



Planning and Development Acts 2000 to 2021

Planning Authority: Waterford City and County Council

Planning Register Reference Number: 21/292

APPEAL by Jimmy Morrissey care of In Architecture of 227 Clonliffe Road, Dublin against the decision made on the 3rd day of June, 2021 by Waterford City and County Council to refuse permission for the proposed development.

Proposed Development: A new detached single storey and part-two-storey replacement dwelling house with a simple hipped pitched roof design with a green flat roof return. The remains of the existing partially demolished house and outbuilding will be removed to make way for the new house. The existing vehicular entrance will be adjusted to form the new site entrance with piers, wing walls and gates. The application will include all associated site works and landscaping, on-site treatment system with sand polishing filter and percolation area. Surface and roof water drainage will run to a new soakaway on the site. Also included for are all associated site works, all at Hacketstown, Portlaw, County Waterford.

Decision

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

Reasons and Considerations

1. Having regard to:
 - (a) the location of the proposed development in a Rural Area under Urban Influence 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 location of the proposed development in a Rural Area under Strong Urban Influence according to the Waterford City and County Development Plan 2022 - 2028 (Map 6: Miscellaneous Map, The Rural Housing Classification) where in accordance with Policy Objective H28 the provision of housing is based on the core consideration of demonstrable economic, social or local need, and
 - (c) National Policy Objective 19 of the National Planning Framework which will, in rural areas under urban influence, 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 and siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements,

the Board considered that the proposed dwelling would not be a replacement dwelling and that, in such circumstances, the applicant is required to comply with the requirements of local and national policy in relation to rural housing. The Board considered that, based on the information on the file, the applicant has not demonstrated an economic or social need to live in this rural area and that a proposed dwelling at this location would exacerbate the potential for ribbon development and would contribute to the proliferation of proprietary wastewater treatment systems. The proposed development would be contrary to the provisions of the Waterford City and County Development Plan 2022 - 2028 and to over-arching national policy and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to:

- (a) the mass, scale and siting of the proposed dwelling relative to the area of the site, and the pattern of development in the vicinity, and
- (b) the design of the proposed dwelling in light of the planning authority's 'Rural Housing Pre-Planning Advice Notes',

it is considered that the design, scale, prominence, and complexity of the proposed development would be out of character with the pattern of development in the surrounding rural area and that the proposed development would seriously injure the visual amenities of the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

DR. Maria FitzGerald

Maria FitzGerald

Member of An Bord Pleanála

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

Dated this 6th day of Sept. 2022.



