

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2017

Wicklow County

Planning Register Reference Number: 16/1305

An Bord Pleanála Reference Number: PL 27.248023

APPEAL by Jade Morton care of Future Analytics Consulting Limited of 23 Fitzwilliam Square (South), Dublin against the decision made on the 19th day of January, 2017 by Wicklow County Council to refuse permission.

PROPOSED DEVELOPMENT: Construction of a single storey dwelling and a wastewater treatment plant and gravity soil polishing facility. Alterations to site levels, alterations to existing site access, works to existing entrance, landscaping and associated site works at Killegar, Enniskerry, 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 subject site is located in the open countryside, in an area which would correspond to the rural area type “Area under Strong Urban Influence”, 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, wherein it is indicated that it is policy to distinguish between rural-generated housing need and urban-generated housing need. On the basis of the documentation submitted in support of the planning application and the appeal, it is considered that the proposed development would represent urban-generated rural housing, and that the applicant, therefore, would not come within the scope of the housing need criteria for a house in this rural location. The proposed development would, therefore, be contrary to these Ministerial Guidelines and would be contrary to the proper planning and sustainable development of the area.
2. The site is located in an area which is designated in the current Wicklow County Development Plan 2016 – 2022 as an Area of Outstanding Natural Beauty (AONB) and an ‘Open Countryside’ area of special control in relation to which it is the policy of the planning authority to control development in order to maintain the scenic values and existing character of the area and only when it is for those with a definable social or economic need to live in the ‘Open Countryside’. The designation and policy are considered reasonable. The proposed development would detract to an undue degree from the rural character and scenic amenities of the area. It is also considered the applicant does not come within the scope of the housing need criteria set out in Objective HD23 of the Wicklow County Development Plan. It is, therefore, considered that the proposed development would contravene stated policy and objectives and be contrary to the proper planning and sustainable development of the area.

3. The site is located on a private laneway which is seriously substandard in terms of surface, width and alignment, and where adequate sightlines cannot be achieved without the removal of the entire existing front boundary embankment and hedgerows of the site and the setback of the field boundary to the west. Furthermore, the proposed development would generate additional traffic movement on a narrow local public road (L5008) which is substandard in width and alignment and is served by a substandard junction with the private laneway and with the R117 road. It is, therefore, considered that the proposed development would endanger public safety by reason of traffic hazard and obstruction of road users. If sightlines were to be improved at these substandard junctions, the proposed development 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.

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

Dated this day of 2017.