

An
Coimisiún
Pleanála

**Commission Order
ABP-322645-25**

Planning and Development Act 2000, as amended

Planning Authority: Waterford City and County Council

Planning Register Reference Number: 2460795

Appeal by Jimmy and Joan Mansfield of 20 Meadowlands, Abbeyside, Dungarvan, County Waterford against the decision made on the 2nd day of May, 2025 by Waterford City and County Council to grant permission subject to conditions to Darren and Sinead O'Toole care of Emmet Murray Architecture of Dungarvan Enterprise Centre, Lower Main Street, Dungarvan, County Waterford in accordance with plans and particulars lodged with the said Council.

Proposed Development: The construction of a part storey and a half/part single storey dwelling with attached carport and ancillary works in the garden of number 19 Meadowlands and to revise the boundaries and construct new entrance to serve existing dwelling at 19 Meadowlands, Abbeyside, Dungarvan, 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 condition(s) set out below.

Reasons and Considerations

Having regard to the provisions of the Waterford City and County Development Plan 2022-2028, to the location of the site in an established residential area, the 'existing residential' zoning objective and to the nature, form, scale and design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area, would be acceptable in terms of road and traffic safety and would be in keeping with the established character of the area. 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 received by the planning authority on the 9th day of April 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 development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Except for the purpose of maintenance, the flat roofed area of the dwelling house permitted herein shall not at any time be accessible from the first floor level and shall not be used as a patio/balcony or other amenity space at any time. No walls or other screening shall be erected along the northern area of the flat roofed area.

Reason: In the interests of residential amenity and to prevent overlooking existing properties.

3. The site shall be landscaped in accordance with details submitted. Existing trees/hedgerow on the northern site boundary shall be protected during construction works in accordance with details submitted to the planning authority. Upon completion of the development works permitted herein the mesh fencing shall be removed.

Reason: In the interests of visual and residential amenity.

4. 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 and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

5. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

6. Prior to the commencement of development the developer shall enter into a connection agreement (s) with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply and/or wastewater collection network.

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

7. Proposals for a naming/numbering scheme for the dwelling shall be submitted to and agreed in writing with the planning authority prior to the occupation of the dwelling.

Reason: In the interest of urban legibility.

8. All public service cables for the development, including electrical and telecommunications cables, shall be located underground throughout the site.

Reason: In the interest of visual amenity.

9. 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 details of intended construction practice for the development, including noise and

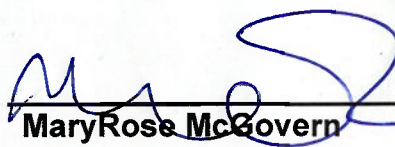
dust management measures, waste management and recycling of materials, environmental protection measures, welfare facilities, site deliveries, complaints procedure, pest control and traffic management arrangements.

Reason: In the interest of public safety, environmental protection, and residential amenity.

10. 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 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 Rose McGovern



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

Dated this 11th day of September 2025