



An
Bord
Pleanála

Board Order

ABP- 314618-22

Planning and Development Acts 2000 to 2022

Planning Authority: Waterford City and County Council

Planning Register Reference Number: 22/569

Appeal by Tony Robinson care of Manahan Planners of 38 Dawson Street, Dublin against the decision made on the 18th day of August, 2022 by Waterford City and County Council to refuse permission for the proposed development.

Proposed Development: Demolition of existing dwelling at site; the construction of a five-storey student accommodation building with 94 number bed-spaces with ancillary services, surface car parking spaces, bike storage, bin storage with access to the development from Lacken Road, all with associated site works, signage, open space, landscaping, and boundary treatments at a site at Lacken Road, Kilbarry, County Waterford.

Decision

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

Reasons and Considerations

1. The north-western section of the site is zoned OS Open Space under the Waterford City and County Development Plan 2022-2028 with the stated objective to 'preserve and provide for open space and recreational amenities'. The proposed development includes the enclosing of this area of designated 'open space' to provide surface car parking associated with student accommodation. Having regard to the nature of the proposed use and the zoning objective it is considered that the development would materially contravene the development plan and would be contrary to the proper planning and sustainable development of the area.
2. Having regard to the design and layout of the development and the proposed treatment of the public and communal spaces within the scheme, it is considered that the proposed development would not provide an acceptable standard of design or landscaping such as would make a quality contribution to the public realm at this location as envisaged in the City South West Neighbourhood Design Framework and as per Policy Objective DM05 of the Waterford City and County Development Plan 2022-2028. In addition, the development is not considered to provide an adequate standard of student accommodation and is considered therefore to contravene Development Plan Policy Objective H22. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. Having regard to the orientation, bulk and scale of the development relative to adjacent residential properties to the south and east, the Board is not satisfied, on the basis of the documentation submitted with the application, that the development would not have a significant adverse impact on residential amenities by way of overshadowing. The development is therefore considered to contravene Policy Objectives H02, H20 and H23 of the development plan in relation to new development and would, be contrary to the proper planning and sustainable development of the area.

Eamonn James Kelly



Eamonn James Kelly

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this *14th* day of *December*, 2023