

Planning and Development Acts 2000 to 2021

Planning Authority: Wicklow County Council

Planning Register Reference Number: 21/1158

APPEAL by Elizabeth Berningham and others of 'Santa Maria', 57 Lower Main Street, Arklow, County Wicklow against the decision made on the 2nd day of November, 2021 by Wicklow County Council to grant subject to conditions a permission to Donncha McCarthy care of Conor McCarthy and Associates Limited of Unit A8, Kish Business Park, Arklow, County Wicklow.

Proposed Development: New two-storey, two-bed townhouse, connection to existing services and all associated site works at rear of 55 Lower Main Street (The Brook), Arklow, County Wicklow.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

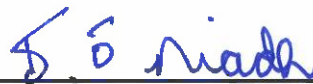


Matters Considered

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

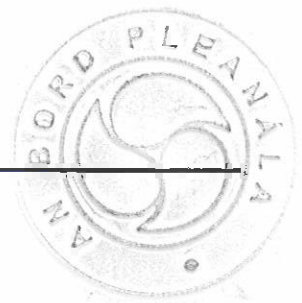
Having regard to the pattern of development in the area, the recessed siting of the proposed dwellinghouse in relation to the laneway, known as The Gardens, it is considered that the proposed development would be discordant with the existing character of the streetscape and would risk the establishment of an adverse precedent for such sitings in the future. Owing to the position of the building, the rear first floor bedroom window would result in excessive overlooking and a loss of privacy to adjoining residential properties and the overlooking of private amenity space of future occupants of the proposed development by adjoining residential properties. The proposed dwellinghouse would seriously injure the amenities of residential properties in its vicinity and would, therefore, be contrary to the proper planning and sustainable development of the area.



Terry Ó Niadh

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.



Dated this 6th day of April, 2022.