of which has not been adequately stated in the statutory public notices.

**Reason:** In the interest of clarity.

2. Apart from any departures specifically authorised by this permission, retention of the development shall comply with the conditions of the parent permissions on the site (Register Reference 17367 and Register Reference 08669).

**Reason:** In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permissions.

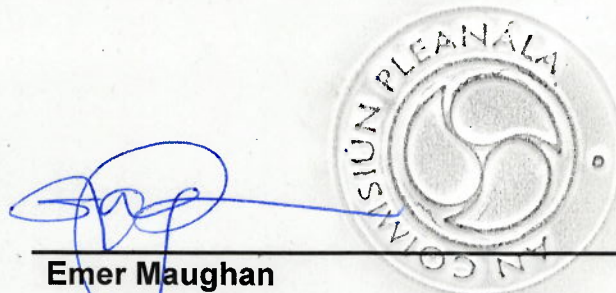


3. Within three months of the date of this Order, the developer shall submit a report to the planning authority from a suitably qualified person (with professional indemnity insurance) certifying that the wastewater treatment system, polishing filter and associated works is constructed and operating in accordance with the standards set out in the EPA Code of Practice – Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. <10) Environmental Protection Agency 2009 (or EPA Code of Practice – Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. ≤10) Environmental Protection Agency 2021).

**Reason:** In the interest of public health and to prevent water pollution.

4. The garage permitted herein shall be used solely for purposes incidental to the enjoyment of the dwelling and any proposed change of use of the garage shall be subject to the grant of a separate planning permission.

**Reason:** In the interest of the residential amenity of the area.



**Emer Maughan**

**Planning Commissioner of An Coimisiún**

**Pleanála duly authorised to authenticate  
the seal of the Commission.**

Dated this 10<sup>th</sup> day of July 2025.