



Planning and Development Acts 2000 to 2022

Planning Authority: Waterford City and County Council

Planning Register Reference Number: 23/60532

APPEAL by Tom Hanrahan of 35 Kilminion Close, Ballinroad, Dungarvan, Waterford against the decision made on the 20th day of December, 2023 by Waterford City and County Council to refuse outline permission for the proposed development.

Proposed Development: Outline permission for construction of a new storey and a half/two storey dwelling, garage, new entrance, wastewater treatment system and all ancillary works at Ballynalahessary North, Dungarvan, County Waterford.

Decision

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

Reasons and Considerations

Having regard to the Waterford City and County Development Plan 2022-2028 and to the location of the proposed development on lands zoned as High Amenity to 'discourage inappropriate development which would threaten the maintenance of a clear demarcation between the rural and built up areas, encourage and exacerbate urban sprawl and detract from the landscape/rural character of the area and provide for uses such as agriculture and forestry, sport and recreation and essential public services installations, the Board considered the applicant was not a landowner and therefore to facilitate this development proposal would materially contravene the provisions of policy H 30 of the Development Plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the applicant was clearly not the landowner at the site and the Board in agreeing with the planning authority therefore did not concur with the assessment of the Inspector that the planning authority had adopted an overly strict interpretation of their Development Plan in this respect.

Eamonn James Kelly

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Member of An Bord Pleanála

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

Dated this *19th* day of *June*, 2024.