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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Wicklow County Council**

**Planning Register Reference Number: 18/767**

**APPEAL** by Nigel McConnell care of Hughes Planning and Development Consultants of 70 Pearse Street, Dublin against the decision made on the 15<sup>th</sup> day of January, 2019 by Wicklow County Council to grant subject to conditions a permission to Richard and Noelle Conroy care of Padraig Smith Partnership of The Red House, Market Square, Wicklow.

**Proposed Development:** Extensions (144 square metres) and alterations to existing dwelling/cottage (52 square metres) including part demolition of existing side and rear extensions to cottage (25 square metres), new site entrance, effluent treatment system, all together with associated site works. Permission is also sought for an enlarged curtilage to provide a new vehicular access and effluent treatment and disposal system. All at Ardanairy, Brittas Bay, 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 planning authority has set out objectives in the Wicklow County Development Plan 2016-2022 to protect the character and visual potential of the coast and conserve the character and quality of seascapes and to protect views and prospects of highest amenity value in the County. The proposed development comprises a significantly enlarged residential building on the seaward side of the R750 coast road which is designated a scenic route in the Plan and listed for protection. Having regard to the location of the amended building between the public road and the coast, the scale and bulk of the proposed development, the lack of screening on the site and the proximity of the building to the public road, it is considered that the proposed development would comprise an intrusive feature in the landscape and in prospects in the area, would materially contravene objectives set out in the current Wicklow County Development Plan and would be contrary to the proper planning and sustainable development of the area.

2. Having regard to the soil conditions on site, the Board is not satisfied, on the basis of the submissions made in connection with the planning application and the appeal, that effluent from the development can be satisfactorily treated and disposed of on site, notwithstanding the proposed use of a proprietary wastewater treatment system. The proposed development would, therefore, be prejudicial to public health.
  
3. On the basis of the information provided with the planning application and the appeal and in the absence of a Natura impact statement, the Board cannot be satisfied that the proposed development individually, or in combination with other plans or projects would not be likely to have a significant effect on the Buckronev-Brittis Dunes and Fen Special Area of Conservation (Site Code: 000729) in view of the site's conservation objectives. In such circumstances, the Board is precluded from granting permission.

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**Stephen Bohan**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**

**Dated this            day of            2019.**