



**An
Bord
Pleanála**

**Board Direction
BD-008186-21
ABP-308216-20**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 13/05/2021.

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 site location in Wicklow town centre, the land use zoning in the current Development Plan for the area, the established use of the lands for residential purposes, the infill nature of the site, the design, layout and scale of the proposed development and to the nature and pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would comply with the provisions of the Development Plan and would be acceptable in terms of 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 further plans and particulars submitted on the 7th day of August, 2020 and the 20th

day of August, 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 proposed development shall be amended as follows:

- a) The semi-detached dwelling houses shall be moved 4 metres forward of the position shown on Drawing No. E008 01a – ‘Proposed Site Layout’ received by the Planning Authority on 7th August, 2020, allowing one carparking space for each house to the front of the site.

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

Reason: In the interests of visual and residential amenity.

3. Details for the widening of The Glebe / Glebe Lane as shown on Drawing No. E008 01a – ‘Proposed Site Layout’ received by the Planning Authority on 7th August, 2020, and any necessary improvement works at its junction with Dublin Road, shall be submitted to, and agreed in writing, with the planning authority prior to commencement of development.

Reason: In the interests of pedestrian and traffic safety.

4. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services, details of which shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

Reason: In the interest of public health.

5. The developer shall enter into **water and/or wastewater connection agreement(s) with Irish Water prior to commencement of development.**
Reason: In the interest of public health.
6. All **service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground.**
Reason: In the interests of visual and residential amenity.
7. Details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.
Reason: In the interest of visual amenity.
8. Prior to commencement of development, the developer shall submit to the planning authority, for written agreement, complete details of all proposed boundary treatment within and bounding the proposed development site.
Reason: In the interests of visual and residential amenity
9. Gates at the entrances shall be designed so that they are not capable of being opened outwards.
Reason: In the interests of pedestrian and traffic safety.
10. Site development and building works shall be carried out only between the hours of 0700 and 1900 Mondays to Fridays inclusive, between the hours of 0800 and 1400 on Saturdays and not at all on Sundays or Public Holidays. Deviation from these times shall 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.
11. 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, including noise management measures and off-site disposal of construction/demolition waste.
Reason: In the interests of public safety and residential amenity.

12. 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, as amended. The contribution shall be paid prior to 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 An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, 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.

13. The developer shall pay to the planning authority a financial contribution in respect of the construction of the Wicklow Port 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, as amended. The contribution shall be paid prior to 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 An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, 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

Terry Prendergast

Date: 17/05/2021

Terry Prendergast

