



An
Bord
Pleanála

Board Direction
PL27.247929

The submissions on this file and the Inspector's reports were considered at a Board meeting held on August 30th 2017.

The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Reasons and Considerations

1. The subject site is located in the open countryside, in an area which would correspond to the rural area type "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 indicated that it is policy to distinguish between rural-generated housing need and urban-generated housing need. Furthermore, the subject site is located within Level 10 Rural Area, in the current Wicklow County Development Plan, in which Area it is policy that development should be strictly limited to proposals where there is a proven social or economic need to locate in the area. On the basis of the documentation submitted in support of the application and appeal, including the nature and location of the employment of the applicant, it is considered that the proposed development of a dwelling at this location, which is not linked to an essential rural-generated housing need, would be contrary to these Ministerial Guidelines and would not come within the scope of the rural housing criteria set out in the Wicklow County Development Plan 2016 – 2022. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. It is considered that the proposed dwelling, notwithstanding the modifications submitted to the original design by way of further information, due to its height, large mass and floor area, would form a highly incongruous feature in this area, would militate against the preservation and protection of the rural and visual amenities of the area and would, therefore, be contrary to the provisions of the current Wicklow County Development Plan, including objective HD3, and be contrary to the proper planning and sustainable development of the area.

Note 1: The Board shared the Inspector's concerns regarding the issue of wastewater treatment but considered that this was a new issue in the context of the appeal and decided not to include this as a further reason for refusal, having regard to the substantive reasons for refusal outlined above.

Note 2: In reaching its decision, the Board did not agree with the Inspector regarding the issue of housing need, noting that the relevant policy criteria in the Development Plan referred to by the Inspector (policy RH23) required not only that an applicant had to have inherited an agricultural holding or site but also had to demonstrate a definable social and/or economic need to live in the rural area in question. In this regard, the Board agreed with the view of the Planning Authority that the applicant had not demonstrated that the proposed house was a necessary dwelling linked to an essential rural-generated housing need and that the applicant had not established that she had a social or economic need for a dwelling in this rural location, in the context both of the Wicklow County Council policy and national policy. (The Board fully considered the documentation submitted by the applicant to the Planning Authority on the 4th day of May 2017 in this context.)

[Please issue a copy of this Direction with the Board Order.]

Board Member

Date: 31st August 2017

Philip Jones