

An
Coimisiún
Pleanála

Direction
CD-020721-25
ABP-322556-25

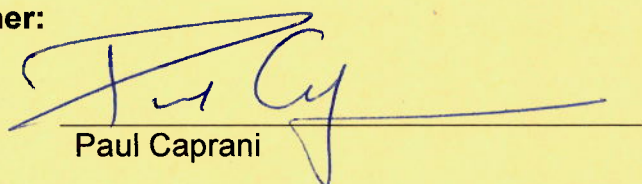
The submissions on this file and the Inspector's report were considered at a meeting held on 18/09/2025.

The Commission decided to refuse permission for the following reasons and considerations.

Planning

Commissioner:

Date: 18/09/2025


Paul Caprani

DRAFT WORDING FOR ORDER

Reasons and Considerations

The Commission had regard to the rural housing policies set out in the in the current Wicklow County Council Development Plan 2022-2028 and in particular CPO 6.41 and Table 6.3 of the Plan. The Commission noted that housing need is restricted to those who can demonstrate a clear need for new housing subject to criteria set out in the plan. While the plan facilitates someone that previously owned a home and is no longer in possession of that home following legal separation /divorce / repossession, the Commission noted that home previously owned by the appellant was sold was not repossessed by a financial institution and therefore did not strictly adhere to the

criteria set in the Development Plan. The proposal therefore would be contrary to the provisions of the development plan and would be contrary to the proper planning and sustainable development of the area

In deciding not to accept the Inspector's recommendation to grant permission, the Commission, did not accept the inspectors conclusion that the planning authority did adopted an overly rigid interpretation of the rural housing policy set out in development plan. The plan is clear and unambiguous in stating that someone that previously owned a home and is no longer in possession of that home as it had to be disposed of following legal separation / divorce / repossession by a lending institution. The dwelling in question was not repossessed but was sold and therefore did not fall within the criteria set out above. The Commission noted that the overall settlement strategy seeks where possible to direct housing into existing settlements, the Commission noted the proximity of adjoining settlements of Kilcoole and Greystones which are located close to the applicant's family landholding.