



Planning and Development Acts 2000 to 2020

Planning Authority: Wicklow County Council

Planning Register Reference Number: 20/140

APPEAL by Thomas and Samantha Redden care of Plan 8 Architects of Church Road, Delgany, County Wicklow against the decision made on the 7th day of April, 2020 by Wicklow County Council to refuse permission to Thomas and Samantha Redden.

Proposed Development Change of use (removal of condition 2 of planning register reference 14/1561, An Bord Pleanála reference PL 27.243838) from restricted use as a dwelling to use by all classes of persons, all at Ballinteskin, Old Hill, Kilmacanogue, 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

The Board considered that the proposed change of use of the dwelling permitted under An Bord Pleanála reference PL 27.243838, planning register reference number 14/1561, from restricted use as a dwelling to use by all classes of persons, would undermine the provisions of the planning authority's housing and settlement strategies, as set out in the current Development Plan for the area and would also be contrary to the "Sustainable Rural Housing Guidelines for Planning Authorities", issued by the Department of the Environment, Heritage and Local Government in April, 2005, wherein the site is located within an "Area Under Strong Urban Influence". The proposed change of use would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board concurred with the analysis and decision of the planning authority and considered that sufficient evidence had not been submitted to justify the removal of the occupancy condition number 2 of the original permission and that the proposed change of use would, therefore, be contrary to the proper planning and sustainable development of the area.

Paul Hyde

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

Dated this day of 2020.