



Planning and Development Acts 2000 to 2022

Planning Authority: Wicklow County Council

Planning Register Reference Number: 23384

APPEAL by Paul and Georgina Flynn of Woodview, Glaskenny, Enniskerry, County Wicklow against the decision made on the 4th day of July, 2023 by Wicklow County Council to grant, subject to conditions, a permission to Brian Sutton care of Alphaplan Design of Suite 14, Block 1, Broomhall Business Park, Rathnew, County Wicklow for the proposed development.

Proposed Development: Construction of a house, water treatment system to Environmental Protection Agency standards, garage, entrance and associated works at Glaskenny, Enniskerry, 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 proposed development in an area designated as an 'Area of Outstanding Natural Beauty' in the Wicklow County Development Plan 2022-2028, visible from listed Prospects of Special Amenity Value or Special Interest, the absence of a landscape visual impact assessment, and the lack of justification for a structure at this location within a larger landholding, it is considered that by reason of its siting in an elevated and prominent visual location, the proposed development would negatively impact on the visual amenity of the area, and would be contrary to Objectives CPO 17.36, and CPO 17.38 of the Wicklow County Development Plan 2022-2028 in this regard.
2. Having regard to the existing roadside planting to the north of the site, on a narrow rural road, and the absence of any assessment in support of reduced vision lines, the Board is not satisfied on the basis of the submissions in the application and response to the appeal, that the proposed development would achieve adequate vision lines in both directions. It is considered that the location of the entrance to the development would endanger public safety by reason of traffic hazard and would therefore be contrary to the proper planning and sustainable development of the area.
3. Having regard to the application, appeal and further submission by the applicant to the Board, the Board is not satisfied that the application has been accompanied by a satisfactory Site Characteristic Assessment in accordance with the 2021 code of practice for Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10) issued by the Environmental Protection Agency, as the required information on existing surface features within 250 meters does not include the existing road side drainage ditch adjacent to the site, or the stream to the east (river body code IE_EA_10D010100, segment code 10_509, EPA name Glaskenny, EPA code 10G17) which flows to the Dargle River.

Furthermore, the Board considers that there are inconsistencies in the dates provided for the trial hole assessments and the requirements set out in section 3.4 of the Site Characteristic Assessment have not been fully complied with. In the absence of a satisfactory Site Characteristic Assessment, and, having regard to the conditions observed on the site, the Board is not satisfied that effluent from the development can be satisfactorily treated and disposed of on site. The proposed development would, therefore, be prejudicial to public health.



Stewart Logan

Member of An Bord Pleanála

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

Dated this 12th day of September 2024.