



Planning and Development Acts 2000 to 2017

Planning Authority: Wicklow County Council

Planning Register Reference Number: 17/1263

APPEAL by Sidmonton Court Residents Association care of 16 Sidmonton Court, Bray, County Wicklow and by John and Margaret Maguire care of Cunnane Stratton Reynolds of 3 Molesworth Place, Dublin against the decision made on the 8th day of December, 2017 by Wicklow County Council to refuse permission to the said John and Margaret Maguire.

Proposed Development: A development of four detached two-storey houses incorporating solar panels, with two car parking spaces for each house, accessed by a four-metre shared surface road off Sidmonton Court, Bray widening to 5.5 metres within the site. In addition to four private gardens, the development includes 278 square metres of public open space off Sidmonton Court, Bray. The development also requires the demolition of a low block wall which transects the site, the culverting of a short section of a stream on the site and associated site works, including minor alterations to existing public footpath. The total application area is 0.2415 hectares and is located between Sidmonton Court and Sidmonton Park, Bray, 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

It is considered that the proposed vehicular access across public amenity open space and a pedestrian route, from a curved portion of roadway to the site, would create an obtrusive feature which would detract from the layout, character and visual amenities of this open space and would, therefore, seriously injure the amenities of property in the vicinity in the Sidmonton Court development. 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 had regard to the lengthy planning history of the site, and to its previous decisions, and considered that there had been no material changes in planning circumstances since its previous refusals in relation to the proposed vehicular access across the Sidmonton Court public open space and pedestrian route through this open space.

Philip Jones

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

Dated this day of 2018.