

Planning and Development Acts 2000 to 2020

Planning Authority: Wicklow County Council

Planning Register Reference Number: 20/135

APPEAL by Benduff Ireland Limited care of AKM Design of Unit 4, 2009 Orchard Business Centre, Orchard Avenue, Citywest Business Campus, Dublin against the decision made on the 22nd day of October, 2020 by Wicklow County Council to refuse permission for the proposed development.

Proposed Development: Minor deviations to the four number two-storey two bed terraced dwellings and associated works built under permission 18/1296. This permission seeks retention for minor differences between the overall length and width of permitted dwellings and the consequent changes to the site layout. Two number permitted windows in side gable wall to house numbers 1 and 4 were removed and windows to all bedrooms were enlarged to meet building regulations at rear of 2 and 3 Boghall Cottages, 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 existing terrace of houses to be retained, by reason of its scale and proximity to the northern boundary and relationship with the single storey dwellings to the north of the site would be visually obtrusive and overbearing and would give rise to an unacceptable level of overshadowing particularly of adjacent properties particularly the curtilage of number 3 Boghall Cottages. Furthermore, it is considered that in the absence of more significant modifications, the proposed development would give rise to significant overlooking. The proposed retention of the structure would, therefore, seriously injure the residential amenities of the area, would be contrary to the Wicklow County Development Plan 2016-2022 objective 'to protect, provide and improve residential amenities of existing residential areas' and would be contrary to the proper planning and sustainable development of the area.

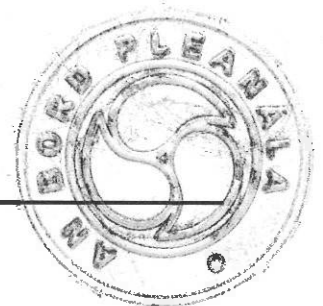
Dr. Maria Fitzgerald

Maria FitzGerald

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.



Dated this 22nd day of June 2021.