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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Wicklow County Council**

**Planning Register Reference Number: 22/506**

**APPEAL** by Janos Koehler care of Downey Chartered Town Planners of 29 Merrion Square, Dublin against the decision made on the 31<sup>st</sup> day of January, 2023 by Wicklow County Council to refuse permission.

**Proposed Development:** Construction of a two-storey dwelling over basement. Basement to be used as hobby workshop/home office with storage. The two-storey dwelling to incorporate balconies at ground floor and first floor level, a garage with personal fitness area and sauna, and will include roof glazing and solar PV panels. Works also to comprise formation of a new vehicular entrance from the existing private access road to replace an existing field entrance, construction of a new effluent treatment unit, polishing filter and all required ancillary site works, including perimeter boundaries, planting and landscaping, at Downs House, Glen of the Downs, Delgany, 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 of the proposed development is located within an area that is designated as Level 10 (The Rural Area) settlement within the Wicklow County Development Plan 2022-2028 and within an 'Area Under Strong Urban Influence', as set out in the 'Sustainable Rural Housing Guidelines for Planning Authorities', issued by the Department of the Environment, Heritage and Local Government in April 2005. Furthermore, Objective CPO 6.41 of the Wicklow County Development Plan 2022-2028 facilitates residential development in the open countryside for those with a housing need, in line with National Policy Objective 19 of the National Planning Framework. Having regard to the documentation submitted with the planning application and the appeal, the Board is not satisfied that the applicant has a demonstrable economic or social need to live in this rural area, or that the housing need of the applicant could not be met in a smaller town or rural settlement. It is considered, therefore, that the applicant does not come within the scope of the housing need criteria, as set out in the development plan for the area, guidelines and national policy of a house at this location. The proposed development would, therefore, be contrary to Objective 6.41 of the Wicklow County Development Plan 2022-2028 and would, therefore, be contrary to the proper planning and sustainable development of the area.



**Tom Rabbette**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

Dated this 9<sup>th</sup> day of FEB. 2024.