



Planning and Development Acts 2000 to 2019

Planning Authority: Waterford City and County Council

Planning Register Reference Number: 19/921

APPEAL by Elizabeth Walsh care of Joe Moynihan Engineering of Durrow, Stradbally, County Waterford against the decision made on the 24th day of March, 2020 by Waterford City and County Council to refuse outline permission for the proposed development.

Proposed Development: Outline planning permission for the construction of a house, a garage, a wastewater treatment system and an entrance along with all associated site works at Ballyduffmore, Dungarvan, County Waterford.

Decision

REFUSE outline 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 an area under urban influence as identified in the “Sustainable Rural Housing Guidelines for Planning Authorities” issued by the Department of the Environment, Heritage and Local Government in April, 2005, and to National Policy Objective 19 of the National Planning Framework, adopted by the Government, in relation to rural areas under urban influence, such as in the current case, which states that it is policy 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 this rural area in accordance with national policy. The proposed development, in the absence of any definable or demonstrable need for the house, would contribute to the encroachment of random rural development in the area, and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure. The proposed development would, therefore, materially contravene the Ministerial Guidelines and would be contrary to national policy. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The site of the proposed development is located within 'An Area Under Urban Pressure' as set out in the current Development Plan for the area. Having regard to the topography of the site, the prominent positioning of the proposed development on the open rural landscape with panoramic views south and the extensive removal of the front boundary wall and hedging, it is considered that the proposed development of a house at this location would form a discordant and obtrusive feature on the landscape, would seriously injure the visual amenities of the area and would militate against the preservation of the rural environment in the vicinity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2020.