

Planning and Development Acts 2000 to 2021

Planning Authority: Wicklow County Council

Planning Register Reference Number: 21/429

APPEAL by Carolina Manthei and Ger Loughlin care of BPS Planning Consultants of 23 Saval Park Road, Dalkey, County Dublin against the decision made on the 9th day of July, 2021 by Wicklow County Council to grant subject to conditions a permission to Chloe and Robert Dunne care of Cronin Planning and Design Consultancy of Station Road, Dunlavin, County Wicklow.

Proposed Development: Construct a single storey dwelling house, O'Reilly Oaktown sewerage treatment system, bored well, alterations to existing entrance and all ancillary site works at Griffinstown Glen, Grangecon, 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

1. Having regard to the location of the site within an Area Under Strong Urban Influence in accordance with the Sustainable Rural Housing Guidelines for Planning Authorities published by the Department of the Environment, Heritage and Local Government in April, 2005, the National Policy Objective 19 of the National Planning Framework (February 2018) which, for rural areas under urban influence, seeks 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, the Board could not be satisfied on the basis of the information on the file that the applicants come within the scope of either economic or social housing need criteria as set out in the overarching National Guidelines. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The proposed development, in the absence of any identified local based need for the house at this location, would result in a haphazard and unsustainable form of development in an unserved area, would contribute to the encroachment of random rural development in the area and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure and undermine the settlement strategy set out in the

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

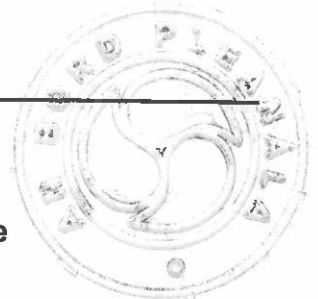
3. Notwithstanding the proposal to use a proprietary wastewater treatment system on site, the Board had regard to the proliferation of domestic wastewater treatment systems in this rural area, the fact that that groundwater in the area is classified as of moderate vulnerability and that the proposed and existing dwellings in the area are highly dependent on groundwater as a source of water supply, and to the Sustainable Rural Housing Guidelines for Planning Authorities published by the Department of Environment, Heritage and Local Government in April, 2005 which recommend, in un-sewered rural areas, avoiding sites where it is inherently difficult to provide and maintain wastewater treatment and disposal facilities, the Board could not be satisfied, on the basis of the information on the file, that the impact of the proposed development in conjunction with existing wastewater treatment systems in the area would not give rise to a risk of groundwater pollution. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Terry Ó Niadh

Terry Ó Niadh

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.



Dated this *3rd* day of *May*, 2022.