



An
Bord
Pleanála

Board Order PL 27.249241

Planning and Development Acts 2000 to 2017

Planning Authority: Wicklow County Council

Planning Register Reference Number: 17/762

Appeal by Anne Marie Wall care of Joe Bonner Town Planning Consultant of 127 Lower Baggot Street, Dublin against the decision made on the 16th day of August, 2017 by Wicklow County Council to refuse permission for the proposed development.

Proposed Development: (1) Retention of the existing domestic unit with kitchen, toilet facilities, living accommodation and associated services building, the existing wastewater treatment facilities, a domestic garage, upgraded vehicular entrance and all associated site development works and services; (2) retention is also sought to temporarily retain existing mobile home for a period of five years and (3) permission is sought for an extension to the front of the domestic unit to provide additional living accommodation and to upgrade the existing wastewater treatment facilities and all associated site development works and services at Burgage Moyle, Blessington, 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. The site is located in a rural 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, and in Settlement Strategy Level 10 – Open Countryside, as set out in the current Wicklow County Development Plan 2016-2022, where housing is restricted to persons demonstrating local need in accordance with rural housing policy HD21 of the Plan. It is considered that the applicant does not come within the scope of the housing need criteria as set out in the Development Plan for a dwelling at this location. As such, it is considered that the retention of the existing residential structures on the site and the proposed extension, would materially contravene the Development Plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The development site is located within the Study Area for the N81 Tallaght to Hollywood Road Improvement Scheme. The proposed development would be premature pending the completion of the planning process and design and completion of the N81 Tallaght to Hollywood Road Improvement Scheme and contrary to policies and objectives set out in the Development Plan including objectives TR18 and TR34 in relation to supporting major road improvements by reserving the corridors of any such proposed routes free of development which would interfere with such proposals, and the preservation free of development of all published road improvement lines and route corridors until such time as a final decision has been made. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. It is considered that the proposed development and the retention of the existing development would endanger public safety by reason of traffic hazard because the site is served by a direct access onto the N81 and the traffic turning movements generated by the development would interfere with the safety and free flow of traffic on the public road. The proposed development would contravene the Spatial Planning and National Road Guidelines for Planning Authorities (2012) and would be contrary to objective TR21 of the Wicklow County Development Plan 2016-2022. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

