



An
Bord
Pleanála

Board Direction
BD-016025-24
ABP-313365-22

The submissions on this file, including those submissions received in relation to notice issued under Section 137 and the notice issued under Section 131 of the Planning and Development Act 2000, as amended, and the Inspector's report were considered at a Board meeting held on 09/04/2024.

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

Reasons and Considerations

The site is located outside of the settlement boundary of Rathdrum as defined in the Wicklow County Development Plan 2022-2028. The proposed development would therefore be on land categorised as a rural area and would not be in accordance with Objective CPO 4.6 which requires new housing development to be located on designated housing land within the boundaries of settlements, Objective CPO 4.7 which requires the implementation of the settlement strategy, and Objective CPO 6.1 which requires new housing to be located in designated settlements. It would also fail to meet the required density standards as set out in Table 6.1 of the Development Plan and would not be in accordance with local and national planning policy which seeks to consolidate development within settlements and to regenerate and rejuvenate town centres.

The Board considers that the proposed development would materially contravene Objectives CPO 4.6, CPO 4.7 and CPO 6.1 of the Wicklow County Development Plan 2022-2028 and pursuant to the provisions of section 37(2)(b) of the Planning and Development Act, 2000, as amended, is precluded from the granting of planning permission for the proposed development as none of the provisions of section 37(2)(b)(i), (ii), (iii) or (iv) of the said Act apply in this case. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Board Member

Eamonn James Kelly

Date: 09/04/2024

Eamonn James Kelly

Note

The Board noted and concurred with the submission of the planning authority that the proposed development also represented a material contravention of Objective CPO 4.6 and CPO 4.7 of the Wicklow County Development Plan 2022-2028.

The Board also noted that the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities issued by the Department of Housing, Local Government and Heritage in 2024 after the Inspector's report was prepared. However, in that regard, the Board is satisfied that no new issues arise for consideration in relation to the proposed development as a result.