

An
Coimisiún
Pleanála

Commission Order
ABP-322084-25

Planning and Development Acts 2000 to 2022

Planning Authority: Waterford City and County Council

Planning Register Reference Number: 2460789

Appeal by Michael Feehan of Graigue Lower, Cuffesgrange, Kilkenny against the decision made on the 19th day of February, 2025 by Waterford City and County Council to grant permission, subject to conditions, to Targeted Investment Opportunities ICAV care of Downey, Chartered Town Planners of 29 Merrion Square, Dublin for the proposed development.

Proposed Development: The utilisation of the existing services access/entrance onto Cork Road as a permanent secondary vehicular access/entrance to Waterford Retail Park. Planning permission is also being sought for development which will consist of junction upgrade works, new pedestrian crossing and right turn lane, and all associated site works necessary to facilitate the development; all at Waterford Retail Park, Outer Ring Road, Cork Road, Butlerstown, County 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 form and layout of the proposed development and the development proposed to be retained, to the roads layout in the area and to surrounding land uses, it is considered that, subject to compliance with the conditions set out below, the proposed development and the development proposed to be retained would not impede the flow of traffic in the area, would improve the safety of vulnerable road users including pedestrian and cyclists and would overall improve traffic safety of the road and junction at this location. The proposed development and the development proposed to be retained would, therefore, be acceptable in terms of traffic safety and would be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out, completed and retained in accordance with the plans and particulars lodged with the planning authority 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. Prior to the commencement of development, the final layout and design details/specifications for footpaths, cycle way, zebra crossing, road layout, road markings and belisha beacons shall be submitted to, and agreed in writing with, the roads section of the planning authority. A copy of the written agreement and of any revised agreed layout shall be submitted to the planning authority. The agreed works shall be undertaken by the developer to the satisfaction of roads section of the planning authority.

Reason: In the interests of public safety and of the proper planning and sustainable development of the area.

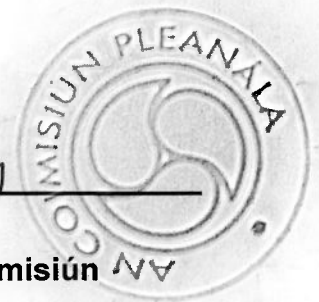
3. (a) Prior to the commencement of development, a Construction Traffic Management Plan shall be agreed with the roads section of Waterford City and County Council and a letter of agreement from the District Engineer (Metro Area) of the planning authority shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.
- (b) All works carried out on the public footpath, or the public road shall require a Road Opening Licence and Hoarding Licence. These licences are available from the District Engineer (Metro Area) of the planning authority.
- (c) Any interference with or damage to the road or footpath in the area caused during the construction of the development shall be made good at the expense of the developer to the confirmed written satisfaction of the District Engineer (Metro Area) of the planning authority. Evidence of all agreements shall be submitted to the planning authority within one month of said agreement(s).

- (d) Adequate drainage shall be provided to ensure that freestanding water is not formed on the roadway or footpaths.

Reason: In the interests of public safety and of the proper planning and sustainable development of the area.


Patricia Calleary

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



Dated this 30th day of June 2025.