

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

**Waterford City and County**

**Planning Register Reference Number: 16/727**

An Bord Pleanála Reference Number: PL 93.247958

**APPEAL** by Mary Halley of Brownstown Head, Dunmore East, County Waterford against the decision made on the 12<sup>th</sup> day of January, 2017 by Waterford City and County Council to grant subject to conditions a permission to Mannix Carney of Portally, Dunmore East, County Waterford.

**PROPOSED DEVELOPMENT:** Construction of a single storey vehicle garage and green house with associated site works, all at Portally (Townland), Portally, Dunmore East, County Waterford.

## **DECISION**

**REFUSE** permission for the above proposed development based on the reasons and considerations set out below.

## **MATTERS CONSIDERED**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## **REASONS AND CONSIDERATIONS**

It is the policy of the Waterford County Development Plan 2011-2019 to protect and improve rural amenity in areas outside settlement boundaries where no specific land use zoning is indicated. Having regard to the design, scale and location of the proposed development in a rural area where there is an excessive density of development and where such development is ad-hoc and disorderly in character, and having regard to the planning history of the subject site and adjoining properties, it is considered that the proposed development would further exacerbate this unsustainable pattern of development in the vicinity and would also seriously injure the residential and visual amenities of neighbouring property. The proposed development would, therefore, contravene the policies of the Development Plan in this regard and would 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 Board did not agree that the proposed development adequately addressed the reasons for refusal for a similar type of development that had been refused by the planning authority under register reference number 16/255, and noted that the current proposal involved moving the subject garage/greenhouse closer to neighbouring properties than that sought previously, and thereby impacted on the residential amenities of those properties to an unacceptable degree. The Board also considered that the visual impact of the development could not be adequately mitigated by the condition suggested by the Inspector.

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**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this                      day of                      2017.**

