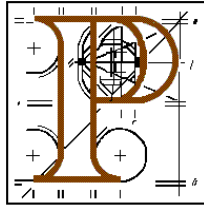


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Wicklow County

Planning Register Reference Number: 15/945

An Bord Pleanála Reference Number: PL 27.245823

APPEAL by John Kavanagh care of Ian Heffernan and Associates of Cnoc Dubh, Ballymanus Lower, Blackhill, Glenealy, County Wicklow against the decision made on the 3rd day of November, 2015 by Wicklow County Council to refuse permission.

PROPOSED DEVELOPMENT: Construction of a proposed new dwelling, garage, effluent disposal system to current EPA standards, well, upgrade to existing access, together with all ancillary site works at Ballintombay Upper, Rathdrum, 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. On the basis of the documentation submitted with the application and the appeal, the Board considered that the applicant does not come within the scope of the housing need criteria for a dwelling at this location 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 and the current Development Plan for the area and is not satisfied that his housing need could not be satisfactorily met in an established settlement centre. Accordingly, it is considered that the proposed development would be contrary to the Ministerial guidelines as set out in the Sustainable Rural Housing Guidelines and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the location of the site within an area designated as an Area of Outstanding Natural Beauty (Mountain and Lakeshore Areas of Outstanding Natural Beauty) in the Wicklow County Development Plan 2010-2016, the inappropriate design and scale of the dwelling and the necessity for a severe cut and fill on the sloped site providing for a significant scarring of the landscape, it is considered that the proposed development, by reason of its siting and design, would form an excessively prominent and obtrusive feature on the landscape and would seriously injure the visual amenities of this sensitive rural area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2016.