



Planning and Development Act 2000, as amended

Planning Authority: Waterford City and County Council

Planning Register Reference Number: 2660079

Appeal by Hollybush Properties Unlimited and by Stephen O'Dea against the decision made on the 2nd day of April 2026, by Waterford City and County Council to grant, subject to conditions, a permission to Shane Houlihan in accordance with plans and particulars lodged with the said Council:

Proposed Development: The proposed development will consist of a mixed-use development comprising the construction of two number two-storey buildings and all associated works. Building number 1 comprises a one–two storey anchor convenience and comparison retail store. The proposal will include circa 2,215 square metre net retail sales area with ancillary off license area, circa 1,540 square metres back-of-house/storage/office administration over both storeys, and a café of circa 142 square metres two number entrance lobbies with a net floor area of 113 square metres are also provided. The first floor will accommodate three number two-bedroom apartments (10% over) of circa 81 square metres net area each, one number three-bedroom apartment (10% over) of circa 125 square metres, and a management suite of circa 81 square metres.

The total gross floor area of Building number 1 will be circa 4,737 square metres. Building number 2 comprises a two-storey store split into two units: Unit 1 will include circa 1,539 square metres net comparison retail sales area and circa 813 square metres back-of-house/storage/office administration. Unit 2 will include circa 596 square metres net comparison retail sales area and circa 329.8 square metres back-of-house/storage/office administration. The total gross floor area of Building number 2 will be circa 3,468 square metres.

The development will also provide a surface car park with 154 spaces and bicycle parking. The proposal includes the replacement of the existing site access from Richard A. Walsh Street with a new vehicular entrance for customers and service/deliveries. Additional works include the provision of an ESB substation/switch room, roof-mounted PV panels, signage (including a totem sign), landscaping, boundary treatments, and all associated site development works and service provisions all at Richard A. Walsh Street, Dungarvan County Waterford, (Part of the former Glanbia Site).

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to the nature of the proposed development, the RE 'Regeneration' zoning objective of the site, the site-specific regeneration objective DTOS01 and other policies and objectives of the Waterford City and County Development Plan, 2022-2028 as varied, including inter alia Section 2.14.1 Regeneration, CS 03 Compact Growth, CS 07 Urban Regeneration,

Retail Policy Objectives Retail 02 and 03, Placemaking Objectives Place 01, 02 and 05 and the design, height and layout of the proposed development, it is considered that subject to the conditions set out below, the proposed development would not have a detrimental impact on the vitality and viability of the town centre, would not seriously injure the visual amenities of the area, would be acceptable in terms of traffic safety and convenience and would be in accordance with the provisions of the development plan. The proposed development would regenerate a key brownfield site in an accessible edge of centre location and would provide an active streetscape to a key gateway into the town centre of Dungarvan. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The landscaping scheme shown on drawing number 4006, as submitted to the planning authority on the 10th day of February 2026 shall be carried out within the first planting season following substantial completion of external construction works.

In addition to the proposals in the submitted scheme, the following shall be carried out:

- (a) Car parking spaces number 01 to no 25 inclusive to the south of Building B2 as shown on drawing numbers A-001 and 4006 shall be omitted, and the area shall be landscaped in accordance with a revised landscaping scheme, which shall be submitted to, and agreed in writing with the planning authority.
- (b) The remaining car parking area shall be redesigned to incorporate two number disabled car parking spaces and four number EV spaces.
- (c) A scheme indicating all boundary treatments shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity.

3. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and surface water management.

4. (a) The totem pole indicated on drawing number A-001 shall be omitted.
- (b) No signage, advertisement or advertisement structure (including that which is exempted development under the Planning and Development Regulations, 2001 (as amended)), other than those shown on the drawings (apart from the totem pole) submitted with the application, shall be erected or displayed on the buildings or within the curtilage of the site unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity.

5. Prior to the commencement of development, the developer shall enter into connection agreements with Uisce Éireann to provide for service connections to the public water supply and/or wastewater collection network.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

6. The internal road network serving the proposed development, including turning bays, junctions, parking areas, footpaths, and kerbs shall comply with the detailed construction standards of the planning authority for such works and design standards outlined in Design Manual for Urban Roads and Streets (DMURS).

