



An
Bord
Pleanála

Board Direction
BD-016621-24
ABP-318906-24

The submissions on this file and the Inspector's report were considered at a Board meeting held on 17/06/2024.

The Board decided to refuse outline permission for the following reasons and considerations.

Reasons and Considerations

Having regard to the Waterford City and County Development Plan 2022-2028, to the location of the proposed development on lands zoned as High Amenity to 'discourage inappropriate development which would threaten the maintenance of a clear demarcation between the rural and built up areas, encourage and exacerbate urban sprawl and detract from the landscape/ rural character of the area and provide for uses such as agriculture and forestry, sport and recreation and essential public services installations.' The Board considered the applicant was not a landowner and therefore to facilitate this development proposal would materially contravene the provisions of policy H 30 of the Development Plan. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the applicant was clearly not the landowner at the site and the Board in agreeing with the planning authority therefore did not concur with the assessment of the Inspector that the planning authority had adopted an overly strict interpretation of their Development Plan in this respect.

Board Member Eamonn James Kelly **Date:** 18/06/2024
Eamonn James Kelly

Note

The Board also noted policy objective H 29 of the Development Plan regarding ribbon development that states inter alia 'We will avoid the creation of ribbon development (defined as five or more houses existing on any one side of a given 250 metres of road frontage)'. Notwithstanding the criteria to which regard should be had in assessing whether a given proposal will contribute to and/ or exacerbate such ribbon development, the Board noted the proposed development, in adding a fifth house within 250 metres of road frontage, could be considered to create ribbon development. However, the Board decided not to seek the views of parties regarding this new issue at this time given the substantive reason for refusal outlined above.