



An
Bord
Pleanála

Inspector's Report

ABP-304091-19

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| Development | Construction of house with garage. |
| Location | Ardsallagh, Youghal, Co. Waterford |
| Planning Authority | Waterford City and County Council |
| Planning Authority Reg. Ref. | 1914 |
| Applicant(s) | Samantha Mortensen |
| Type of Application | Permission |
| Planning Authority Decision | Refuse |
| Type of Appeal | First Party |
| Appellant(s) | Samantha Mortensen |
| Observer(s) | None. |
| Date of Site Inspection | 1 st of August 2019 |
| Inspector | Caryn Coogan |

1.0 Site Location and Description

- 1.1. The site is located 3km north of Youghal and 4km south of Clashmore in Co. Waterford in a rural area called Ardsallagh which is located along the eastern banks of the River Blackwater on its approach to the estuary.
- 1.2. The subject site is 0.4ha which is currently a woodland area, within a narrow landholding of 33Ha. The landholding extends from the local road western wards across the plateau of Ardsallagh Hill to the riverbank. The landholding is accessed from the local secondary road which has a number of one-off houses and agricultural properties. This road is a cul-de-sac which leads to an old disused Quay and vacant thatched cottage along the banks of the River Blackwater. The northern extremity of the landholding reaches to this point along the river. It is covered in forestry.
- 1.3. The site is accessed via a 1.4km dirt track from a local secondary road. Centrally on the landholding there are commanding views of Youghal town. There is a ruin of a dwelling located in a coppice of trees along the northern landholding boundary. The landholding is a grazing area on the approach to the site, however there is no evidence of the landholding been farmed during my inspection.
- 1.4. The landholding dips sharply along the western axis and the proposed site is positioned fronting/ overlooking the River Blackwater. There are no other dwellings visible from this point and the site is located a considerable distance from the public road serving the landholding.

2.0 Proposed Development

- 2.1. The proposed development consists of a split level dwelling house and detached garage on a site 0.4Ha within a 33.69Ha landholding.
- 2.2. The ground floor of the dwelling is 180sq.m. and consists of 5No. bedrooms, a study, utility and plant room. The first floor plan is 160sq.m. and it includes a kitchen/ dining, living and family room.
- 2.3. A wastewater treatment plant is proposed in combination with a polishing filter.

3.0 Planning Authority Decision

3.1. Decision

Waterford City and County Council **Refused** the proposed development for one reason:

The site is located in an area under urban pressure as set out in 4.10 of the Waterford County Development Plan 2011, as varied in a location identified as visually vulnerable on the north-eastern bank of the River Blackwater, a SAC and SPA, where there is a low capacity to absorb new development without significant alterations to the existing character, and the visual impact of the proposal would impact on the integrity and existing views of the Ardsallagh area when viewed from the road on the western side of the river and the river Blackwater itself. The proposal would be contrary to Policy ENV4.

3.2. Planning Authority Reports

3.2.1. *Planning Reports*

The planning report informed the decision to refuse

- Compliance with Section 4.10 of the development plan required. The applicants have not identified where they are currently farming, or that their housing need could be satisfied on the lands they are currently farming.
- The applicants have not considered renovating or extending the existing dwelling on the landholding.
- Applicants own 33.7Ha, and the applicants claim they are farming it. It was acquired in 2018
- The subject dwelling is split level, and is a better design
- Site is considered to be visually vulnerable

3.2.2. *Other Technical Reports*

There are no other technical reports on file.

3.3. Prescribed Bodies

The proposal was not referred by the planning authority, the Board carried out a number of statutory referrals and there was no reply received.

3.4. Third Party Observations

There were no third-party submissions received.

4.0 Planning History

07/528 PL24.26570

Permission refused back in 2007 for a dwelling on the site under reference **07/528** which was granted by the planning authority and subsequently refused by An Bord Pleanála for the following reason:

Having regard to the location of the appeal site within an area under strong urban influence as set out in the sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April, 2005, in a location identified in the current development plan for the area as being visually vulnerable, on the northern bank of the River Blackwater, a proposed Special Area of Conservation, where there is very low capacity to absorb new development without significant alterations of existing character and to the scale, layout and design of development proposed, it is considered that the proposed development would impact in a significant way on the integrity and uniformity of the existing views of the Ardsallagh area when viewed from the road on the western side of the river. The proposed development of an additional house on this landholding would, therefore, be detrimental to the high scenic amenity of the area, would be contrary to Policies E1 and E2 of the development plan and would be contrary to the proper planning and sustainable development of the area.