Reason: In the interest of amenity and of traffic and pedestrian safety.

7. Public lighting shall be provided in accordance with a scheme which shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. The scheme shall include lighting along pedestrian routes through open spaces. Such lighting shall be provided prior to the occupation of the development.

Reason: In the interest of amenity and public safety.

8. All service cables associated with the proposed development, such as electrical, telecommunications and communal television, shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity.

9. Details of the materials, colours and textures of all the external finishes to the proposed buildings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.

10. (a) Proposals for a numbering scheme for the four number residential apartments and associated signage for the development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all street signs, and numbers for residential units, shall be provided in accordance with the agreed scheme. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).
- (b) Proposals for a development name, commercial unit identification and numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all such names and numbering shall be provided in accordance with the agreed scheme.

Reason: In the interest of urban legibility.

11. No additional development shall take place above roof parapet level of Building number 1 or Building number 2 including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas, or equipment, unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity and orderly development.

12. (a) No external security shutters shall be erected on any of the commercial premises, unless authorised by a further grant of planning permission. Details of all internal shutters, which shall be of an open lattice design and shall not contain any form of advertising, shall be submitted for the written agreement of the

planning authority prior to the commencement of development, and all internal shutters shall conform to that written agreement.

- (b) The elevation to Richard A Walsh Street shall be maintained as an active street frontage. No goods, advertising material or display items shall obscure views into the premises, except as indicated on the application drawings.

Reason: In the interest of visual amenity.

- 13. The management and maintenance of the proposed development, including the management and maintenance of the four number apartments following completion, shall be the responsibility of a legally constituted management company, which shall be established by the developer. A management scheme, providing adequate measures for the future maintenance of the development; including the external fabric of the buildings, internal common areas, landscaping, roads, paths, parking areas, lighting, waste storage facilities and sanitary services, shall be submitted to and agreed in writing with the planning authority, before the proposed development is made available for occupation.

Reason: To provide for the future maintenance of this private development in the interest of visual amenity.

- 14. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the amenities of property in the vicinity.

15. A Construction and Environmental Management Plan (CEMP) shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. The CEMP shall include, but not be limited to, construction phase controls for dust, noise and vibration, waste management, protection of soils, groundwaters, and surface waters, site housekeeping, emergency response planning, site environmental policy, and project roles and responsibilities.

Reason: In the interest of environmental protection, residential amenities, public health and safety and environmental protection.

16. A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials within each residential unit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the agreed waste facilities shall be maintained, and waste shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

17. Litter in the vicinity of the premises shall be controlled in accordance with a scheme of litter control which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the provision of litter bins and refuse storage facilities.

Reason: In the interest of public health and visual amenity.

18. During the operational phase of the proposed development the noise level shall not exceed

(a) 55 dB(A) rated sound level between the hours of 0700 to 2300, and

(b) 45 dB(A) 15min and 60 dB LAfmax, 15min at all other times, (corrected for a tonal or impulsive component) as measured at the nearest dwelling at the nearest noise sensitive location.

Procedures for the purpose of determining compliance with this limit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To protect the residential amenities of property in the vicinity of the site

19. All roads and footpaths and cycleway shown to adjoining lands / existing greenway shall be constructed up to the boundaries to provide access to adjoining lands with no obstruction including the erection of any structure which would otherwise constitute exempted development under the Planning and Development Regulations 2001, as amended. These areas shall be shown in a drawing which shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

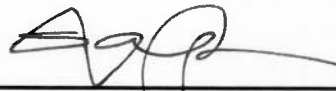
Reason: In the interest of permeability and proper planning and sustainable development.

20. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion of roads, footpaths, watermains, drains, open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.

Reason: To ensure the satisfactory completion of the development.

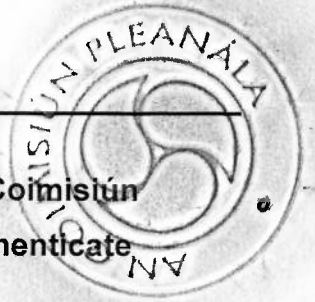
21. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Emer Maughan

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



Dated this 21st day of September 2026