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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Wicklow County Council**

**Planning Register Reference Number: 18/191**

**APPEAL** by Mary Mooney of Grannies Walls, Ballintombay Lower, Rathdrum, County Wicklow against the decision made on the 5<sup>th</sup> day of June, 2018 by Wicklow County Council to grant subject to conditions permission to Dean Cahill care of Ian Heffernan and Associates of Cnoc Dubh, Ballymanus Lower, Blackhill, Glenealy, County Wicklow.

**Proposed Development:** Dwelling, garage, effluent disposal system to current EPA standards, well, proposed new entrance, together with all ancillary site works at Ballintombay Lower, Rathdrum, 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 proposed development would constitute random residential development in a rural area which is under strong development pressure from the Greater Dublin Area, and which is lacking in certain public services and community facilities. It is the policy of the planning authority, as set out in the Wicklow County Development Plan, 2016-2022, to restrict development in rural areas to serve the needs of certain defined categories of person, including those engaged in agriculture or with strong ties to the area. It is considered that the applicant does not come within the scope of the housing need criteria as set out in the Development Plan or 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. The proposed development would conflict with the policy Objective HD23 of the Development Plan, 2016–2022, would lead to demands for the uneconomic provision of further public services and facilities in an area where these are not proposed and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The site of the proposed development is located on lands designated as part of an Area of Outstanding Natural Beauty in the Wicklow County Development Plan, 2016-2022, where it is the policy of the planning authority to control development in an order to protect the amenities and assets of the landscape. Policy Objective HD50 of the Development Plan, requires that any application for development within a designated Area of Outstanding Natural Beauty is accompanied by a Landscape/Visual Impact Assessment. Having regard to the topography of the site and surrounding landscape and the absence of a visual impact assessment, it is considered that the proposed development would appear particularly visible and prominent on the landscape and would interfere with the character of the landscape which is necessary to preserve. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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

**Dated this            day of            2018.**