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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Waterford City and County Council**

**Planning Register Reference Number: 21/935**

**APPEAL** by Mary Crowley of 3 Lime Trees Road, Maryborough Estate, Douglas, Cork against the decision made on the 30<sup>th</sup> day of November, 2021 by Waterford City and County Council to refuse permission for the proposed development.

**Proposed Development:** Construction of a single storey replacement dwelling with carport on the site of existing dwelling ruin, install a wastewater treatment system and upgrade existing entrance and ancillary works at Curragh, Ardmore, County Waterford.

## **Decision**

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

## Reasons and Considerations

1. Having regard to the location of this site within an Area Under Strong Urban Influence in accordance with the Sustainable Rural Housing Guidelines for Planning Authorities published by the Department of the Environment, Heritage and Local Government in April 2005, wherein it is policy to distinguish between urban-generated and rural-generated housing need, and having regard to National Policy Objective 19 of the National Planning Framework (2018), 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', and by reference to the rural housing provisions of the Waterford City and County Development Plan 2022-2028, it is considered the applicant has not demonstrated that they come within the scope of the housing need criteria, as set out in the Sustainable Rural Housing Guidelines, and has not demonstrated an economic or social need to live in this rural area in accordance with national policy, and with the provisions of the Waterford City and County Development Plan 2022-2028. Furthermore, the Board is not satisfied that the applicant's housing needs could not be satisfactorily met in an established town or village/settlement centre. The proposed development, which is for a new house rather than a replacement house, in the absence of a definable or demonstrable need for a house in this rural area, 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, therefore, be contrary to the proper planning and sustainable development of the area.

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2. The site is located in a coastal landscape in an area designated in the Waterford City and County Development Plan 2022-2028 as most sensitive by reason of its exposed and highly sensitive location close to the village of Ardmore. It is considered that the proposed development would be detrimental to the high scenic quality of the area and would be contrary to Policy Objective L 02 (Protecting our Landscape and Seascape) and Policy Objective C&M 05 (Scenic Coastal Areas) of the Waterford City and County Development Plan 2022-2028 regarding the protection of the landscape character and scenic values of the visually vulnerable coastline at this location. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

*Eamonn James Kelly*

**Eamonn James Kelly**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

Dated this *29* day of *May* 2023.



*EJK*