

An
Bord
Pleanála

Board Order
ABP-319258-24

Planning and Development Acts 2000 to 2022

Planning Authority: Waterford City and County Council

Planning Register Reference Number: 2360620

APPEAL by Bill Stacey care of McCutcheon Halley of 6 Joyce House, Barrack Square, Ballincollig, Cork against the decision made on the 13th day of February, 2024 by Waterford City and County Council to refuse permission for the proposed development.

Proposed Development: Retention permission for two mobile homes, a wastewater treatment system, driveway and ancillary development and permission for widening of existing access and ancillary site works at Ballymacaw, Dunmore East, 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 the nature of the development it is proposed to retain, the location of the site in a rural area outside of any settlement and the documentation provided with the application and appeal, it is considered that the development at this location would be contrary to Tourism Policy Objectives ECON 24 and ECON 25 of the Waterford City and County Development Plan 2022-2028, which seek to locate tourist accommodation within or adjacent to existing towns and villages, and if permitted would set an undesirable precedent for similar development. The retention development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The site is located in a prominent coastal location in a 'most sensitive' landscape as designated in the Scenic Classification in the landscape and Seascape Character Assessment in the Waterford City and County Development Plan 2022-2028. It is considered that the development at this location detracts from the visual amenities of the area and would be contrary to Landscape Objective L02 of the Waterford City and County Development Plan 2022-2028, which seeks to protect the landscape assets of the County by ensuring that development proposals do not detract from the character and scenic value of the area and are not unduly visually obtrusive in the landscape. The retention of the development would be contrary to the policies and objectives of the Waterford City and County Development Plan 2022-2028, and if permitted, would set an undesirable precedent for other similar developments. The retention of the development would, therefore, be contrary to the proper planning and sustainable development of the area.
3. Traffic movements arising from the proposed development would endanger public safety by reason of traffic hazard due to the narrow sub-standard nature of the road accessing the development. The proposed

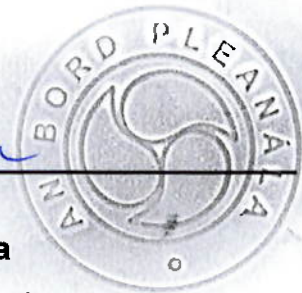


development would, therefore, be contrary to the proper planning and sustainable development of the area.

4. The Board is not satisfied, on the basis of the documentation provided with the application and the appeal, that the minimum separation distance between the onsite wastewater treatment system and neighbouring water supplies are in accordance with the Code of Practice for Domestic Wastewater Treatment Systems (Population Equivalent < or =10), Environmental Protection Agency 2021. The retention of the development would, therefore, be prejudicial to public health and 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 23rd day of September 2024.