



Planning and Development Acts 2000 to 2019

Planning Authority: Waterford City and County Council

Planning Register Reference Number: 19/14

APPEAL by Samantha Mortensen of Dromana, Cappoquin, County Waterford against the decision made on the 6th day of March, 2019 by Waterford City and County Council to refuse permission.

Proposed Development: Construction of a two-storey dwelling, with garage, wastewater treatment plant and percolation area, and all ancillary site works, site landscaping and services, all within a site curtilage of 0.4 hectares at Ardsallagh, Youghal, County Waterford.

Decision

REFUSE permission for the above proposed development in accordance with 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

1. Having regard to the location of the site within a rural area under urban influence, and to National Policy Objective 19 of the National Planning Framework (February 2018) which, for rural areas under urban influence, seeks to facilitate the provision of single housing in the countryside based on the core consideration of demonstrable economic or social need to live in a rural area, having regard to the viability of smaller towns and rural settlements, it is considered that the applicant has not demonstrated an economic or social need to live in a rural area having regard to the viability of smaller towns and rural settlements and, therefore, the proposed development does not comply with National Policy Objective 19. Furthermore, the proposed development would contribute to the encroachment of random rural development in the area, would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure and would contravene the provisions of the National Planning Framework. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The proposed development is situated in a visually prominent unspoilt location on a sloping topography overlooking the River Blackwater in an area designated as having a vulnerable landscape in the Waterford County Development Plan 2011-2017, in which it is the policy of the planning authority to control development in order to maintain the scenic value and existing character of the area. It is considered that the proposed development would introduce an undesirable visual element into this sensitive rural environment which would seriously injure the rural character and scenic amenities of the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. The site of the proposed development forms an unspoilt, intact and pristine landscape along the eastern banks of River Blackwater on its approach to Youghal Harbour. The eastern banks of the meandering River Blackwater at this point are treelined, and the proposed development would impinge significantly on the character, integrity and uniformity of the landscape when viewed from the surrounding areas, and would seriously injure the visual amenities of the area and set an undesirable precedent for further ad hoc developments within this high amenity landscape. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

John Connolly

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this day of 2019.