A site further east in Ardsallagh, 14/600288 (PL93.244541)

Permission refused for renovations to a garage to Clodagh and Sean Bohane for the following reason:

The proposed development is situated in a visually prominent location on a steeply sloping site overlooking the River Blackwater in an area designated as having a vulnerable landscape in the Waterford City and County Development Plan 2011-2017 in relation to which it is the policy of the planning authority to control development in order to maintain the scenic value and existing character of the area. It is considered that the proposed development, comprising the modernisation of an existing garage to comprise, inter alia, replacement windows and roof and roller shutter doors, would introduce an undesirable industrial visual element into this sensitive rural environment which would seriously injure the rural character and scenic amenities of the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

5.0 Policy Context

5.1 Sustainable Rural Housing Planning Guidelines

The site of the proposed development is located within an area designated as being under strong urban influence.

The Guidelines distinguish between 'Urban Generated' and 'Rural Generated' housing need. Examples of situations where rural generated housing need might apply as set out in the Guidelines include rural houses for '*persons who are an intrinsic part of the rural community*' and '*persons working full time or part time in rural areas*'

5.3.2. National Planning Framework

National Policy Objective No. 19 states

In rural areas under urban influence, 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 and siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements.

5.2 Development Plan

Waterford County Development Plan 2011-2017

The site is located in an area zoned for agriculture which a stated policy to provide for development of agriculture and to protect and improve rural amenity.

4.9.1 Area Under Urban Pressure

Areas classified as Under Urban Pressure are located close to the immediate environs or commuting catchment of cities and towns or to major transport corridors with ready access to urban areas. They are characterised by rapidly rising populations or are under considerable pressure for housing development.

The key development plan objectives in this area are, on the one hand, to facilitate the housing requirements of the local rural community, subject to satisfying site suitability and technical considerations, whilst on the other hand directing urban generated development to areas zoned for housing in the adjoining service centres and settlement nodes.

Policy SS3 To cater for the housing requirements of members of the local rural community who have a genuine local housing need in areas under urban pressure as set out in the Criteria in Section 4.10.

Policy SS4 To direct urban generated housing development in Area Under Urban Pressure into the adjoining zoned settlements.

4.10 Genuine Local Housing Need

As stated above, applicants for housing in Areas Under Urban Pressure and in the Stronger Rural Areas will be required to demonstrate a Genuine Local Housing Need. The applicant must demonstrate, to the satisfaction of the Planning Authority that he/she can comply with one of the following criteria:

- A landowner who owned the property prior to 4th March 2004 wishing to build a permanent home for his/her own use;
- A farm owner or an immediate family member (son, daughter, mother, father, sister, brother, heir) wishing to build a permanent home for their own use on family lands;
- A favoured niece, nephew or heir (maximum of 2 persons per farm owner) of a farm owner with no children wishing to build a permanent home for their own use on family lands;
- Persons working fulltime or part-time on a permanent basis, in a specific rural area who by the nature of the work need to be close to the workplace;

- A son or daughter of an established householder (who has lived in the area for three years or more) wishing to build a permanent home for their own use to live immediately adjacent to their elderly parents to provide care;
- Persons who were born and lived for substantial parts of their lives (three years or more) in a specific rural area, who then moved away and who now wish to return to their home places to reside near other family members, to work locally, to care for elderly family members or to retire; and
- Persons who because of exceptional health circumstances – supported by relevant documentation from a registered medical practitioner and a disability organisation may require to live in a particular rural area or close to family support (or vice versa).

Policy ENV4

The Council will assess all proposals for development in terms of Scenic Landscape Evaluation Map, and the Development Management Standards (Chapter 10) and the Rural Housing Design Guidelines.

.Appendix A 9 includes the **Scenic Landscape Evaluation**.

5.1 (a) Vulnerable

Areas included in this category were defined by mapping the shores of the main waterbodies - lakes, large rivers, coasts, estuaries, promontories and headlands. The principal skylines were defined from the topographical map and illustrate where the 'watershed line' occurs. This is where the highest points along a ridge occur. As mentioned earlier, these are all conspicuous features of the natural landscape to which the eye is drawn because of strong contrasts of form and colour where there is contact between the land and sky or water. The skylines illustrated are the major skylines which, are visible over a wide area (any area will occur against the skyline if viewed from a lower elevation).

Vulnerable

Very distinctive features with a very low capacity to absorb new development without significant alterations of existing character over an extended area.

