



An  
Bord  
Pleanála

**Board Direction**

**PL27.248201**

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The submissions on this file and the Inspector's report were considered at a Board meeting held on 6<sup>th</sup> September 2017.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

### **Reasons and Considerations**

Having regard to the town centre zoning objective for the area, to the pattern of development in the area and to the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable having regard to design and would not seriously injure the visual amenities of the area or the amenity of adjoining properties. The proposed development would also be satisfactory in regards to traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

### **Conditions**

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the plans and particulars submitted on the 1st day of February 2017, 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 proposed development shall be amended as follows:
  - (a) The bin storage structure shall be relocated from its position along the southern boundary and located along the northern boundary wall in the vicinity of car parking space no. 17.
  - (b) Two of the recessed balconies on the northern facing roof plane are to be omitted. These shall be the two located in the middle (serving the living area and bedroom of apartment no. 4).
  - (c) A lighting scheme is to be submitted for the car parking area with lighting to be positioned having regard to adjoining properties and adequately cowled to prevent excessive overspill of light.
  - (d) Bicycle parking spaces shall be provided within the site

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

**Reason:** In the interests of visual and residential amenity

3. Details of the materials, colours and textures of all external finishes, shall be submitted to, and agreed in writing with the planning authority, prior to the commencement of development.

**Reason:** In the interests of the visual amenities of the area.

4. Details of all external shopfronts and signage, shall be submitted to, and agreed in writing with the planning authority, prior to the commencement of development.

**Reason:** In the interests of the visual amenities of the area.

5. The gate access to the site shall be an automatic gate and shall be kept closed outside the operational hours of the commercial development on site (8pm to 8am).

**Reason:** In the interests of the amenities of property in the vicinity.

6. Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0900 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the residential amenities of property in the vicinity.

7. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works.

**Reason:** To ensure adequate servicing of the development, and to prevent pollution.

8. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the

development, noise management measures and off-site disposal of construction/demolition waste and a construction stage traffic management plan.

**Reason:** In the interest of public safety and residential amenity.

9. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to the Board to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000 that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

10. The developer shall pay to the planning authority a financial contribution in respect of the Construction of the Wicklow Port Access and Town Relief Road in accordance with the terms of the Supplementary Development Contribution Scheme made by the planning authority under section 49 of the Planning and Development Act 2000. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable

indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to the Board to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000 that a condition requiring a contribution in accordance with the Supplementary Development Contribution Scheme made under section 49 of the Act be applied to the permission.

**Board Member**

**Date:** 6<sup>th</sup> September 2017

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Maria FitzGerald