



Planning and Development Acts 2000 to 2019

Planning Authority: Wicklow County Council

Planning Register Reference Number: 18/1359

APPEAL by Ger Mullins care of BPS Planning Consultants of 23 Saval Park Road, Dalkey, County Dublin against the decision made on the 29th day of July, 2019 by Wicklow County Council to grant subject to conditions a permission to John Belton care of Liam Kenna of Moneystown, Roundwood, County Wicklow.

Proposed Development: Construction of a new two-storey house, garage, new entrance, new laneway, wastewater treatment system, soil polishing filter, new well and associated works at Castlekevin, Annamoe, Roundwood, County Wicklow. The proposed development was revised by further public notices received by the planning authority on the 2nd day of July, 2019.

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 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 where it is national policy to distinguish between urban generated and rural generated housing need, 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 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”, it is considered that the applicant, by reason of the nature and location of his employment, has not demonstrated that he comes within the scope of the housing need criteria as set out in the Guidelines for a house at this location in the open countryside, and that he has not demonstrated an economic or social need to live in this rural area in accordance with national policy. Furthermore, the Board is not satisfied that the applicant’s stated housing needs could not be satisfactorily met in an established smaller town or village/settlement centre. The proposed development, in the absence of any definable or demonstrable need for the proposed house, 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, contravene the

Ministerial Guidelines and be contrary to the overarching national policy, notwithstanding the provisions of the Wicklow County Development Plan 2016-2020. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area

Terry Ó Niadh

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

Dated this day of 2019.