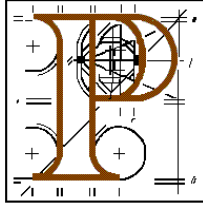


# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

**Wicklow County**

**Planning Register Reference Number: 16/933**

An Bord Pleanála Reference Number: PL27.247488

**APPEAL** by Roy and Paula Copeland care of Alphaplan Design of Suite 14, Block 1, Broomhall Business Park, Rathnew, County Wicklow against the decision made on the 5<sup>th</sup> day of October, 2016 by Wicklow County Council to refuse permission.

**PROPOSED DEVELOPMENT:** Construction of a dwellinghouse, waste water treatment system to Environment Protection Agency (EPA) 2009 standards, garage, new entrance and associated site works at Ballynacarrig, 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. Having regard to:
  - a) The location of the site in a Coastal Area of Outstanding Natural Beauty;
  - b) The steeply sloping topography of the site and the location of the dwelling on the steepest gradient of the site;
  - c) The lack of a site specific design and cognisance to the site topography;
  - d) The extent of site excavation/raised levels works required to facilitate the siting of the development;
  - e) The elevated location of the dwelling relative to the coastal area to the east and south east; and,
  - f) The visibility of the site from the coast road to the east and south east;

it is considered that the proposed development would have an obtrusive visual impact and would seriously injure the visual amenities of the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the drainage characteristics of the site, which include a high water table level, it is considered that the appeal site is unsuitable for the operation of a wastewater treatment system and the proposed development would, therefore, be prejudicial to public health.
3. The site is located 650 metres from the edge of Buckroney-Brittas Dunes and Fen, which is a groundwater fed Special Area of Conservation, (Site Code: 000729). Given the high water table/drainage characteristics of the site, there is potential for the proposed on site effluent disposal system to significantly affect the conservation objectives of the Special Area of Conservation. It has not been demonstrated that the proposed development either in isolation or in conjunction with other plans of projects would not be likely to have significant effects on the integrity of the Buckroney-Brittas Dune and Fen Special Area of Conservation (Site Code: 000729).

4. The proposed development is located within the Level 8 Small Village of Ballynacarrig in the County Development Plan. These settlements represent the more rural small settlements in the County. It is an objective of the County Development Plan under RH12 that any new single house developments shall be for persons with a proven need who are permanent native residents of any location from Level 6-10 in the County Settlement Hierarchy.

Inadequate evidence has been submitted to show that the applicants come within the local growth definition and have a proven need for a new dwelling. Therefore, to permit the development in the absence of this information would be contrary to the proper planning and sustainable development of the area.

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

**Dated this            day of            2017.**