



Planning and Development Act 2000, as amended

Planning Authority: Waterford City and County Council

Planning Register Reference Number: 2460546

APPEAL by Ferryhill Properties Limited care of DFOD Project Management Consulting Engineers of Clyde House, Brian Boru Street, County Cork against the decision made on the 3rd day of June 2025, by Waterford City and County Council to refuse permission for the proposed development.

Proposed Development: Demolition of the existing buildings and construction of a mixed-use development comprising three buildings ranging in height from four to five storeys with 53 residential units. Building A will comprise four storeys with 20 apartments and two commercial units on the ground floor; Building B will comprise four-storey including two communal units on the lower ground floor, two apartments on the ground floor with two duplexes above, Building C will include 29 residential apartment units over five floors. This application also proposes the provision of open space, provision foul and surface water connections and surface water attenuation systems, boundary treatments, bicycle storage, soft and hard site landscaping and all other associated and ancillary development work all at numbers 18-21 Ballybricken, Waterford as amended by the further public notices received by the planning authority on the 7th day of May 2025.

Decision

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

Reasons and Considerations

1. Having regard to the existing character and the prevailing pattern of development, and to the location and setting of the site, which is partially located within a designated Architectural Conservation Area (ACA), it is considered that the proposed development, by reason of its overall design, height and massing, would be a discordant feature in the streetscape of Ballybricken Green, and Morgan Street in both prominent near views and mid-distant views from across Ballybricken Green, a key amenity area and public space surrounded by buildings of historic interest all within the ACA. The proposed development would seriously detract from the setting of historic buildings (both included in the County Record of Protected Structures and the National Inventory of Architectural Heritage) and the architectural character of this designated area, and would, negatively impact on the architectural heritage and visual amenities of the area. Accordingly, the proposed development would contravene Policy Objective BH 05 of the Waterford City and County Development Plan 2022-2028 which seeks to preserve the special character and settings of Architectural Conservation Areas. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed development, incorporating a four-storey apartment block at a distance of two metres from the southern boundary with no transition or significant setbacks from the adjacent two storey dwellings, would, by reason of its mass, site topography and proximity to existing residences, be likely to have an overbearing impact and injure the residential amenities of properties in the vicinity of the site, in particular Clashrea Place. The proposed development would accordingly be contrary to policy objective OPS28 of the Waterford City and County Development Plan 2022-2028, which states that adjoining private amenity spaces of neighbouring residential properties should be protected through the design and layout of any proposal on the subject site, and to residential zoning for the adjacent land as set out in the above-mentioned plan, which seeks to protect the residential amenities of adjacent residential properties in terms of privacy and availability of daylight and sunlight. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Declan Moore

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this 13th day of October 2025.