6.1(a) Policy with Regard to Areas Designated as Vulnerable

These areas or features designated as vulnerable represent the principal features which create and sustain the character and distinctiveness of the surrounding landscape. To be considered for permission, development in the environs of these vulnerable areas must be shown not to impinge in any significant way upon its character, integrity or uniformity when viewed from the surroundings. Particular attention should be given to the preservation of the character and distinctiveness of these areas as viewed from scenic routes and the environs of archaeological and historic sites.

5.1. Natural Heritage Designations

The site is 100m east of Blackwater Estuary SPA
110m north east of Blackwater SAC
7.3km north of Ballymacoda Bay SPA
8.1Km north of Ballymacoda Bay SAC
12.7km west of Helvic to Ballyquinn SPA.

5.2. EIA Screening

Having regard to the nature and scale of the proposed development, a single dwelling house in a rural area, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1 *Initial Observations*

- The site is located in a normal landscape as per map Appendix A9 of the Waterford City and County Development Plan. The subject site is incorrectly identified on the Scenic Evaluation Map.
- The site is not located in a SAC or SPA

6.1.2 *Grounds of Appeal*

- The proposed farmhouse is significantly different to previous proposal in terms of size and scale.
- The design, configuration and layout is a narrow plan form taken from the Cork Rural Design Guidelines using passive solar principles and it uses timber cladding and traditional slate. The finish of the farmhouse does not present a modern profile, does not use balconies or forward facing gables/ protrusions, does not use extensive two storey curved glazing and has no features of zinc or copper cladding.
- The area planner acknowledges the current proposal is improved, and of a better design and reduced scale compared to the previous application but the report has no information regarding a visit/ view from L2004 to ascertain the view, and the visual impact from the surroundings.
- A landscaping scheme is not required, and was not requested and this is reflected in the lack of intrusion the proposed farmhouse will have on the landscape. The surrounding hedge will receive supplementary planting in the future.
- The addition of 2ha of Truffiere woodland in this general location will contribute to the local landscape character, quality and distinctiveness. It is a requirement for security reasons to reside adjacent to the Truffiere.
- The proposed development of a farmhouse to accommodate the family as allowed for under Policy SS3, subject to 4.10 of the CDP and would not be detrimental to the visual vulnerability and high scenic amenity of the area as demonstrated in section 4 and Appendix 1 of the appeal.
- The proposal is not contrary to policy ENV4 as the Scenic Landscape Evaluation map and Appendix 9, the Development Management Standards (Chapter 10) and the Rural Housing Design Guidelines.
- The panoramas in Section 4 and Appendix 1 of this appeal demonstrate that the subject site would not constitute a visually vulnerable feature in the landscape and would not injure the visual or scenic amenity of the surrounding area. They also show the dwelling is not visible from the surrounding countryside and will not injure the landscape at this location.

6.1.3 ***Other Points Raised***

- The farmhouse floor area has been reduced by 9% from 340sq.m to 317sq.m. The garage is reduced by over 8% from 66.6sqm. to 55.9sq.m. The roof pitch and ridge height has been reduced.
- The subject site is zoned Agricultural and is an Area under Urban pressure as set out in CDP 3.10. The CAAS study in 1999 indicated the site is not in an Area designated as visually vulnerable.
- The site has a south facing slope, and it is screened by trees to the south which are 10-15metres in height. The design has been influenced by the Cork Design Guide and the fact there are six in the family.
- Policy SS3 and section 4.10 of the CDP the applicants are working farmers confirmed on the application PA19/14, and the applicant complies with local housing need.
- Panorama views from 7No. locations are included and described in detail:
 - a) River Blackwater
 - b) Youghal Bridge and Start of Scenic Route 5
 - c) Location L2004-1
 - d) Location L2004-2
 - e) Location L2004-3
 - f) Location L-2004-4
 - g) Templemichael Quay, Start of Scenic Route 4
- The site is not on, or set against a ridgeline when viewed from a lower elevation nor is it visible over a wide area. The proposal does not have a prominent riverside location, and would not form a discordant feature on the landscape.
- Policy ENV 4 in section 8.2 of the CDP is relevant. The majority of the applicant's landholding is designated as normal on the Scenic Evaluation Map except for the riparian margin and the Ardsallagh skyline, as area designated as visually vulnerable. The site is secluded and not prominent. The proposed dwelling is inconspicuous over a wide area. It is fully screened to the west, north and east, primarily by the amphitheatre style land-form, and also by the enclosing and sheltering hedgerows and woodlands.
- The proposal is a genuine rural based need.

