



Planning and Development Acts 2000 to 2019

Planning Authority: Wicklow County Council

Planning Register Reference Number: 18/1414

APPEAL by Leslie Armstrong of 34 Main Street, Rathdrum, County Wicklow against the decision made on the 22nd day of July, 2019 by Wicklow County Council to refuse permission to the said Leslie Armstrong.

Proposed Development 25 number houses and associated site works. Works will include demolition of an existing derelict dwelling and an adjacent derelict shed, all at Poundbrook Lane, Rathdrum, 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

1. The site of the proposed development is located on Poundbrook Lane which is seriously substandard in terms of width, alignment, surfacing and carrying capacity to facilitate vehicular movements to and from the site. There is insufficient evidence to show that the applicant has sufficient legal interest over the lane to upgrade or restrict traffic movements on the lane. Furthermore, sightlines are restricted in a southwards direction at the junction of Poundbrook Lane and the R755, Main Street. It is considered that the additional traffic associated with the proposed development would endanger public safety by reason of traffic hazard and obstruction of road users and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the greenfield nature of the site, to the location of the Poundbrook stream on site which is within the catchment of the Avonmore River and to the proximity of the site to Flood Zone B, and on the basis of the submissions made in connection with the planning application and the appeal and in the absence of a fully detailed Flood Impact Assessment, the Board is not satisfied that the proposed development would not give rise to an increased risk of flooding of the site or of property in the vicinity. The proposed development would, therefore, be prejudicial to public health and be contrary to the proper planning and sustainable development of the area.

3. The proposed development, by reason of its design and layout and qualitative provision of private open space and communal open space would fail to establish a satisfactory standard of amenity for future occupants. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area would conflict with the provisions of the current Development Plan for the area and with the minimum standards recommended in the "Sustainable Residential Development in Urban Areas: Guidelines for Planning Authorities" issued by the Department of the Environment, Heritage and Local Government in December 2009.

4. Having regard to the proposed alterations of the existing topography and specifically the extensive use of retaining walls within the scheme, to the removal of existing boundary hedge and to the proposed boundary wall along Brewery Bends, it is considered that the proposed development would constitute an unattractive and inappropriate housing scheme, which would impact negatively on the character of the area and would not contribute positively to the public realm, contrary to the "Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (Cities, Towns and Villages)" issued by the Department of the Environment, Heritage and Local Government in May 2009, the Design Manual for Urban Roads and Streets (DMURS), and which would also conflict with the policies of the Wicklow County Development Plan 2016-2022, particularly Objective HD2 and the provisions of Appendix 1 of the Development Plan. The proposed development would, therefore, seriously injure the amenities of the area and of property in the vicinity, and would be contrary to the proper planning and sustainable development of the area.

5. It is considered that the design of the proposed development would impact negatively on the character and setting of the adjacent Architectural Conservation Area and to protected structures, National Inventory of Architectural Heritage (NIAH) register number 16318006 and NIAH register number 16318007, which together with their neighbours and the church to the east form part of an informal late Georgian Square. The proposed development would be contrary to the “Architectural Heritage Protection - Guidelines for Planning Authorities” issued by the Department of the Environment, Heritage and Local Government in May 2004, would seriously injure the visual amenities of the area and of property in the vicinity, and would be contrary to the proper planning and sustainable development of the area.

Michelle Fagan

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

Dated this day of 2019.