

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

## Wicklow County

**Planning Register Reference Number: 16/850**

An Bord Pleanála Reference Number: PL 27.247391

**APPEAL** by Sarah Staunton care of Vincent JP Farry and Company Limited of Suite 180, 28 South Frederick Street, Dublin against the decision made on the 14<sup>th</sup> day of September, 2016 by Wicklow County Council to refuse permission.

**PROPOSED DEVELOPMENT:** Retention of a single storey dwelling as constructed on site and proposed new wastewater treatment system to serve this dwelling at Brittas, Brittas Bay, 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 is unsuitable for the safe disposal of foul domestic effluent. Having regard to the conditions pertaining on site and to the proliferation of wastewater treatment systems in the vicinity of the site, the Board is not satisfied, on the basis of the submissions made in connection with the application and appeal, that the proprietary effluent treatment system and raised polishing filter proposed to serve the house proposed to be retained is adequate to treat effluent arising from the proposed development in a manner that would not to give rise to the risk of pollution to surface water and/or ground water. Furthermore, the Board is not satisfied that the proposed development either individually, or in combination with other plans or projects would not adversely affect the integrity of European Site number 000729 (Buckroney-Brittis Dune and Fen Special Area of Conservation) in view of the site's conservation objectives. The proposed development and the development proposed to be retained would, therefore, be prejudicial to public health and would be contrary to the proper planning and sustainable development of the area.
2. On the basis of the documentation submitted with the application and appeal, the Board considered that the appellant had not demonstrated a housing need for a dwelling at this location and that her housing need could not be satisfactorily met in an established settlement centre. Accordingly, the Board considered that the proposed development would be contrary to national policy as set out in the Sustainable Rural Housing Guidelines.

---

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

**Dated this                    day of                    2017.**