



Planning and Development Acts 2000 to 2018

Planning Authority: Wicklow County Council

Planning Register Reference Number: 17/866

APPEAL by Ann Dempsey care of Enviroguide Consulting of Unit 3D, Core C, Block 71, The Plaza, Park West, Dublin against the decision made on the 20th day of February, 2018 by Wicklow County Council to refuse permission to the said Ann Dempsey.

Proposed Development The importation and deposition of inert subsoil and topsoil for land profiling and re-contouring purposes and all ancillary site works at an existing agricultural holding of 7.53 hectares. A Waste Facility Permit is required. The application is accompanied by a Natura Impact Statement. All at Kilnamanagh More, Glenealy, 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 nature of the proposed development, that is the raising of lands by means of filling with inert materials, and to its location in an area identified by the Office of Public Works and the Strategic Flood Risk Assessment appended to the Wicklow County Development Plan 2016-2022, as being at risk of fluvial flooding, the Board is not satisfied, on the basis of the information provided, that the proposed development would not cause or exacerbate flooding on adjoining lands contrary to national flood guidelines. Furthermore, the Board considered that the potential flooding could result in loss of biodiversity and habitats in the local area and considered that the proposed development would set an undesirable precedent for infilling of potential flood plain lands. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2018.