



## Board Direction

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**Ref: 86.233844**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 19/11/09.

The Board decided to refuse permission generally in accordance with the Inspector's recommendation, subject to the following draft reasons and considerations.

### Reasons and Considerations

1. Having regard to the pattern of development in the vicinity and to the height and proximity of the proposed building to existing residential properties on the Mall, it is considered that the proposed development by reason of undue proximity, would result in the loss of aspect and natural light to adjoining properties and would seriously injure the residential amenity of adjacent properties. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
  
2. Having regard to:
  - (i) the proximity of the proposed southern elevation of the building within c 1metre of the private outdoor space of apartments to the rear of the subject site;
  - (ii) the impact of severe overshadowing from the steep topography and structures on the southern boundary of the site on the amenity of proposed private outdoor balconies policies,
  - (iii) two single aspect north facing units and
  - (iv) the standards, as set out in Chapter 16, Development Management, of the Wicklow Town Development Plan 2007 - -2013 regarding residential amenity, it is considered that the proposed residential development on the upper floors would constitute substandard accommodation with respect to private outdoor amenity, and would be seriously injurious to the residential amenities of adjacent residences and would be contrary to the proper planning and sustainable development of the area.

Board Member:

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Jane Doyle

Date: 20/11/09