

An
Coimisiún
Pleanála

Commission Order
PL-500868-WD-26

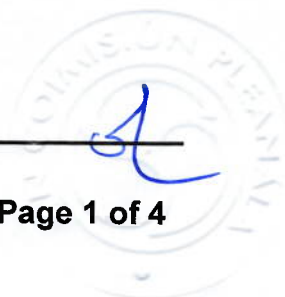
Planning and Development Act 2000, as amended

Planning Authority: Waterford City and County Council

Planning Register Reference Number: 2560627

Appeal by Barry McDonald and Claire Murphy and by Joanna Cunningham and Others against the decision made on the 4th day of February 2026 by Waterford City and County Council to grant, subject to conditions, a permission to Graham Farrell in accordance with the plans and particulars lodged with the said Council.

Proposed Development: The development will consist of three number two-storey, three bed houses, alterations to existing stone boundary wall, new vehicular entrance, car parking and all associated drainage, site works, landscaping and associated works. The proposed site sits within the boundary of the Protected Structure, Summerville House, Record of Protected Structure Number WA731042, all at The Vinery, Summerville Avenue, Waterford. The proposed development was revised by further public notices received by planning authority on the 13th day of January, 2026.



Decision

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

Reasons and Considerations

1. Having regard to the location of part of the subject site within the curtilage of Summerville House, a Protected Structure listed in the Waterford City and County Development Plan 2022-2028, it is considered that, by reason of the proposed demolition of part of the eastern walled garden/site boundary wall, creation of a new entrance, and provision of an internal roadway, footpath, and landscaping, the proposed development would extinguish the connection between Summerville House and its walled garden, and would damage the relationship between Summerville House, the walled garden, and the streetscape along Summerville Avenue. The proposed development would materially and adversely affect the special character and setting of the Protected Structure and this part of its curtilage, would fail to comply with Objective BH 01 (Record of Protected Structures), Objective BH 11 (Maintaining and Enhancing Special Character), and Objective BH 12 (Setting and Vistas) of the Development Plan, and would be contrary to Section 13.5.2 of the Architectural Heritage Protection Guidelines for Planning Authorities, 2011. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the totality of the information submitted with the application and the appeal response, the Commission was not satisfied that the proposed development would be capable of being safely accessed by all road users, and was not satisfied that it would not create an unacceptable risk to pedestrian and traffic safety, or endanger public safety by reason of traffic hazard. Furthermore, the Commission considered that the proposed pedestrian footpath in the internal layout failed to meet the requirements of Design Manual for Urban Roads and Streets (DMURS), and there was an absence of clarity as to whether the remainder of the proposed internal layout, the entrance, and the proposed junction with Summerville Avenue would achieve the necessary design standards. It is considered that the proposed development would fail to comply with Development Management Standard DM 47 of the Waterford City and County Development Plan 2022-2028, and with Policy and Objective 4.1 of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities issued by the Department of Housing, Local Government and Heritage in January 2024. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. On the basis of the entirety of the information submitted with the application and the appeal response, the Commission was not satisfied that surface water run-off from the development could be satisfactorily collected, infiltrated and disposed of on-site and that groundwater quality would not be adversely affected. The proposed development would, therefore, pose an unacceptable risk of environmental pollution and would be contrary to the proper planning and sustainable development of the area.

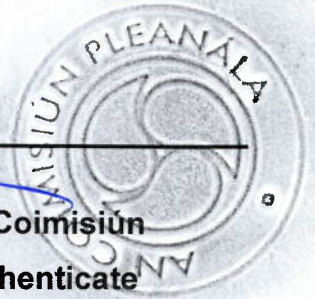


MaryRose McGovern

Planning Commissioner of An Coimisiún

Pleanála duly authorised to authenticate

the seal of the Commission.



Dated this *26th* day of *June* 2026