



An
Bord
Pleanála

Inspector's Report PL27.247595

Development	Permission for retention of canopy over new entrance as constructed.
Location	Brook House, Mill Road, Ballincarrig Lwr, Ballinaclesh, Co. Wicklow.
Planning Authority	Wicklow County Council.
Planning Authority Reg. Ref.	16/1004
Applicant(s)	Jeanne McSherry
Type of Application	Permission
Planning Authority Decision	Refuse
Type of Appeal	First-v-Refusal
Appellant(s).	Jeanne McSherry
Observer(s)	
Date of Site Inspection	17 th February 2017
Inspector	Colin McBride

1.0 Site Location and Description

- 1.1. The appeal site is located to the south east of the village of Ballinaclesh, Co. Wicklow. The site is located on the southern side of Mill Road approximately half a kilometre from the village. The site is the occupied by an existing vehicular entrance serving a dwelling on the southern side of the public road. The site is located in a wooded area and there is an existing river running along the southern boundary of the dwelling the entrance on site serves. There is an existing detached dwelling located on the site immediately to the west and to the north on the opposite side of the road.

2.0 Proposed Development

- 2.1. Permission is sought for retention for a canopy over new entrance as constructed. The structure for retention includes splayed stone walls either side of the entrance and a canopy with a small pitched roof and overall height of 4m.

3.0 Planning Authority Decision

3.1. Decision

Permission refused based on one reason...

1. Having regard to
 - i. The location of the site in a rural area defined as a landscape area of Special Amenity.
 - ii. The design and scale of the canopy.
 - iii. The provisions of the County Development Plan that 'the entrance gate should announce the building suitably; entrances shall be visually unobtrusive;
 - iv. Existing entrances along this rural route.

It is considered that the development, would be out of character with the pattern of development in the area, would seriously injure the visual amenities of the area and would conflict with the policies of the County Development Plan. In addition

to permit the proposed development would set an undesirable precedent for proliferation of other similar entrance features that would cumulatively erode the character of this rural area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3.2. Local Authority and External reports

- 3.2.1. Planning Report (25/10/16): Concern is noted regarding impact of the structure on the rural character of the area and precedent for similar structures it would set. Refusal was recommended based on the reason outlined above.

4.0 Planning History

- 4.1 13/8727: Permission granted for retention of the dwelling demolished and replacement bungalow and permission to upgrade effluent treatment system.

5.0 Policy Context

5.1. Development Plan

- 5.1.1 The relevant Development Plan is the Wicklow County Development Plan 2016-2022. The appeal site is located in rural area.

6.0 The Appeal

6.1 Grounds of appeal

- 6.1.1 A first party appeal has been lodged by Michael Connolly Architects in behalf of Jeanne McSherry, Brook House, Ballinaclash, Co. Wicklow. The grounds of appeal are as follows...

- The canopy above the entrance is not out of character at this location. The design and materials used are in keeping the design and character of the main dwelling and ancillary development on the site.

- It is notable that there is no discernible pattern of development regarding entrances in the area.
- It is noted that there is precedent for the design of the canopy in the area with reference to a pergola located in Aughrim 10km from the site. It is also noted there is historical precedent for a similar structure with a dilapidated structure noted on the R572 between The Meeting of the Waters and Avoca Village.
- It is noted that the proposed entrance and canopy has been constructed to replace a substantial existing feature, which is to be relocated.

6.2 Responses

6.2.1 No responses.

7.0 Assessment

7.1 Having inspected the site and examined the associated documentation, the following are the relevant issues in this appeal.

Design, scale and visual impact.

7.2 Design, scale and visual impact:

7.2.1 The proposal is for retention of a canopy structure at vehicular entrance serving an existing dwelling. The site is in a rural area that is defined as a landscape area of Special Amenity under landscape assessment of the County Development Plan. The entrance serves a dwelling on the southern side of the L-21440-0 and is located in a wooded area. Permission has been refused on the basis that proposal is considered out of character at this location, contrary Development Plan policy, injurious to the visual amenities of the area and would set an undesirable precedent for similar structures.

7.2.2 Although the structure proposed is not a particularly common entrance treatment at this location or in the wider area, the overall design and scale of the structure would not necessarily be out of character at this location. The proposal is for a pitched roof canopy with splayed stone walls, of wooden construction with a slated roof and wooden gates. I would consider that the design the proposal would not be out of character at this location as it uses materials that works well in a rural context and the overall scale of the structure is not significant with it having a ridge height of 4m. In terms of its visibility the structure does not have a significant impact in the surrounding due to its location in wooded area. Regardless of such the scale of the structure is not significant to the degree that it would be visually obtrusive. I would note that the structure is more successful at integrating into the rural area than a lot existing entrances along the public road and evident in such rural areas. In regards to precedent I would consider that based on its merits the proposal is a satisfactory standard of development and that the issue of precedent should not be a reason for refusal. I would consider that notwithstanding the designation of the area as a Landscape of Special Amenity, the proposal provides for a structure that would be acceptable in regards to the visual amenities of the area.

8.0 Recommendation

8.1. I recommend a grant of permission subject to the following conditions.

9.0 Reasons and Considerations

9.1 Having regards to design and scale of the proposed development and the use of good quality materials, the proposed structure would be acceptable in the context of the visual amenities of the area and Development Plan policy. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1. The development shall be in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the

following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

Colin McBride
Planning Inspector

20th February 2017