

An
Coimisiún
Pleanála

Direction
CD-021047-25
ACP-323010-25


The submissions on this file and the Inspector's report were considered at a meeting held on 23/10/2025.

The Commission decided to refuse permission for the following reasons and considerations.

Planning

Commissioner:

Date: 29/10/2025



Emer Maughan

DRAFT WORDING FOR ORDER

Reasons and Considerations

1. The proposed development is to be located on a site identified in Table 3.2 and Appendix 21 as a potential regeneration site 'OPS24 Neighbour Centre Carrickphierish' in the Waterford City and Council Development Plan 2022-2028 which sets out specific objectives for development on the subject lands including inter alia providing strong architectural design as a key landmark development for the Carrickphierish Neighbourhood, creating a mixed use medium/ high-density development, providing a strong architectural response designed to an exceptional standard with a desirable street edge addressing

the Carrickphierish Road with the potential to accommodate taller buildings. Having regard to the emerging pattern of development in the vicinity, it is considered that the proposed development, by reason of the design and footprint and, in particular, the overall elevational treatment which lacks articulation and carries no reference to the emerging streetscape creating a poor urban edge, the proposed development would be of insufficient architectural quality on a prominent site in this area, would seriously injure the visual amenities of the area, militate against an attractive pedestrian environment and would be contrary to Policy Objective Place 02 and Policy Objective Place 05 which seek to ensure all developments are of a high quality design with a focus on placemaking, cognisant of their context and need for variety, distinctiveness, focus on public realm and design. The proposed development would, therefore, conflict with the objectives of the development plan and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed development is partially located on lands zoned for 'Existing Residential' use as set out in the Waterford City and Council Development Plan 2022-2028 and the proposed development of a food store / supermarket would conflict with Table 11.1 Land use Zoning Objectives and Table 11.2 Zoning Matrix of the Waterford City and Council Development Plan 2022-2028. The proposed development would, therefore, contravene the zoning objectives of the development plan and would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Commission considered the totality of the documentation submitted with the application and appeal.

As outlined in Section 5.1.1 of the Inspector's report, the subject proposal is on lands zoned 'RE Regeneration' with the zoning objective to provide for enterprise and / or residential led regeneration and 'Existing Residential' where a food store / supermarket use is not permitted. The existing residential zoned portion of the site is approximately 19.5% of the overall site area. As the majority of the proposed

carparking (c80%) serving the development is located in the 'Existing Residential' zoned area of the site, the Commission does not consider the proposed encroachment on the existing residential portion of land as minor or insignificant. In the absence of a wider mixed development proposal incorporating residential units as part of the proposed development, the Commission considered that the encroachment would contravene the policies and zoning objectives of the Waterford City and County Development Plan 2022-2028.

The Commission considered Development Plan Policy Objective H05 which sets out the criteria for applying flexibility which allows proposals to be considered on their merits where they are not fully consistent with their land zoning provisions as set out in the Development Plan. The Commission however concluded that Policy Objective H05 has not been met as the proposed development is not consistent with the clearly defined vision for the site as defined in Table 3.2 and Appendix 21 wherein the site is identified as a potential regeneration site 'OPS24 Neighbour Centre Carrickphierish'.

The Commission agreed with the Inspector that the proposal has not been designed to an exceptional standard and determined that the subject proposal, for a large single storey generic food store building with a predominately blank windowless façade at ground level facing Carrickphierish Road, does not represent a strong architectural landmark development nor does it align with the clearly stated vision set out in OPS24, and therefore fails to meet the criteria set out in Policy Objective H05 in terms of applying flexibility for inconsistency in zoning provisions.