

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Wicklow County

Planning Register Reference Number: 16/156

An Bord Pleanála Reference Number: PL 27.246531

APPEAL by Christopher and Deirdre Shepherd care of Frank Ó'Gallachóir and Associates Limited of 94 Rathdown Park, Greystones, County Wicklow against the decision made on the 6th day of April, 2016 by Wicklow County Council to refuse permission.

PROPOSED DEVELOPMENT: Erection of a new split-level two-storey detached dwelling and detached single storey domestic garage, the provision of an on-site effluent treatment and disposal system to current Environmental Protection Agency standards, new driveway and modifications to an existing site entrance onto the public road, together with a connection to existing mains water supply and all ancillary site works, at a site on family lands, at Windgate, Greystones, 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. Having regard to the location of the site within an 'Area under Strong Urban Influence' as identified in the "Sustainable Rural Housing Guidelines for Planning Authorities" issued by the Department of the Environment, Heritage and Local Government in April, 2005, and outside lands identified for residential development and having regard to the policies of the planning authority, as set out in the Wicklow County Development Plan 2010–2016 relating to rural housing particularly Objective RH14, it is considered that the applicant does not come within the scope of the housing need criteria for a rural dwelling at this location and that the proposed development would be contrary to the said Ministerial Guidelines. The proposed development would contribute to the encroachment of random rural development in the area and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure and result in an undesirable precedent for further such development. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the significant level of existing residential development on adjoining sites and associated wastewater treatment systems, the proposal would give rise to an over-proliferation of wastewater treatment systems at this location which is identified by the Environmental Protection Agency as an area at high risk of groundwater pollution from domestic wastewater. In this regard, the proposed development would be prejudicial to public health and 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.