

An
Bord
Pleanála

Board Order
ABP-317564-23

Planning and Development Acts 2000 to 2022

Planning Authority: Wicklow County Council

Planning Register Reference Number: 22/1334

APPEAL by Audrey Nolan and Dara Cooke care of Alan Farrelly Architecture of 2 Burnaby View, Hillside Road, Greystones, County Wicklow against the decision made on the 15th day of June, 2023 by Wicklow County Council to refuse permission for the proposed development.

Proposed Development: Removal of existing pre-fabricated dwelling and refurbishment of existing stone farmhouse building, currently in ruins, to provide a dwelling together with a new wastewater treatment tank and percolation area and all other associated works at Tithewer, Newtownmountkenedy, County Wicklow.

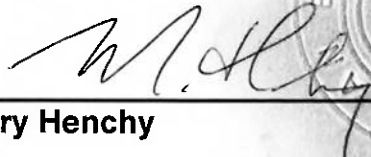
Decision

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

Reasons and Considerations

1. Having regard to the location of the site within an "Area Under Strong Urban Influence" as identified in the Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April 2005, and in an area identified as a Level 10 rural area in the Wicklow County Development Plan 2022-2028, as set out in Table 6.3 of the said plan where housing is restricted to persons demonstrating local need, it is considered that the applicant does not come within the scope of housing need criteria for a house at this location. The proposed development 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. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The proposed development would contravene objective CPO 6.43 of the Wicklow County Development Plan 2022-2028, as due to the ruinous nature of the existing structure it does not meet the necessary criteria as set out in Table 3 of the plan for conversion/reinstatement of abandoned residential buildings back to residential use in rural areas. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. The site is located in an area which is designated in the current Wicklow County Development Plan 2022-2028 as an Area of High Amenity, in relation to which it is a policy of the planning authority to control development in order to maintain the scenic values, recreational utility and existing character of the area. This designation and policy are considered reasonable. The proposed development would detract to an undue degree from the rural character and scenic amenities of the area. It is considered, therefore, that the proposed development would contravene this policy and be contrary to the proper planning and sustainable development of the area.
4. The proposed development is located along a minor laneway which is inadequate in width, alignment and structural conditions and would therefore, endanger public safety by reason of a traffic hazard.



Mary Henchy

Member of An Bord Pleanála

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

Dated this 25th day of September 2024.