



Planning and Development Acts 2000 to 2016

Planning Authority: Wicklow County Council

Planning Register Reference Number: 16/672

Appeal by Ann-Marie Byrne of “Cuckoo’s Cottage”, Donard, County Wicklow against the decision made on the 12th day of December, 2016 by Wicklow County Council to refuse permission.

Proposed Development: Sub-division of existing site for the construction of a single storey bungalow, entrance, access driveway, connection to public foul sewer and all associated site works at 40 Beech Avenue, Parkmore, Baltinglass, County Wicklow.

Decision

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

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

Having regard to the restricted nature of the site, to the layout and orientation of the proposed dwelling, and to the scale and design of the proposed dwelling, it is considered that the subject site is too small to accommodate a dwelling of the scale and footprint proposed, and that the proposed development would have a negative impact upon the character of the area by setting an undesirable precedent for similar sub-standard forms of backland development, which would be contrary to the provisions of the current Baltinglass Town Plan. Furthermore, by reason of its orientation, the proposed development would prejudice the potential for development of adjoining properties, thereby seriously depreciating their value. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board accepted the view of the planning authority that the subject site was too small to accommodate a development of this scale, and noted that this matter had been adverted to by the authority in its request for additional information, but had not been adequately resolved by the applicant in her response. The Board did not consider that the infill dwelling located on a site further to the west provided a precedent for the present proposal, as that site was considerably larger, and was bounded, on two sides, by open space areas. However, the Board did accept the Inspector's analysis of the road traffic issues and accordingly did not include the planning authority's second refusal reason in its decision.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of **2017**