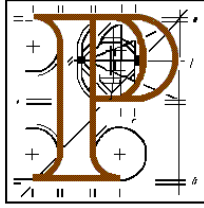


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Wicklow County

Planning Register Reference Number: 15/340

An Bord Pleanála Reference Number: PL 27.245591

APPEAL by Suzann Neilan care of Vincent JP Farry and Company Limited of Suite 180, 28 South Frederick Street, Dublin against the decision made on the 24th day of September, 2015 by Wicklow County Council to refuse permission.

PROPOSED DEVELOPMENT: Construction of a proposed new dwelling, garage, effluent disposal system to current EPA standards, connection to existing watermain, together with all ancillary site works at Stilebawn, Kilmacanogue, County Wicklow.

DECISION

REFUSE permission for the above proposed development based on the reasons and considerations set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

1. The site of the proposed development is located within an area designated as an 'Area Under Strong Urban Influence' in the Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April, 2005. The site is also located in an elevated and open field in a landscape zone designated as a Mountain and Lakeshore Area of Outstanding Natural Beauty, a landscape category designated as highly vulnerable in the Wicklow County Development Plan 2010–2016. The Board is not satisfied, on the basis of the submissions made in connection with the planning application and the appeal that the applicant does not come within the scope of the housing need criteria as set out in the Development Plan and in the Sustainable Rural Housing Guidelines for a house at this location. The proposed development would be contrary to the planning authority's rural housing policy and would be contrary to the Ministerial Guidelines. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the design of the proposed dwelling and to the elevated and exposed nature of the site and its location within an area designated as a Mountain and Lakeshore Area of Outstanding Natural Beauty in the Wicklow County Development Plan 2010–2016, it is considered that the proposed development would constitute a visually intrusive feature in the landscape which would seriously injure the visual amenities of the area and would, therefore, be contrary to the proper planning and sustainable development of the area.
3. Having regard to:
 - (a) the inadequacy of the entire local road network serving the site, between the R755 to the south and the N11 to the northeast; and
 - (b) the number of existing dwellings served by this road network,

it is considered that the existing road network is only suitable to cater for traffic movements generated by existing/necessary dwellings, and to allow this development would endanger public safety by reason of a traffic hazard and would set an undesirable precedent for further such development.

In deciding not to accept the Inspector's recommendation to grant permission, the Board generally concurred with the planning authority in their reasons for refusal of the proposed development. In this regard, the Board considered that the appellant had not shown a demonstrable need for a dwelling at this location in accordance with Development Plan and national Rural Housing policies. The proposed dwelling would be unduly visually obtrusive on an elevated site and the proposed development would give rise to a traffic hazard.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2016.