



An
Bord
Pleanála

Inspector's Report

ABP-308287-20

Development	Construction of 2000mm high boundary wall.
Location	Shanaway, Glencormick South, Rocky Valley, Co Wicklow.
Planning Authority	Wicklow County Council
Planning Authority Reg. Ref.	20/675
Applicant(s)	Ian and Susan Cassidy
Type of Application	Permission
Planning Authority Decision	Refuse permission
Type of Appeal	First Party
Appellant(s)	Ian and Susan Cassidy
Observer(s)	None
Date of Site Inspection	18 th December 2020
Inspector	Emer Doyle

1.0 Site Location and Description

- 1.1. This site is located on the northern side of the R755 on the western edge of the village of Kilmacanoge, Co. Wicklow. There are a large number of both small clusters of housing and one off housing in the vicinity of the site.
- 1.2. The site is triangular in shape and has a stated area of 0.26 hectares.

2.0 Proposed Development

- 2.1. Permission is sought to construct a 2m high solid boundary wall with an external facing of random rubble stonework along the frontage of the site.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. Permission refused for one reason as follows:

Having regard to:

- a) The location of the proposed development on the Regional Road R775, a major tourist route connecting the M11/N11 to the scenic inland areas of County Wicklow,
- b) The attractive sylvan character of the area – a significant feature of which is the wide use of trees and hedges to demarcate the roadside boundary,
- c) The location of the proposed development on protected prospect No. 5 – Prospect of both sides of Rocky Valley,

It is considered that the proposed development would, by reason of the construction of a solid boundary wall c. 65m in length and 2m in height, in lieu of natural screening (hedges and trees) and the precedent it would set for other undesirable development in the area, seriously detract from the visual amenities and character of this area and result in the formation of an incongruous feature within a protected prospect. The proposed development would therefore be contrary to proper planning and sustainable development.

3.2. **Planning Authority Reports**

3.2.1. Planning Reports

- Planning Report considers that the area has an attractive sylvan character and the provision of such a long high stretch of solid boundary wall would 'urbanise' the area and detract from its sylvan character. It would also set an undesirable precedent for further inappropriate development in the area.

3.2.2. Other Technical Reports

- None.

3.3. **Prescribed Bodies**

3.3.1. No reports submitted.

3.4. **Third Party Observations**

3.4.1. None.

4.0 **Planning History**

PA 07/2708

Permission granted for demolition of single storey dwelling on site, retention of alterations to approved plans (05/3164) for one and two storey extension of single storey dwelling on site consisting of reconstruction of original dwelling in original footprint, construction of rear elevation and raised roof over stairwell and minor

elevation changes. The development for which permission is sought forms a two storey replacement dwelling on the site in lieu of the original single storey dwelling.

PA 06/7052

Permission refused for retention of rear addition and revised roof over stairwell and completion of house.

PA 05/3134

Permission granted for extensions to dwelling.

5.0 Policy Context

5.1. Development Plan

Wicklow County Development Plan 2016-2022

Kilmacanogue is identified as a 'Rural Town' Level 6 in the County Settlement Hierarchy.

Appendix 1 Development and Design Standards

Section 2 Rural Towns and Villages

Schedule 10.15 Prospects of Special Amenity Value- No. 5 R755 Rocky Valley both sides of the road.

Bray Municipal District Plan Local Area Plan 2018-2024

Kilmacanogue Settlement Plan 2016-2022 is included in this plan. The site is located within the Kilmacanogue Secondary Zone.

5.2. Natural Heritage Designations

There are a number of Natura 2000 sites in the vicinity of the site as follows:

- Glen of the Downs SAC

- Bray Head SAC
- Carriggower Bog SAC
- Knocksink Wood SAC

5.3. EIA Screening

5.3.1. Having regard to the nature and scale of the development, it is considered that there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

The grounds of appeal can be summarised as follows:

- The Rocky Valley Prospect relates to the actual valley further along the R755.
- The site is located within the town boundary.
- The existing predominant boundary treatment is a young laurel hedge which is a suburban feature with limited bio diversity.
- A condition reducing the wall to 1.8m is agreeable to the applicant's in the interests of maintaining the character of the area.
- It is proposed to plant ivy and native silver birch in the interest of promoting bio-diversity.
- Photographs 3-7 attached to the appeal indicate boundary treatment in the vicinity of the site.

