

An  
Bord  
Pleanála

## Board Order ABP-315638-23

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**Planning and Development Acts 2000 to 2022**

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

**Planning Register Reference Number: 22/764**

**Appeal** by John McGrath of Downeys Bar, Dungarvan, County Waterford against the decision made on the 17<sup>th</sup> day of October, 2022 by Waterford City and County Council to refuse a licence for the proposed development.


**Licence Application:** Section 254 Licence for eight tables and 32 chairs outside the premises at Downeys Bar, Main Street, Dungarvan, County Waterford.

### Decision

In exercise of the powers conferred on it under section 254 of the Planning and Development Act, 2000, as amended, An Bord Pleanála, directs the planning authority to **REFUSE TO GRANT** a licence, based on the reasons and considerations under and subject to the conditions set out below.

## REASONS AND CONSIDERATIONS

1. Having regard to stated policies in the Waterford City and County Development Plan 2022-2028 which seeks to protect the character and streetscape in an Architectural Conservation Area (ACA), to the location of the proposed development within an Architectural Conservation Area and its prominent siting in the streetscape and in vistas to protected structures, it is considered that the proposed development would detract from the character of the Architectural Conservation Area and, therefore, would not be in accordance with the proper planning and sustainable development of the area.
2. It is considered that the proposed development, by reason of its location relative to vehicular traffic lanes and parking bays constitutes a disorderly form of development, which is not in accordance with the proper planning and sustainable development of the area.

  
**Stephen Bohan****Member of An Bord Pleanála****duly authorised to authenticate  
the seal of the Board.**  
Dated this 6<sup>th</sup> day of June 2024.