



Planning and Development Acts 2000 to 2019

Planning Authority: Wicklow County Council

Planning Register Reference Number: 19/1034

APPEAL by James Ronan care of John Spain Associates of 39 Fitzwilliam Place, Dublin against the decision made on the 14th day of November, 2019 by Wicklow County Council to refuse permission.

Proposed Development: Construction of a two-storey, part-three storey, five bedroom dwelling over basement (gross internal area 703 square metres). The proposed development will be accessed from the existing private driveway on the lands which provides access to the R117 (Enniskerry Road). The proposed development also includes the relocation of the existing horse walker on site and all site development works, a wastewater treatment system and landscaping, all on a circa 0.3 hectare site at Kilcrouney, Kilmacanogue, County Wicklow.

Decision

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

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

The site of the proposed development is located within 'Areas 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, and in an area where housing is restricted to persons demonstrating a definable social or economic need to live in the open countryside in accordance with the Wicklow County Development Plan 2016-2022. Furthermore, the subject site is located in a rural area that is under urban influence, where it is national policy, as set out in National Policy Objective 19 of the National Planning Framework, to facilitate the provision of single housing in the countryside based on the core consideration of demonstratable 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 regard to the proximity of existing settlements to the subject site and to the documentation submitted with the planning application and appeal, the Board is not satisfied that the applicant has a demonstratable economic or social need to live in this rural area. It is considered that the applicant does not come within the scope of the housing need criteria as set out in the Guidelines and in national policy for a house at this location.

The proposed development would be contrary to Ministerial Guidelines and to the over-arching national policy, and the provisions of the development plan, and would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2020.