



Planning and Development Acts 2000 to 2022

Planning Authority: Wicklow County Council

Planning Register Reference Number: 211300

APPEAL by Myrtlebrook Limited care of Pdraig Smith Partnership, The Red House, Market Square, Wicklow Town, County Wicklow, and by Ronan Cunningham and others care of 12 Killians Glen, Rathdrum, County Wicklow against the decision made on the 11th day of April, 2022 by Wicklow County Council to grant, subject to conditions, a permission to Myrtlebrook Limited.

Proposed Development: Part reconstruction and enhancement of the traditional stone/sod ditch boundaries with associated quickthorn/tree planting and the construction of 33 number dwellings, consisting of nine number Type A (four-bed detached), seven number Type A1 (three-bed detached), eight number Type B (3-bed detached), two number Type B1 (three-bed semi-detached), two number Type C (two-bed semi-detached) and five number Type D (2-bed detached), all together with associated site works at Rathdrum, County Wicklow.

Decision

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

Reasons and Considerations

The site is located outside of the settlement boundary of Rathdrum, as defined in the Wicklow County Development Plan 2022-2028. The proposed development would, therefore, be on land categorised as a rural area and would not be in accordance with Objective CPO 4.6 of the development plan which requires new housing development to be located on designated housing land within the boundaries of settlements, Objective CPO 4.7 of the development plan which requires the implementation of the settlement strategy, and Objective CPO 6.1 of the development plan which requires new housing to be located in designated settlements. It would also fail to meet the required density standards as set out in Table 6.1 of the development plan and would not be in accordance with local and national planning policy which seeks to consolidate development within settlements and to regenerate and rejuvenate town centres.

The Board considered that the proposed development would materially contravene Objectives CPO 4.6, CPO 4.7 and CPO 6.1 of the Wicklow County Development Plan 2022-2028 and, pursuant to the provisions of section 37(2)(b) of the Planning and Development Act, 2000, as amended, is precluded from the granting of planning permission for the proposed development as none of the provisions of section 37(2)(b) (i), (ii), (iii) or (iv) of the said Act apply in this case. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Eamonn James Kelly

Eamonn James Kelly

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this *16th* day of *April*, 2024.