



An  
Bord  
Pleanála

Board Order  
ABP-309739-21

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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Wicklow County Council**

**Planning Register Reference Number: 20/1323**

**APPEAL** by Donal Byrne of Kiltimon, Newtownmountkennedy, County Wicklow against the decision made on the 23<sup>rd</sup> day of February, 2021 by Wicklow County Council to refuse permission.

**Proposed Development:** Demolition of the existing corrugated iron lean-to shed; removal of existing section of stone wall and hedge along roadside to allow for new proposed vehicular entrance and the construction of one number detached dormer bungalow dwelling and one number single storey garage with associated septic tank and wastewater treatment unit, site works, drainage and landscaping, all at Coyne's Cross, Ballyvolan Lower, Ashford. 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 subject site is located in an area identified as being a rural area under strong urban influence in the 'Sustainable Rural Housing Guidelines for Planning Authorities' issued by the Department of the Environment, Heritage and Local Government in April, 2005, wherein it is policy to distinguish between urban-generated and rural-generated housing need for dwellings in rural locations. Furthermore, it is national policy as set out in the National Planning Framework (February 2018) 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, and notwithstanding the information submitted with the appeal, including the applicant's primary employment as a landscape gardener, it is considered that the applicant has not demonstrated an economic or social need to live in this rural area, or that the housing need could not be satisfactorily met in an established smaller town or village/settlement centre. The Board is not satisfied, therefore, that the applicant has satisfactorily demonstrated a rural generated housing need for a dwelling at this rural location. The proposed

development would be contrary to the Ministerial Guidelines and the overarching national policy as set out in the National Planning Framework, and would, therefore, 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 *2<sup>nd</sup>* day of *July* 2021.

