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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Wicklow County Council**

**Planning Register Reference Number: 19/544**

**APPEAL** by Sonia Walsh and John Ryder care of PD Lane Associates of 1 Church Road, Greystones, County Wicklow against the decision made on the 31<sup>st</sup> day of October, 2019 by Wicklow County Council to refuse permission.

**Proposed Development:** Construction of a detached 1.5 storey house together with reconfiguration of existing vehicular access arrangements to provide two driveways onto Whitshed Road and a pedestrian gate onto Portland Road North and ancillary site development works, at Whitshed Lodge, Whitshed Road, The Burnaby, County Wicklow. The proposed development was revised by further public notices received by the planning authority on the 19th day of September, 2019

**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 within 'The Burnaby', which is a low density area of historical and architectural interest, composed mainly of large, family style homes located on generous sites and is located within a designated Architectural Conservation Area (ACA) of National interest, as set out in the 'Greystones-Delgany & Kilcoole Local Area Plan 2013 – 2019'. It is considered that the proposed development would be out of character with the existing pattern of development in the area, would represent a cramped form of development in 'The Burnaby' Architectural Conservation Area, would conflict with the objectives of the planning authority for the area and would, therefore, be contrary to the proper planning and sustainable development of the area. Furthermore, it is considered that the siting and scale of the proposed development results in an overbearing form of development that would be contrary to Objective HER12 of the 'Greystones-Delgany & Kilcoole Local Area Plan 2013 – 2019' in that the development would erode the character of the ACA. The proposed development would, therefore, seriously injure the character of the area and be contrary to the proper planning and sustainable development of the area.

2. Having regard to the disposition on the site of the existing dwelling “Whitshed Lodge” and its attendant grounds, and the proposed subdivision of the grounds, it is considered, that the resultant private amenity space available to the existing dwelling, which would be directly to the front, dominated by the driveway and overlooked by the proposed development, would be inadequate for use by future occupants. The proposed development would, therefore, seriously injure the residential amenity of the area and be contrary to the proper planning and sustainable development of the area.

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

**Dated this            day of            2020.**