



Planning and Development Acts 2000 to 2018

Planning Authority: Wicklow County Council

Planning Register Reference Number: 18/1168

APPEAL by Ashford Owners Management Company Limited care of A1 Design Services of Unit 5, Ardee Enterprise Centre, Cappocksgreen, Ardee, County Louth against the decision made on the 11th day of December, 2018 by Wicklow County Council to refuse permission for the proposed development.

Proposed Development: The change of use of 28 number two-storey holiday dwellinghouses previously granted permission under planning reference numbers 94/440 and 98/8860 to private family homes at Belair Village, Belair Hotel, Cronroe Demesne, Ashford, 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 location of the site on unzoned lands outside of the village of Ashford and the settlement strategy as set out in the Wicklow County Development Plan 2016-2022 which requires under Objective HD1 that new housing is located on suitably zoned or designated lands in settlements, and will only be considered in the countryside when it is for the provision of a rural dwelling to those with a housing, social or economic need to live in the open countryside, it is considered that the proposed change of use from holiday homes to permanent residences would materially contravene the settlement strategy of the Development Plan and would be contrary to overarching national policy in respect of rural housing as set out in the National Planning Framework. The proposed development would, therefore, set an undesirable precedent for further development of this kind and would be contrary to the proper planning and sustainable development of the area.

2. The proposed development by reason of the proposed change of use from holiday homes to permanent residences would materially contravene Objective WI8 of the Wicklow County Development Plan 2016-2022 which does not permit private wastewater treatment plants for multi-house developments. The proposed development would, therefore, be prejudicial to public health and would be contrary to the proper planning and sustainable development of the area.

3. Having regard to the design, layout, quantum, and poor quality of the existing public and private open spaces and the location and quantum of car parking spaces, it is considered that the proposed change of use to permanent residences would result in a sub-standard level of residential amenity for future permanent residential occupants of the dwellings and would conflict with the provisions of the Development Plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

4. It is considered that the proposed development would materially contravene a condition attached to an existing permission, that is condition number 2 attached to planning permission register number 98/8860 and condition number 2 attached to planning register number 2665/00 (An Bord Pleanála reference PL27.120770) which requires that the use is restricted to short term tourist use only/holiday letting and the development as a whole is held in single ownership. The proposed development would, therefore, set an undesirable precedent for further such changes of use, and would 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 2019.