

An
Coimisiún
Pleanála

Commission Order
ABP-322131-25

Planning and Development Acts 2000 to 2024

Planning Authority: Wicklow County Council

Planning Register Reference Number: 24116

APPEAL by William Kavanagh care of EMK Design Limited of Monamolin, Gorey, County Wexford against the decision made on the 27th day of February by Wicklow County Council to refuse permission for the proposed development.

Proposed Development: Retention of a single storey town house with connections to existing public services at the rear of 39 South Green, Arklow, County Wicklow.

Decision

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

Reasons and Considerations

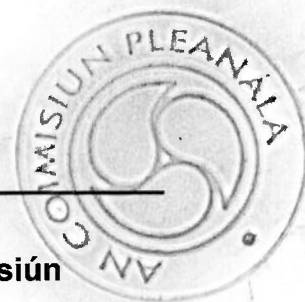
The nature of the development proposed to be retained is a 'highly vulnerable use', and the location of the site is within Flood Zone A and Flood Zone B with respect to fluvial and tidal/coastal flood risk. On the basis of the submitted documentation, the Commission is not satisfied that the applicant has provided sufficient information to demonstrate compliance with the Strategic Flood Risk Assessment of the Wicklow County Development Plan 2022-2030, in respect of minor development and the need to apply a Justification Test for such a proposal. It is also considered that the applicant has not demonstrated how the proposal follows best practice in the management of health and safety for residents of the development proposed for retention as set out in the Planning System and Flood Risk Management – Guidelines for Planning Authorities (2009) having regard to the ground floor bedroom, dependence on flood mitigation measures and absence of information regarding emergency vehicle access. In the absence of such information, the development proposed to be retained would represent an inappropriate form of development and would, therefore, be contrary to the proper planning and sustainable development of the area.



Patricia Calleary

Planning Commissioner of An Coimisiún

**Pleanála duly authorised to authenticate
the seal of the Commission.**



Dated this 27th day of June 2025.