6.2. Planning Authority Response

There have been no issues raised on appeal that would alter the planning authority's decision to refuse. A decision to refuse is consistent with PL24.226570.

7.0 Assessment

7.1 Having regard to the nature of this appeal, and having undertaken a site visit, as well as considering the information submitted, the proposed development and the planning history pertaining to the site, I suggest that it is appropriate to assess the proposed development under the following headings:

- The principle of the development and compliance with policy
- Visual Impact on the Area
- Other Matters
- Appropriate Assessment

7.2 The principle of the development and compliance with policy

According to the planning application, the 0.4Ha site, is part of a 33.69Ha landholding which is in the ownership of the applicant, Samantha Mortensen. The Deed of Transfer of ownership to the applicant was made in October 2018 (as per documents on appeal file). Furthermore, it is stated the applicant currently resides in rented accommodation 13Km from the site, and she has applied to build a permanent family home on family land. The applicant states she is a farmer, and her spouse also is a farmer. There are 6No. family members, two adults and four children, hence the scale of the proposed dwelling. There are no further details regarding where or what form of farming they currently do or proposed to do on the subject landholding. There are bank statements (confirming the applicant resides 13Km from the landholding) and tax returns accompanying the planning application, with the most current tax statement stating the spouse of the applicant, John Cullinane is a farmer. It is unusual that the planning application was made in one spouse's name, I cannot establish the reason for this from the file. It is also unusual that more evidence is not submitted with the planning application to establish the

rural generated housing need as set out in the Sustainable Rural Housing Guidelines for '*persons who are an intrinsic part of the rural community*' and '*persons working full time or part time in rural areas*'. The tax statement, and an enrolment letter from Clashmore National School is vague supporting documentation, and there are no details of their existing farm 13Km from the landholding and reasons why they are not constructing a dwelling beside their existing farm which is located in Cappoquin. There is no evidence as to what form of farming will be carried out on the landholding. In my opinion, it is not acceptable to simply state the applicant is a farmer, and to submit a tax return statement as evidence in order to demonstrate a sufficient rural generated housing need.

Furthermore, the site is situated within an 'Area Under Urban Pressure', and in terms of the **National Planning Framework** , *National Policy Objective No. 19* states

'In rural areas under urban influence, 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 and siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements'. Having examined the information on file, I consider the applicant has not furnished sufficient evidence to comply with this objective. The 33ha land holding was only recently purchased in October 2018, and it would appear this is the sole justification for applying to erect a house along the banks of the River Blackwater without detailed evidence on the use and viability of the landholding for farming, or the type of farming.

Furthermore, having considered the County Development Plan Policy relating to genuine local need as prescribed under section 4.10 of the Plan, I consider the applicant has not demonstrated sufficient compliance with this section of the Plan. Therefore the applicant does not comply with the following development policy stated under section 4.9.1 Areas Under Urban Pressure

Policy SS3

To cater for the housing requirements of members of the local rural community who have a genuine local housing need in areas under urban pressure as set out in the Criteria in Section 4.10.

I recommend the proposed development should be refused on this issue.

7.3 House Design and Siting

The single reason for refusal by the planning authority, stated the proposed location had a very low capacity to absorb new development and the proposed development would impact in a significant way on the integrity and uniformity of the existing views of the Ardsallagh area when viewed from the road on the western side of the river and from the River Blackwater itself, and the proposal would therefore be detrimental to the high scenic amenity of the area, and contrary to Policy ENV4 of the current Waterford County Development Plan.

Policy ENV4

The Council will assess all proposals for development in terms of Scenic Landscape Evaluation Map, and the Development Management Standards (Chapter 10) and the Rural Housing Design Guidelines.

The proposed dwelling is a split-level house, with the front (southern) elevation been two storey, and the rear (north) been single storey. The house is 4No bedrooms, 340sq.m. in floor area with a floor to ridge height of 7.8metres. There is also a double detached garage proposed, 67sq.m. In terms of design and specification, the house is acceptable, as it is a simple vernacular form.

The Board had previously refused a two-storey dwelling on the subject site in 2008 under appeal reference PL24.226570, for a very similar reason to the reason given by the planning authority in this current case. As the previous Board's decision was over eleven years ago, and there have been changes to planning policy since that time, I am of the opinion, the Board can examine this case de novo without comparisons been drawn to the previous proposal on the subject site.

