



An  
Bord  
Pleanála

**Board Direction**  
**BD-015357-24**  
**ABP-315805-23**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 07/02/2024.

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 provisions of the Wicklow County Development Plan 2022-2028 and to the nature of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would not negatively impact on the cultural heritage resource, material assets including Uisce Éireann Infrastructure or the features and characteristics of the Burnaby Architectural Conservation Area and would not have a significant impact on European sites in the vicinity. Accordingly, the proposed development would be in accordance with the proper planning and sustainable development of the area.

**Note:** In relation to matters regarding third party rights on the laneway within the site boundary as marked by a red line, the Board noted the provisions of Section 34(13) of the Planning and Development Act 2000, as amended which provides that a person is not entitled solely by reason of a permission to carry out any development.

## 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 21st December 2022 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. Details of the external finishes of 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.

3. Surface water drainage arrangements shall comply with the requirements of the planning authority for such services and works.

**Reason:** In the interest of public health.

4. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 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.

**Board Member**

*Patricia Callears*

**Date:** 07/02/2024

Patricia Callears