



An
Coimisiún
Pleanála

Commission Order

ABP-322080-25

Planning and Development Acts 2000 to 2024

Planning Authority: Waterford City and County Council

Planning Register Reference Number: 24/60803

Appeal by Michael Feehan of Graigue Lower, Cuffesgrange, Kilkenny and by McDonald's Restaurant of Ireland Limited care of Downey Chartered Town Planners of 29 Merrion Square, Dublin against the decision made on the 24th day of February, 2025 by Waterford City and County Council to grant subject to conditions a permission to the said McDonald's Restaurant of Ireland Limited in accordance with plans and particulars lodged with the said Council.

Proposed Development: A single storey drive-thru restaurant, including the ancillary sale of hot food for consumption off the premises with an associated corral area, elevational signage, car parking, including accessible parking spaces, grill bays, EV charging spaces, bicycle parking, a height restrictor, customer order points with associated canopies, totem signage, free-standing signage, banner frames and digital menu boards, ESB substation and kiosk, landscaping, including outdoor furniture/seating area with parasols, boundary treatments, lighting, PV panels at roof level, reconfiguration of part of existing car park to facilitate the development, including new pedestrian crossings, and all associated site and engineering works necessary to facilitate the development, all on lands at Waterford Retail Park, Outer Ring Road, Cork Road, Butlerstown, County Waterford.

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 location of the proposed restaurant use in a retail park area where there is extensive parking already available, and the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not conflict with the existing pattern of development in the area, would be acceptable in terms of traffic safety and convenience, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed 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 received by An Coimisiún Pleanála on the 21st day of March, 2025, 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The totem sign located to the west of the site adjacent to the Outer Ring Road (R710) shall be omitted from the proposed development.

Reason: In the interest of visual amenity and to avoid a precedent for further individual business advertising totems.

3. Trading hours of the premises shall be up to 24 hours a day.

Reason: In the interest of clarity.

4. Prior to commencement of development, the developer shall enter into a connection agreement with Uisce Éireann to provide for a service connection to the public water supply and/or wastewater collection network.

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

5. Lighting shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public safety and to ensure a proper standard of development.

6. Prior to commencement of development, details of the materials, colours and textures of all the external finishes, inclusive of fascia treatment and signage, shall be submitted to the planning authority for written agreement.

Reason: In the interest of visual amenity.

7. No additional signs, symbols, nameplates or advertisements shall be erected on the site without the prior approval of the planning authority, whether or not such development would otherwise constitute exempted development.

Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.

8. Prior to commencement of development, the developer, or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021), including a demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness, these details shall be placed on the file and retained as part of the public record. The RWMP shall be submitted to the planning authority for written agreement prior to commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of proper planning and sustainable development.

9. Prior to commencement of any works on site, the developer shall ascertain and comply with all the requirements of the Environmental Health Officers Department.

Reason: In the interest of public health.

10. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. All existing over ground cables shall be relocated underground as part of the site development works.

Reason: In the interest of visual amenity.

11. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays, inclusive, between 0800 to 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 amenities of properties in the vicinity.

12. 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.





Declán Moore

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

Dated this 27th day of JUNE 2025.