6.2. Planning Authority Response

- None.

6.3. Observations

- None.

7.0 Assessment

7.1. Having examined the file and having visited the site I consider that the main issues in this case relate to:

- Visual Impact
- Appropriate Assessment

7.2. Visual Impact

7.2.1. The principal issue in this case relates mainly to the visual impact of a proposed 2m wall at this location.

7.2.2. The site is located on the approach to the rural village of Kilmacanogue which is a designated Level 6 town in the settlement hierarchy of the Wicklow County Council Development Plan. It is located on an important tourism route and there is a prospect of Special Amenity in the vicinity of the site- R755 Rocky Valley.

7.2.3. I note that the R755 is an extremely busy route and the appeal states that the noise from traffic is significant and the applicant's wish to build a wall to mitigate noise.

7.2.4. I noted on the site inspection that the site is within the urban boundary of Kilmacanogue and within the controlled speed limit signs. There is a footpath outside the site. The settlement plan for Kilmacanogue includes this site within the secondary development zone.

7.2.5. Whilst the setting of the site is attractive and there are trees and hedgerows in the area, the variety of boundary treatment in the vicinity is hugely mixed and with both solid walls and fencing and trees and hedging.

7.2.6. I would consider this to be an urban area. I note that Appendix 5 of the Development Plan- Landscape Assessment states that areas falling within Levels 1-6 are considered 'urban' areas for the purpose of landscape classification. In terms of landscape classification, these settlements have already been deemed suitable for

development and the impacts on the wider landscape have already been deemed acceptable. Therefore, it is not necessary to have regard to the surrounding landscape classification or to carry out any visual impact assessment.

7.2.7. The appeal has attached photographs of existing boundary treatments in the vicinity of the site. I consider these photographs to accurately represent the variety of treatments in the area.

7.2.8. The wall proposed is of high quality materials and there is already a number of walls and houses finished with random rubble stone in close proximity to the site. A number of measures have been included in the appeal to mitigate the planner's concerns. These include a proposal to reduce the height of the wall from 2m to 1.8m and to provide planting both on the outside of the wall (ivy) and inside the wall (silver birch). I consider that these proposals would be helpful in mitigating the visual impact of the wall at this location at the edge of this rural village.

7.2.9. Having regard to the location of the site within an urban area, the existing pattern of development, the variety of boundary treatments in the area, and the proposed amendments described above, I consider that the proposed boundary treatment would not unduly detract from the visual amenities of the area.

7.3. Appropriate Assessment

7.3.1. Having regard to the nature and scale of the development and proximity to the nearest Natura 2000 site, I am satisfied that the proposed development either individually or in combination with other plans and projects would not be likely to have a significant effect on any designated Natura 2000 site and should not be subject to appropriate assessment.

8.0 Recommendation

8.1. Based on the above assessment, I recommend that permission be granted for the reasons and considerations set out below:

9.0 Reasons and Considerations

Having regard to the location of the site in an urban area and the variety of boundary treatments and the pattern of development in the area, it is considered that the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity. 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 carried out and completed in accordance with the plans and particulars lodged with the application, as amended by further plans and particulars submitted to An Bord Pleanála on the 28th day of September, 2020 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.

2. The height of the wall shall be reduced to 1.8m in height and mitigation measures to including planting as specified in the documentation submitted to An Bord Pleanála on the 28th day of September 2020 shall be carried out in the first planting season following the completion of the development.

Reason: In the interest of visual amenity.

Emer Doyle
Planning Inspector

21st December 2020