



An  
Bord  
Pleanála

Board Order  
ABP-310735-21

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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Wicklow County Council**

**Planning Register Reference Number: 21/453**

**APPEAL** by Samantha and Thomas Redden of The Willows, Old Long Hill, Kilmacanogue, Wicklow against the decision made on the 8<sup>th</sup> day of June, 2021 by Wicklow County Council to refuse permission for the proposed development.

**Proposed Development:** Change of use (removal of condition 2 of planning register reference 14/1561 ABP Reference number PL27.243838) from restricted use as a dwelling to use by all classes of persons at Ballintreskin, Old Long Hill, Kilmacanogue, Co. Wicklow

## **Decision**

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

*ML*

## **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 PL27.243838 (Planning Register Reference 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 Wicklow Development Plan 2016-2022 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 for the change of use and whilst noting the circumstances of the applicant and the fact that the occupancy condition under consideration is due to expire imminently, the Board had regard to the totality of the documentation on the file, to the planning history for the site including planning application ABP-307124-20 and to the clear wording of condition 2 of An Bord Pleanála PL27.243838 and concurred with the conclusions of the planning authority that the removal of the condition would be contrary to national Guidelines and to the housing and settlement strategies of the Wicklow County Development Plan 2016-2022.

*DR. Maria FitzGerald*

**Maria FitzGerald**

**Member of An Bord Pleanála**

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

**Dated this 11<sup>th</sup> day of March 2022.**