



Planning and Development Acts 2000 to 2019

Planning Authority: Wicklow County Council

Planning Register Reference Number: 19/115

APPEAL by Irena and Gerry Toomey care of Hughes Planning and Development Consultants of 70 Pearse Street, Dublin against the decision made on the 18th day of July, 2019 by Wicklow County Council to grant subject to conditions a permission to Claire Burke care of Seamus Tutty of Silverhills, Ballymore Eustace, Naas, County Kildare.

Proposed Development: The building of a single storey dwelling with small mezzanine space, septic tank and percolation area to current Environmental Protection Agency guidelines, recessed entrance and all associated site works at Blakestown, Hollywood, 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

Having regard to the location of the site within an “Area Under Strong Urban Influence” as identified 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 an area where new housing development will only be considered 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 in accordance with the Wicklow County Development Plan 2016-2022, and to National Policy Objective 19 of the National Planning Framework, adopted by the Government, in relation to rural areas under urban influence, such as in the current case, which states that it is the policy to “facilitate the provision of single housing in the countryside based on the core consideration of demonstrable economic or social need to live in a rural area...having regard to the viability of smaller towns and rural settlements”, on the basis of the submissions made in connection with the planning application and the appeal, including the applicant’s current housing circumstances, it is considered that the applicant does not come within the scope of the housing need criteria for a dwelling at this location as set out in the Sustainable Rural Housing Guidelines for Planning Authorities or in accordance with the County Development Plan, and that the applicant has not demonstrated an economic or social need to live in this rural area in accordance with national policy. The

proposed development, in the absence of any definable or demonstrable based need for the house in this rural area, would contribute to the encroachment of random rural development in the area and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure. The proposed development would, therefore, be contrary to national policy, Ministerial Guidelines, the provisions of the Development Plan and to the proper planning and sustainable development of the area.

Terry Prendergast
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this day of 2019.