

Planning and Development Acts 2000 to 2022

Planning Authority: Waterford City and County Council

Planning Register Reference Number: 22/494

APPEAL by Declan Coffey care of Liam Buck of Glen, Clonea, Dungarvan, County Waterford against the decision made on the 2nd day of February, 2023 by Waterford City and County Council to refuse permission for the proposed development.

Proposed Development: Re-develop, renovate and extend the existing walled remains of a cottage as well as provide a wastewater treatment system, polishing filter, entrance and ancillary site works, all at Kilmacomb, Dunmore East, County Waterford as amended by the revised public notice received by the planning authority on the 10th day January, 2023.

Decision

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

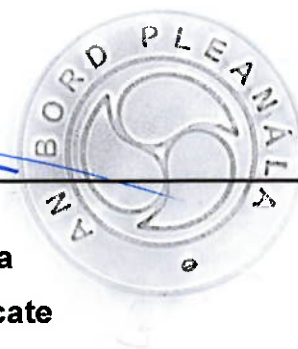
Reasons and Considerations

1. Having regard to the location of the site within an "Area Under Strong Urban Influence" as identified in the Waterford City and County Development Plan 2022-2028, where housing is restricted to persons who can demonstrate rural-generated housing need requirements in accordance with Policy Objective H28 New Homes in Open Countryside, and given that the development site is not considered to come within the scope of an existing dwelling as defined under section 7.1 of the development plan and related Policy Objective H31, and having regard to National Policy Objective 19 of the National Planning Framework issued by the Department of Housing, Planning and Local Government in February, 2018 which, for rural areas under urban influence, seeks 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, the Board is not satisfied that the applicant has sufficiently demonstrated that they have a rural-generated housing need. As a result, it is considered that the proposed development would contribute to the further 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 the proper planning and sustainable development of the area.

2. Having regard to the lack of information regarding existing domestic water supplies and wastewater treatment systems adjacent to the site, the Board is not satisfied that the site is capable of treating foul effluent arising from the dwelling in accordance with the standards set out in the Code of Practice - Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. ≤ 10)" – Environmental Protection Agency, 2021. It is considered that the method of foul water disposal would render the treatment of the effluent unacceptable and could increase the risk of serious water pollution. The proposed development would, therefore, be prejudicial to public health and would be contrary to the proper planning and sustainable development of the area.


Liam Bergin

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



Dated this 06th day of March 2024.