

An
Coimisiún
Pleanála

Commission Order
ABP-321315-24

Planning and Development Act 2000, as amended

Planning Authority: Waterford City and County Council

Planning Register Reference Number: 24/60319

Appeal by Daniel and Aoife Marks care of Paul O'Toole Architects of 9 Clarinda Park North, Dun Laoghaire, County Dublin against the decision made on the 6th day of November, 2024 by Waterford City and County Council to grant subject to conditions a permission to James Elliot care of John Kennedy of Sea Breeze Studio, Duncannon, County Wexford in accordance with plans and particulars lodged with the said Council.

Proposed Development: The construction of one single-storey dwelling house, one single-storey garden shed, tow site entrances and ancillary site works. The application is a sub-division of the site area associated with the property located at 8 Hillside Drive, Crooke, Passage East, County Waterford all at Harbour View, Crooke, Passage East, County Waterford as revised by further public notices received by the planning authority on the 10th day of October, 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 provisions of the Waterford City and County Development Plan 2022-2028, the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, 2024, the nature and scale of the development and the existing character of the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would constitute an acceptable form of residential development at this serviced location and would not seriously injure the amenities of the area or of property in the vicinity. 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 to the planning authority on the 10th day of September 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.

Reason: In the interest of clarity.

2. (a) The roof covering of the house shall be blue/black slates/composite slate.
- (b) Prior to the commencement of development, the developer shall submit details of all external finishes of the house, to include materials, texture and colour, for the written agreement of the planning authority.

Reason: In the interest of visual amenity.

3. The northern boundary of the site shall be defined by a concrete blockwork wall, suitably capped and plastered on its public side, with maximum height of 1.2 metres, save for the portion of the wall to the west of the entrance door to the dwelling, which may be a maximum of 1.8 metres in height. Prior to the commencement of development, the developer shall submit details of the northern boundary of the site defined by a concrete blockwork wall, suitably capped and plastered on its facing side, for the written agreement of the planning authority.

Reason: In the interests of visual and residential amenity.

4. Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including noise and dust management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and amenity.

5. Site development and building works shall be carried out 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 shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

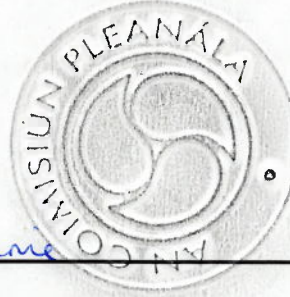
Reason: To safeguard the amenity of property in the vicinity.

6. Prior to the commencement of development the developer shall enter into connection agreements with Uisce Éireann to provide for service connections to the public water supply and wastewater collection network.

Reason: In the interest of public health and to ensure adequate water and wastewater facilities.

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 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 Coimisiún 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.



Mary Gurrie

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**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this *24* day of *September* 2025