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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Wicklow County Council**

**Planning Register Reference Number: 22/380**

**APPEAL** by RGRE J and R Stylebawn Limited care of John Spain Associates of 39 Fitzwilliam Place, Dublin against the decision made on the 1<sup>st</sup> day of June 2022 by Wicklow County Council to refuse permission.

**Proposed Development:** The proposals provides for 42 number residential units comprising - 20 number one bedroom apartments, 20 number two bedroom (four person) apartments, works to Stylebawn House to provide a four bedroom house, works to the Gardeners Cottage to provide a two bedroom house. The proposed apartments are provided in a single five-storey block comprising a basement level, lower and upper ground floors and first and second floors. The apartments are provided with private and communal amenity spaces. Access is provided from the Glen Road (R762) generally in the location of the existing access, with a new entrance arrangement proposed with associated boundary works. Demolitions and site clearance are proposed to facilitate the development. All associated site development works including landscaping, internal roads, utilities, water infrastructure and construction phases works and development at Stylebawn House, Delgany, County Wicklow (a Protected Structure) and associated lands. The Glen Road (R762) is located to the north of the site, and Blackberry Lane to the east.

## Decision

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

## Reasons and Considerations

1. It is considered that the information provided with the application and appeal in relation to the surface water drainage arrangements has not adequately demonstrated that the proposed development would not result in an increased level of run-off from the site and therefore, an increased level of flooding upstream and downstream along Three Trouts Stream. The proposed development would, therefore, pose an unacceptable risk of flooding and would be contrary to the proper planning and sustainable development of the area.
2. It is considered that, by reason of the scale, location and form of the new built structures within the site, the proposed development would materially and adversely alter the character and setting of the Protected Structure and would, therefore, seriously injure the amenities of the area and be contrary to the proper planning and sustainable development of the area.

3. The proposed apartment block fails to comply with SPPR4 of the Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities published by the Department of Housing, Local Government and Heritage in December 2022 in relation to the required dual aspect ratio, and as such, the proposed development would fail to provide high-quality living space for future occupants of the scheme and would, therefore, be contrary to the proper planning and sustainable development of the area.

The Board noted the applicant has provided revised drawings with the appeal to improve the dual aspect ratio. The Board did not agree with the Inspector that the number of projecting bay windows for a number of apartments were meaningful dual aspect proposals.

*Peter Mullan*



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**Peter Mullan**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board**

Dated this *23rd* day of *April*, 2024