

An
Coimisiún
Pleanála

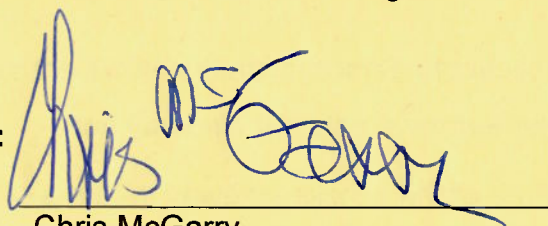
Direction
CD-020968-25
ACP-322912-25

The submissions on this file and the Inspector's report were considered at a meeting held on 13/10/2025.

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

Planning

Commissioner:


Chris McGarry

Date: 15/10/2025

DRAFT WORDING FOR ORDER

Reasons and Considerations

1. The site of the proposed development is located in an area that is designated as Level 10 (the Rural Area) settlement in the Wicklow County Developed Plan 2022-2028, and in an 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. Furthermore, Objective CPO 6.41 of the Wicklow County Development Plan 2022-2028 facilitates residential development in the open countryside for those with a housing need in line with National Policy Objective 19 of the National Planning Framework. Having regard to the documentation submitted with the planning application and the appeal, and the photographic evidence contained

in the report of the Wicklow County Council planning officer and as provided by the inspector, the Commission is not satisfied that the subject site contains an abandoned residential building within the meaning and description as set out at Objective 6.43 of the Wicklow County Development Plan 2022-2028.

Furthermore, the Commission is not satisfied that the applicant has demonstrated an economic or social need to live in this area or that the housing need of the applicant could not be met in a smaller town or rural settlement. It is considered that the applicant does not come within the scope of the housing need criteria. The proposed development would be contrary to Objective 6.41 of the Wicklow County Development Plan 2022-2028, and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to:

- a) The failure of the applicant to demonstrate that sufficient sightlines can be achieved at the vehicular entrance onto the laneway and;
- b) The substandard nature of the access laneway in terms of width and structural condition,

The proposed development would endanger public safety by reason of serious traffic hazard due to the additional traffic turning movements generated by the proposed development and the precedent such a grant of permission would set for further similar type development on this laneway. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

3. On the basis of the lack of information provided with the application and appeal regarding proposed means of surface and foul water disposal, and having regard to the proximity of the site to a open water body that ultimately discharges to the Three Trouts Stream, and in the absence of a 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 Glen of the Downs SAC (site code 000719) in view of the site's Conservation Objectives. In such

circumstances a grant of permission would not be warranted under the provisions of Article 6(3) of the Habitats Directive (92/43/EEC).'

4. On the basis of the information submitted with the application and appeal, and specifically the absence of any detail with regard to the potential for servicing of the proposed development by existing public water/ public sewer, or that the site is suitable for septic tank effluent percolation, it is considered that the proposed development would be prejudicial to public health. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.