

An  
Bord  
Pleanála

Board Order  
ABP-309411-21

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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Wexford County Council**

**Planning Register Reference Number: 20201385**

**APPEAL** by Pat and Jacqui Reville care of Terry O'Leary of "Rathview", Rathmore, Broadway, County Wexford against the decision made on the 20<sup>th</sup> day of January, 2021 by Wexford County Council to refuse permission.

**Proposed Development:** (1) Alterations to an existing granny flat granted permission under planning register reference number 20064617, (2) the installation of a new on-site wastewater treatment system to serve the dwelling, (3) revision of boundaries and site plan to reflect new entrance and additional site area and (4) all associated site works at Loginsherd, Carne, County Wexford.

## **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 within a 'Area of 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 housing is restricted to persons demonstrating local need in accordance with the current Wexford County Development Plan 2013 – 2019, as extended, and having regard to national policy, as set out in National Policy Objective 19 of the 2018 National Planning Framework, that 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, the Board is not satisfied that the applicant has provided sufficient justification for a rural housing need to live in this particular rural area, or the applicant's housing need cannot be satisfied in a smaller town or rural settlement. The proposed development comprises the conversion of an existing granny flat to a permanent place of residence in a rural area where the applicant owns and occupies an existing house in the immediate vicinity. It is considered that the applicant does not come within the scope of the housing need criteria for a house at this location as set out in the current Development Plan. The proposed development, in the absence

of any identified need for a second dwelling, would contribute to the encroachment of random rural development in the area and would militate against the preservation of the rural environment. The proposed development would, therefore, be contrary to the Ministerial Guidelines and to overarching national policy and having regard to the Development Plan provisions relating to sustainable rural housing and would, therefore, be contrary to the proper planning and sustainable development of the area.

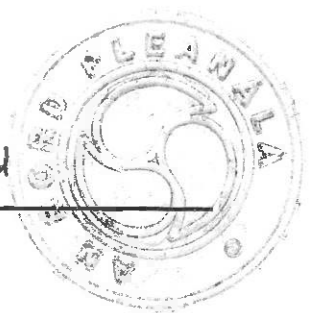
2. It is considered that the proposed development would materially contravene a condition attached to an existing permission, that is condition number 5 under planning permission register reference number 20064617 which requires that the granny flat shall be used for purposes incidental to the enjoyment of the main dwelling and shall not be sold, let or otherwise transferred or conveyed separately to the main dwelling. The proposed development would, therefore, set an undesirable precedent for further development of the type proposed, and would be contrary to the proper planning and sustainable development of the area.

*Dr. Maria FitzGerald*

**Maria FitzGerald**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**



**Dated this 4<sup>th</sup> day of June 2021**