An Bord Pleanála

Ordú Boird
Board Order
ABP-309520-21.

Na hAchtanna um Pleanáil agus Forbairt 2000 go 2020

Údarás Pleanála: Comhairle Contae Phort Láirge

Uimhir Thagartha sa Chlár Pleanála: : 20889

Uimhir Thagartha an Bhoird Phleanála: ABP-309520-21

Achomharc ó Sarah Ní Uallacháin of An tSeanchill, Rinn Ua gCuanach, Dún Garbháin, Co. Phort Láirge in aghaidh an chinnidh a rinne Comhairle Cathrach agus Contae Phort Láirge ar an 28 lá Eanáir, 2021 chun cead sracléaráide a dhiúltú

Planning and Development Acts 2000 to 2020

Planning Authority: Waterford County Council

Planning Register Reference Number: 20889

An Bord Pleanála Reference Number: ABP-309520-21

Appeal by Sarah Ní Uallacháin of An tSeanchill, Rinn Ua gCuanach, Dungarvan, County Waterford against the decision made on the 28th day of January, 2021 by Waterford City and County Council to refuse outline permission.

An Fhorbairt atá Beartaithe: Teach cónaithe aon urlár go leith, le garáiste, slí isteach agus oibreacha coimhdeacha a thógáil, iad go léir ag an tSeanchill, Rinn Ua gCuanach, Dún Garbháin, Contae Phort Láirge.

Proposed Development: Construction of one and a half storey dwellinghouse with garage, entrance and ancillary works, all at Shankill, Rinn Ua gCuanach, Dungarvan, County Waterford.

An Cinneadh

Cead sracléaráide a DHIÚLTÚ don fhorbairt bheartaithe thuas de réir na gcúiseanna agus na nithe atá leagtha amach thíos.

Decision

REFUSE outline permission for the above proposed development in accordance with the reasons and considerations set out below.

Na Nithe a Cuireadh san Áireamh

Agus a chinneadh á dhéanamh aige, thug an Bord aird ar na hábhair sin a raibh sé de cheangal air, de bhua na nAchtanna um Pleanáil agus Forbairt agus na Rialachán a rinneadh fúthu, aird a thabhairt orthu. Áiríodh ar ábhair den sórt sin aon aighneachtaí agus tuairimí a fuair sé de réir fhorálacha reachtúla.

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.

Cúiseanna agus Nithe a Cuireadh san Áireamh

1. Ag féachaint do

   (a) suíomh an láithreáin laistigh de "Limistéar faoi Thionchar Láidir Uirbeach" mar a shainaithnítear é sna Treoirlínte um Thithíocht Tuaithe Inbhuanaithe d'Údaráis Phleanála arna n-eisiúint ag an Roinn Comhshaoil, Oidhreachta agus Rialtais Áitiúil in Aibreán 2005,

   (b) an Creat Pleanála Náisiúnta - Cuspóir an Bheartais Náisiúnta (NPO) 19 a sholáthraíonn, do cheantair thuaithe faoi thionchar uirbeach, do thithíocht aonair faoin tuath bunaithe ar an mbreithniú lárnach maidir le riachtanas eacnamaíoch nó sóisialta inléirithe maireachtáil i gceantar tuaithe agus aird á tabhairt air ar inbhuanaitheacht lonnaíochtaí baile agus tuaithe níos lú, agus

Reasons and Considerations

1. Having regard to

   (a) the location of the site within an "Area Under Strong 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,

   (b) the National Planning Framework – National Policy Objective (NPO) 19 which, for rural areas under urban influence, provides for 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 town and rural settlements, and

(c) suíomh an láithreáin i limistéar ina bhfuil tithíocht teoranta do dhaoine a léiríonn riachtanas áitiúil de réir Phlean Forbartha Contae Phort Láirge 2011-2017 (mar a athraíodh agus a leathnaíodh é),

meastar nach dtagann an t-iarratasóir faoi raon feidhme na gcritéar riachtanas tithíochta mar atá leagtha amach sa bheartas náisiúnta nó áitiúil do theach ag an láthair seo. Chuirfeadh an fhorbairt a bheartaítear, mura mbeadh aon riachtanas aitheanta áitiúil bunaithe ar an teach, le cúngú na forbartha tuaithe randamacha sa cheantar agus chuirfeadh sé i gcoinne chaomhnú na timpeallachta tuaithe agus soláthar éifeachtach seirbhísí poiblí agus bonneagair. Bheadh an fhorbairt a bheartaítear, dá bhrí sin, contrártha le treoirlínte aireachta agus le pleanáil cheart agus forbairt inbhuanaithe an cheantair.

(c) the location of the site in an area where housing is restricted to persons demonstrating local need in accordance with the Waterford County Development Plan 2011-2017 (as varied and extended),

it is considered that the applicant does not come within the scope of the housing need criteria as set out in the national or local policy for a house at this location. The proposed development, in the absence of any identified locally based 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, be contrary to ministerial guidelines and to the proper planning and sustainable development of the area.

2. Chuirfeadh an fhorbairt a bheartaítear le forbairt ribíneach neamh-inmhianaithe i gceantar tuaithe lasmuigh de thailte atá criosaithe d'fhorbairt chónaithe, sháródh sí forálacha Alt 11.1 (Forbairt Ribín) d'Athrú Uimh. 1 de Phlean Forbartha Contae Phort Láirge 2011-2017 (mar a athraíodh agus a leathnaíodh é) agus dá bhrí sin, bheadh sé contrártha le pleanáil cheart agus forbairt inbhuanaithe an cheantair.

2. The proposed development would exacerbate undesirable ribbon development in a rural area outside lands zoned for residential development, would contravene the provisions of Section 11.1 (Ribbon Development) of Variation No. 1 of the Waterford County Development Plan 2011-2017 (as varied and extended) and would, therefore, be contrary to the proper planning and sustainable development of the area.

John Connolly

Comhalta den Bhord Pleanála atá údaraithe go cuí chun séala an Bhoird a fhíordheimhniú

John Connolly

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

Dated this 25th **day of** June **2021**