

An
Bord
Pleanála

Board Order
ABP-309682-21

Planning and Development Acts 2000 to 2020

Planning Authority: Wexford County Council

Planning Register Reference Number: 20201583

APPEAL by Thomas and Sarah Yennusick of Luí Greine, Oulartleigh, Glenbrien, Enniscorthy, County Wexford against the decision made on the 17th day of February, 2021 by Wexford County Council to refuse permission.

Proposed Development: Retention of (A) existing mobile homes, (B) existing biocrete wastewater treatment system, and (C) all associated ancillary site works including provision of bored well water supply, and Permission for (D) erection of a serviced dwelling house and domestic garage/store, and (E) installation of a tertiary level polishing filter including all ancillary siteworks at Oulartleigh, E.D. Ballyhuskard, Glenbrien, Enniscorthy, County Wexford.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Matters Considered

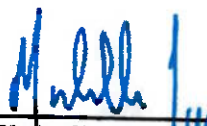
In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

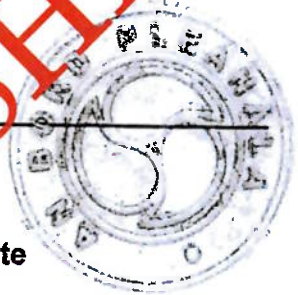
Reasons and Considerations

1. It is an objective of the planning authority to facilitate the development of individual houses in 'Areas Under Strong Urban Influence' for those who comply with the criteria set out in the Sustainable Rural Housing Strategy as set out in Table Number 12 and Policy RH01 of the Wexford County Development Plan 2013-2019 (as extended), the Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of Environment, Heritage and Local Government in April 2005, National Policy Objective 19 of the National Planning Framework (2018), and the Regional Spatial and Economic Strategy for the Southern Region (January 2020). In this rural location, housing is restricted to persons demonstrating a definable rural housing need to live in the area in accordance with the afore-mentioned criteria. Having regard to the details submitted as part of the planning application and appeal, it is considered that the applicant is neither classified as a 'local rural person' or from the subject 'local rural area' as irrespective of some interest in the area, this is limited and hence they do not comply with policy. The proposed development and the development proposed to be retained, in the absence of identified definable need, would contribute to random rural development in the area which would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure. The proposed development and the development proposed to be retained would be contrary to Policy

Objective RH01 of the development plan and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. There is evidence of failed drainage conditions on site with the underlying subsoil potentially not capable of hydraulically disposing of the effluent generated by the proposed development with the potential result being that the proposed development and the development proposed to be retained giving rise to a health hazard. The proposed development would, therefore, be prejudicial to public health.


Michelle Fagan
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board



Dated this 22nd day of June 2021

DECISION QUASHED