

Planning and Development Acts 2000 to 2021

Planning Authority: Waterford City and County Council

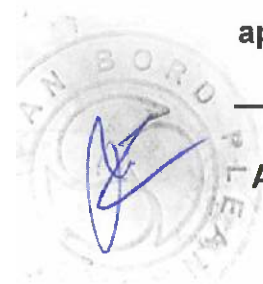
Planning Register Reference Number: 21/503

Appeal by Michael Ryan care of Fewer Harrington and Partners of Studio 14, The Atrium, Maritana Gate, Canada Street, Waterford against the decision made on the 27th day of January, 2022 by Waterford City and County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Change of use of existing building from retail to guesthouse containing reception area at ground floor, three number ensuite double bedrooms on first, second and third floors and a one-bed studio apartment on fourth floor. Permission is also sought for the construction of a lift shaft, link lobby and dormer extension to attic level, all on the rear elevation and for the provision of three number rooflights to the front elevation along with all associated site works, all at 39 to 40 Mary Street (a Protected Structure), Dungarvan, County Waterford.

Decision

Having regard to the nature of the conditions the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be



warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act 2000, as amended, to ATTACH condition numbers 1(b) and 2(a) and the reasons therefor.

Reasons and Considerations

Having regard to:

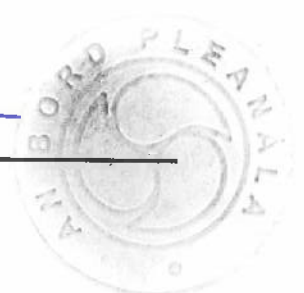
- (a) the provisions of the Waterford City and County Development Plan 2022-2028,
- (b) the status of the building as a protected structure and the location of the building within the Dungarvan Architectural Conservation Area,
- (c) the nature, scale and design of the proposed lift shaft and dormer extension, and
- (d) the pattern of development in the area,

it is considered that condition numbers 1(b) and 2(a) are warranted and should be retained.



Joe Boland

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



Dated this *24TH* day of *May* 2023.