On appeal it is stated the planning authority has incorrectly claimed the site is located within a visually vulnerable area, that the site is located within a normal landscape. Appendix A 9 includes the **Scenic Landscape Evaluation**. I note from the Scenic Landscape Evaluation Map, there is a 'Visually Vulnerable' line just north of the subject site. According to the report this is :

5.1 (a) Vulnerable

Areas included in this category were defined by mapping the shores of the main waterbodies - lakes, large rivers, coasts, estuaries, promontories and headlands. The principal skylines were defined from the topographical map and illustrate where the 'watershed line' occurs. This is where the highest points along a ridge occur. As mentioned earlier, these are all conspicuous features of the natural landscape to which the eye is drawn because of strong contrasts of form and colour where there is contact between the land and sky or water. The skylines illustrated are the major skylines which, are visible over a wide area (any area will occur against the skyline if viewed from a lower elevation).

Vulnerable

Very distinctive features with a very low capacity to absorb new development without significant alterations of existing character over an extended area.

The Ardsallagh skyline is cited in the development plan as a vulnerable landscape. The line on the Scenic Evaluation Map dissects Ardsallagh, and it is positioned north of the subject site because it is approximate to the highest point of the ridgeline. However, this line cannot be taken as a rigid line in terms of the landscape. The overall context of the line is the vulnerability of the landscape and ridgeline of Ardsallagh Hill from the banks of the Blackwater to the highest point of the hill. Therefore, although the actual site boundaries are located within an area that is considered 'normal' landscape, this is not a 'Normal' landscape as defined within the Evaluation, it has to be viewed in the context of the setting and the banks of the river. Therefore, I do not agree with the applicant's submission that the Board must view this landscape as 'Normal'. The Board must view the site in the context of the Map included in Appendix 9 of the County development, in the context of the landscape setting and features. In particular, I refer the Board to Policy 6.1(a) :

6.1(a) Policy with Regard to Areas Designated as Vulnerable

These areas or features designated as vulnerable represent the principal features which create and sustain the character and distinctiveness of the surrounding landscape. To be considered for permission, development in the environs of these vulnerable areas must be shown not to impinge in any significant way upon its character, integrity or uniformity when viewed from the surroundings. Particular attention should be given to the preservation of the character and distinctiveness of these areas as viewed from scenic routes and the environs of archaeological and historic sites.

The policy states, development includes the environs of the vulnerable areas, ie. the banks of the River Blackwater and Ardsallagh Hill Skyline, must be shown not to impinge in any significant way upon its character, integrity or uniformity when viewed from its surroundings.

In my opinion the reason for refusal fails to acknowledge the pristine, unspoilt landscape along the River Blackwater. At this point of the river, it is meandering towards Youghal, and the river bank along the eastern side and parts of the western side, are tree lined embankments uninterrupted by development due to inaccessibility. I viewed the proposed site from within the site, from Youghal Bridge and along the road on the western side of the River Blackwater. I would accept the distance from Youghal Bridge to the site is so significant the proposed dwelling would barely be visible, and views are hindered from the bridge by a curve in the river. The road on the western side of the River Bank is narrow, winding and tree lined road. The site is visible from this road along a considerable length, however I do acknowledge, the trees surrounding the site would provide screening for the proposal dwelling at the present time. The clearance of the site will impact on the uniformity of the intact riverine landscape. In all probability, in time, the tree cover will be eventually be removed. Regardless of various vantage points and panoramas into the site from various directions, the principle of an ad hoc dwelling located on a high visually sensitive and unspoilt riverine landscape is unacceptable. The applicant's landholding hosts a variety of alternative locations to accommodate a dwelling house, in particular alongside the roadside boundary, and the site of the existing ruined dwelling. To locate the proposed dwelling on the most extreme part of the landholding 1.4km from an access is an inappropriate form of rural

development. The clearance of the site alone would impinge significantly on the character, integrity and uniformity of the landscape when viewed from the surrounding areas. As stated, given the extent of the landholding and topography, there are the options for a discreetly positioned dwelling e.g. in the vicinity of the existing ruin located within a coppice on the property in close proximity to the entrance along the northern axis of the site. In my opinion, the applicant should explore a new dwelling at a different location on the property.

The Board should be also mindful that to permit this proposal could set a highly undesirable principle along the banks of the River Blackwater given the close proximity to Youghal and the fact the area is under development pressure.

