



Planning and Development Acts 2000 to 2019

Planning Authority: Wicklow County Council

Planning Register Reference Number: 19/1143

APPEAL by Listy Byrne care of John Stewart and Associates of Oakdene, Newtown, Waterford against the decision made on the 5th day of December, 2019 by Wicklow County Council to refuse permission.

Proposed Development: Erection of two number two-storey detached houses of 341 square metres and 228 square metres, with entrances onto Saint Vincent Road, ancillary works, and the demolition of three number garden sheds with a combined area of 88 square metres at Burleigh Lodge, Saint Vincent Road, The Burnaby, Greystones, 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 in The Burnaby Architectural Conservation Area, a historic residential suburb developed at the turn of the 19th and 20th centuries, and considered to be of national interest. The policies and objectives of the Greystones/Delgany and Kilcoole Local Area Plan 2013-2119 seek to protect, safeguard and enhance the special character and environmental quality of Architectural Conservation Areas and the character and appearance of the urban public domain of such areas.

Having regard to -

- (i) the location of the site on Saint Vincent Road and the prevailing pattern of development in the area,
- (ii) the size of the site, and
- (iii) the pattern and form of development proposed, in particular the limited separation distances between the proposed units and between the units and site boundaries, the lack of circulation space afforded to the proposed units and the location of House A which breaks the building line on Saint Vincent Road,

it is considered that the proposed development would give rise to a cramped, haphazard and incongruous form of development on Saint Vincent Road, which does not reflect the traditional sylvan and spacious garden suburb pattern of the Architectural Conservation Area. Accordingly, it is considered that the proposed development would degrade and detract from the character of The Burnaby Architectural Conservation Area.

The proposed development would, therefore be contrary to the provisions of the Greystones/Delgany and Kilcoole Local Area Plan 2013-2019, would set an inappropriate precedent for similar development within the Architectural Conservation Area and would be contrary to the proper planning and sustainable development of the area.

2. Having regard to Objective HER12 of the Greystones/Delgany and Kilcoole Local Area Plan 2013-2019, where it is stated that “The principle of a contemporary and minimalist design style will be encouraged within ACAs, provided it does not detract from the character of the area. It is considered that new buildings should be of their own time in appearance and should not replicate the style and detailing of heritage buildings. The replication of historic architectural styles is considered to be counter productive to heritage conservation in principle as it blurs the distinction between what is historic and what is contemporary and can lead to the emergence of poorly considered and inauthentic buildings.”, it is considered that, by reason of design, form and scale, the proposed development would conflict with the objectives of the planning authority for the area, would seriously injure the visual amenity and character of The Burnaby Architectural Conservation Area and would, therefore, be contrary to the proper planning and sustainable development of the area.

3. Having regard to –

- (i) the location of the proposed development within The Burnaby Architectural Heritage Area, an area known for its distinctive green sylvan character,
- (ii) the site which incorporates a number of mature trees and shrubs and which incorporates part of the area subject to Tree Protection Objective T18 of the Greystones/Delgany and Kilcoole Local Area Plan 2013-2019, and
- (iii) the lack of an Arboricultural Impact Assessment (AIA),

it is considered that the applicant has failed to demonstrate to the satisfaction of the Board that the proposed development would not result in the loss of or damage to mature trees and it is therefore considered that the proposed development would be contrary to Tree Protection Objective T18 of the Local Area Plan which seeks to protect and retain trees which contribute to the biodiversity value and character and amenity of the area 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 2020.