

An
Bord
Pleanála

Board Order
ABP-314234-22

Planning and Development Acts 2000 to 2022

Planning Authority: Waterford City and County Council

Planning Register Reference Number: 22/420

Appeal by Derek Whyte care of Whyte Planning Consultants Limited of Great Connell, Newbridge, County Kildare against the decision made on the 6th day of July, 2022 by Waterford City and County Council to grant subject to conditions an outline permission to Martin Cahoon care of Ailtire Architectural Services of Leigh, Ring, County Waterford.

Proposed Development: Construction of a house, a garage, a wastewater treatment system and an entrance along with all associated site works at Feddaun, Mount Melleray, Cappoquin, County Waterford.

Decision

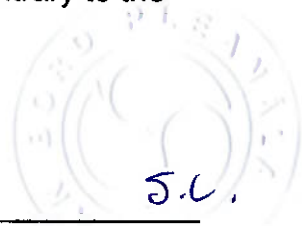
REFUSE permission for the above proposed development for the reasons and considerations set out below.



Reasons and Considerations

1. Having regard to:

- (i) the location of the site in an unserviced rural area under urban influence, the Board is not satisfied that the applicant has demonstrated compliance with the qualifying criteria for rural housing of economic or social need as per Section 7.11.2 (Housing in the Open Countryside) and Policy Objective H 28 of Volume 1 of the Waterford City and County Development Plan 2022-2028,
- (ii) national policy, as set out in National Policy Objective 19 of the National Planning Framework (2018) and the Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and local Government in April 2005, which 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
- (iii) the documentation submitted with the planning application and the appeal, the Board is not satisfied that the applicant has provided sufficient justification for a rural housing need to live in this rural area, or that the applicant's housing need cannot be satisfied in a smaller town or rural settlement. In the absence of a sufficient justification, it is considered that the proposed development would contribute to the development of random rural housing 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 be contrary to the Sustainable Rural Housing Guidelines and to overarching national policy, and the provisions of the Waterford City and County Development Plan 2022-2028, and would, therefore, be contrary to the proper planning and sustainable development of the area.



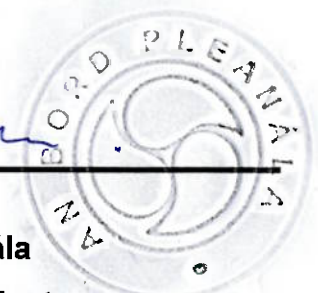
2. It is considered that the proposed development would add to the proliferation of vehicular entrances in the area and would endanger public safety by reason of traffic hazard because of the additional traffic turning movements the proposed development would generate on a local road that is substandard in terms of width and alignment. It is also considered that compliance with Development Management DM 48 of Volume 2 of the Waterford City and County Development Plan 2022-2028 has not been demonstrated having regard to the achievement of sightlines and the protection of the integrity of the roadside hedgerow. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Stewart Logan

Member of An Bord Pleanála

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



Dated this 24 day of October 2023.