



An
Bord
Pleanála

**Board Order
PL 27.248054**

Planning and Development Acts 2000 to 2016

Planning Authority: Wicklow County Council.

Planning Register Reference Number: 16/1311.

Appeal by Joseph Delaney care of Vincent JP Farry and Company Limited of Suite 180, 28 South Frederick Street, Dublin against the decision made on the 27th day of January, 2017 by Wicklow County Council to refuse permission to the said Joseph Delaney.

Proposed Development Retention of works for the renovations and extension of the longstanding building on a site including new roof, for the prospective use of this structure as a family dwelling by the applicant, for the future installation of a sewerage treatment system, and for the retention of the revised entrance, all at Bridge Cottage, Kilmacullagh, Newtownmountkennedy, County Wicklow.

Decision

REFUSE permission for the above proposed development in accordance with 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 planning history of the site, it is considered that the works carried out to this building to date do not come within the scope of Policy HD25 of the Wicklow County Development Plan 2016 – 2022. Consequently, the proposed dwelling for which retention is being sought would be a new one.

Furthermore, 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 in an area where housing is restricted to persons demonstrating local need in accordance with Policy HD23 of the Wicklow County Development Plan 2016 – 2022, it is considered that, as the applicant has not demonstrated that he comes within the scope of the housing need criteria, as set out in the said Guidelines or Development Plan for a house at this location, the proposed dwelling for which retention is being sought, in the absence of any identified locally based need for the house, 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. The proposed dwelling for which retention is being sought would, therefore, be contrary to the proper planning and sustainable development of the area.