7.4 Other Matters

The subject site is to be accessed from an existing unsurfaced laneway. The laneway road extends c1.4km from the local public road to the subject site. The sightlines are adequate in both directions at the proposed/ existing access.

The proposed proprietary treatment system and polishing filter is acceptable to cater for the proposed development having regard to the T value of 15.86 and compliance with the EPA Code of Practice.

7.5 Appropriate Assessment

The site is adjacent to the River Blackwater and the Blackwater River SAC site code 002170 (110m) and the Blackwater Estuary SPA site code 4028 (100m) which are Natura 2000 sites could be potentially impacted by this development.

The planning authority carried out a Habitats Directive Project Screening Assessment, which identified the Natura 2000 sites potentially impacted by the development and made a determination in relation to possible effects on Natura 2000 sites including freshwater habitats, estuary habitats, intertidal and marine habitats and qualifying species. The screening concluded the proposed development either individually, or in combination with other projects would not be likely to have a significant effect on a Natura 2000 site.

The River Blackwater and the Blackwater River SAC site code 002170 and the Blackwater Estuary SPA site code 4028 are European sites, which could potentially

be affected using the Source-Pathway-Receptor model given the proximity to these sites and that the site drains towards the river.

The Blackwater River SAC River (Waterford/Cork) is a vast linear site covering the river and the main tributaries and as a consequence the site consists of the freshwater stretches of the Blackwater and it also includes the tidal elements and estuary. The SAC includes 19 habitats and/or species listed on Annex I / II of the E.U. Habitats Directive habitats including estuaries river vegetation, woodlands and mudflats and also in relation to species the freshwater pearl mussel, white-clawed crayfish, river lamprey and salmon as qualifying interests. The Blackwater Estuary SPA is also of importance with eight individual species listed and wetlands and waterbirds are also referred to. It is also an internationally important wetland site on account of the population of Black-tailed Godwit it supports.

Given the nature and scale of the proposed development; which is a two storey dwelling with a waste water treatment system located 100metres from the designated sites, I consider that likely significant effects, either individually or in combination with other plans or projects, on the European sites can be reasonably ruled out during construction and occupation stage, on the basis of separation distance from the designated sites, and the small scale of the proposed development.

It is reasonable therefore to conclude that on the basis of the information on the file, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on European Site Nos. 002170 and 004028, or any other European site, in view of the site's Conservation Objectives, and a Stage 2 Appropriate Assessment and submission of a NIS is not therefore required.

8.0 Recommendation

- 8.1. Having considered the file, the site and the above assessment, I recommend the planning authority's decision to refuse planning permission for the proposed development be upheld by the Board.

9.0 Reasons and Considerations

1. The site of the proposed development is located in an area under Strong Urban Influence, as set out in the Sustainable Rural Housing Guidelines for Planning Authorities, issued 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. Furthermore, National Policy Objective 19 of the National Planning Framework, in respect of 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, having regard to the viability of smaller towns and rural settlements. In addition, Policy SS3 of the Waterford County Development Plan 2011-2017 seeks to prohibit urban-generated housing in rural areas. Having regard to the supporting documentation, it is considered that the applicant has not submitted sufficient evidence to establish a rural-generated housing need in accordance with these Guidelines and the Development Plan objectives, nor a demonstrable economic or social need, in accordance with national policy, which would justify the provision of a house in this rural location. The proposed development would, therefore, contravene these Ministerial Guidelines, be in conflict with national policy and contravene the objectives of the Development Plan, and accordingly would be contrary to the proper planning and sustainable development of the area.
2. The proposed development is situated in a visually prominent unspoilt location on a sloping topography overlooking the River Blackwater in an area designated as having a vulnerable landscape in the Waterford City and County Development Plan 2011-2017, in which it is the policy of the planning authority to control development in order to maintain the scenic value and existing character of the area. It is considered that the proposed development, comprising of a split-level dwelling, would introduce an undesirable visual element into this sensitive rural environment which would seriously injure the

rural character and scenic amenities of the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. The site of the proposed development forms an unspoilt intact and pristine landscape along the eastern banks of River Blackwater on its approach to Youghal Harbour. The eastern banks of the meandering River Blackwater at this point are treelined, and the proposed development would impinge significantly on the character, integrity and uniformity of the landscape when viewed from the surrounding areas, and would seriously injure the visual amenities of the area and set an undesirable precedent for further ad hoc developments within this high amenity landscape, and would, therefore, be contrary to the proper planning and sustainable development of the area.

Caryn Coogan
Planning Inspector
2nd of August 2019