



An  
Bord  
Pleanála

**Board Direction**  
**BD-010273-22**  
**ABP-310414-21**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 15<sup>th</sup> day of March 2022.

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

### **Reasons and Considerations**

1. Having regard to:

- The location of the site within a rural area under strong urban influence in accordance with the Sustainable Rural Housing Guidelines for Planning Authorities published by the Department of the Environment, Heritage and Local Government in April, 2005,
- National Policy Objective 19 of the National Planning Framework (February 2018) which for rural areas under urban influence seeks 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, having regard to the viability of smaller towns and rural settlements,
- The provisions of Objective HD23 of the Wicklow County Development Plan, 2016-2022 which provides for consideration to be given to residential development in the open countryside only when it is for those with a definable social or economic need to live in the open countryside,
- The location of the site in the 'Mountain and Lakeshore Area of Outstanding Natural Beauty' (1(a) - The Mountain Uplands) landscape



designation wherein it is a Key Development Consideration that proposals be accompanied by a detailed justification of the need for the development at the location proposed in accordance with Section 5.3.2 of the Landscape Assessment included at Appendix 5: 'Landscape Assessment' of the Wicklow County Development Plan, 2016-2022, and

- The documentation on the file, including the applicants' links to the area and their current & previous housing circumstances,

The Board had regard to the current and previous housing circumstances of the applicants, the nature of the applicant's employment and the stated need for the applicant to be residing on site as described in the documentation and is not satisfied on the basis of the information on the file that the applicants come within the scope of either the economic or social housing need criteria as set out in the overarching National Guidelines.

The proposed development, in the absence of any identified locally based need for the house at this location, would result in a haphazard and unsustainable form of development in an unserviced rural area, would contribute to the encroachment of random rural development in the area and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure and undermine the settlement strategy set out in the development plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the elevated and remote site location in a visually sensitive landscape which has been designated as an 'Area of Outstanding Natural Beauty' in the current Wicklow County Development Plan, 2016-2022, and its positioning relative to a prospect of special amenity value / special interest (Prospect No. 26: Lough Dan Road (L10591): Prospect to Lough Dan Valley and Carrigeenshinnagh Mountain) that has been listed for protection in the same Plan, it is considered that the proposed development, by reason of its prominent position and the nature and extent of the works concerned, including the tree felling required to facilitate the development, would be detrimental to the high scenic amenity value of the area and would be unduly



visually obtrusive thereby interfering with the character of the surrounding rural landscape. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. It is considered that the proposed development would endanger public safety by reason of traffic hazard and the obstruction of road users due to the additional traffic movements that would be generated onto the minor local road serving the site which is seriously substandard in terms of gradient, width, alignment and structural condition. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
4. On the basis of the information provided with the application and appeal including the presence of a stream on site, the limited details on drainage and construction and the proximity of the site to the Wicklow Mountains Special Area of Conservation (Site Code: 002111) and Wicklow Mountain Special Protection Area (Site Code: 004040), and in the absence of a Screening for Appropriate Assessment and/or Natura Impact Statement, the Board cannot be satisfied that the proposed development individually, or in combination with other plans or projects would not result in adverse effects on the integrity of Wicklow Mountains Special Area of Conservation (Site Code: 002111) and Wicklow Mountain Special Protection Area (Site Code: 004040) , in view of the sites' Conservation Objectives.

Board Member Maria Fitzgerald  
Maria Fitzgerald

Date: 15<sup>th</sup> March '22

