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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Waterford City and County Council**

**Planning Register Reference Number: 18/612**

**APPEAL** by Michael Ryan of 6 Argus House, Greenmount Office Park, Harold's Cross, Dublin against the decision made on the 25<sup>th</sup> day of October, 2018 by Waterford City and County Council to refuse permission for the proposed development.

**Proposed Development:** A mixed use development at a site which fronts onto Davitt's Quay, Walsh Street and T.F. Meagher Street, Dungarvan, County Waterford. The proposed development consists of: (a) the demolition of the 1970's era three storey "Bridge House" office building, (b) the construction of a 10 storey/part 8 storey block fronting onto Walsh Street which will accommodate: (1) 94 number short term let residential apartments for holiday use, (2) leisure centre with swimming pool and ancillary accommodation, (3) four levels of car parking accommodating 142 number car parking spaces and bicycle parking facilities, (4) three number ground floor commercial units, (5) new vehicular entrance from Walsh Street, (6) modification of existing footpaths and set-down area, (7) reception and management office, (8) roof plant area, (9) ancillary service/plant, stairs and yard areas, (10) building signage, (c) the construction of a six storey over basement block fronting onto Davitt's Quay which will accommodate: (11) 26 number short term let residential apartments for holiday use, (12) reception and management office, (13) function room and waiting area, (14) basement

storage/service area, (15) roof plant area, (16) ancillary service/plant yard areas, (17) building signage and (d) all associated site developments works, drainage and boundary fencing and ancillary works. This proposal adjoins The Bank Building, T.F Meagher Street, which is a Protected Structure (National Inventory Register 22821017) and currently subject to a planning application reference number 18/47 and An Bord Pleanála reference ABP-301937-18, for change of use to restaurant and public bar. The development adjoins Aras Brúgha, Shandon Road which is a Protected Structure (National Inventory Register 22821016).

## **Decision**

**REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.**

## **Matters Considered**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## Reasons and Considerations

1. Having regard to the massing, scale and design of the proposed development on a prominent landmark site in Dungarvan, it is considered that the proposed development would constitute a visually dominant and discordant feature in the townscape. The proposed development would integrate poorly within the context of the setting of the site and the surrounding receiving environment which is characterised by historic buildings. Furthermore, the proposed development would fail to enhance the public realm by reason of the poor quality of proposed frontage onto Walsh Street (both at street level and in respect of the proposed frontage to the car park above) and lack of clarity in relation to the southern boundary of the site particularly in relation to the delivery of a possible future pedestrian route (linking Meagher Street with Walsh Street). The proposed development would, therefore, seriously injure the visual amenities of the area and be contrary to the proper planning and sustainable development of the area.

2. It is considered that the proposed development by reason of its design, scale and bulk would be out of character with the established pattern of development in the vicinity of the site which is characterised by historic landmark buildings that are Protected Structures including the Bank House (Record of Protected Structures Number DV740026) and Aras Brugha (Record of Protected Structures Number DV740029). The proposed development would detract from the character and setting of these buildings. Accordingly, the proposed development would contravene Development Plan policy as set out in Policy BH3 of the Dungarvan Town Development Plan 2012-2018 which seeks to protect structures which are of historic, architectural, artistic or cultural interest and policy as set out in Section 7.2 of the Dungarvan Town Development Plan 2012-2018, which seeks to ensure that new development blends in harmoniously and is sited and designed sympathetically relative to protected structures so as not to detract from their setting. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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**Maria FitzGerald**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**

**Dated this            day of            2019.**