



An  
Bord  
Pleanála

**Board Direction**  
**BD-016793-24**  
**ABP-318698-23**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 21/06/2024.

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 nature of the development, and to the provisions of the Wicklow County Development Plan 2022-2028, including the Built Heritage Objectives set out in Chapter 8 (Built Heritage), it is considered that the proposed development, subject to compliance with the conditions set out below, would be an appropriate development in terms of its use, design and form, would be respectful of the built heritage objectives, would be a positive addition to the character of the existing Protected Structure on site and would be acceptable in terms of wastewater treatment and disposal. 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, 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. Site development and building works shall be carried out only between the hours of 0700 and 1800 Mondays to Fridays inclusive, between 0800 to 1300 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 amenities of properties in the vicinity.

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

**Reason:** In the interests of public health and surface water management.

4. Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreement(s) with Uisce Éireann.

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

5. All public service cables for the development, including electrical and telecommunications cables, shall be located underground.

**Reason:** In the interest of visual amenity.

6. A schedule of all materials to be used in the external treatment of the development, to include proposed brick, roofing materials, windows, and doors,

shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** To ensure an appropriate standard of development/conservation

7. All works to the protected structure shall be carried out under the supervision of a qualified professional with specialised conservation expertise.

**Reason:** To secure the authentic preservation of this protected structure and to ensure that the proposed works are carried out in accordance with best conservation practice.

8. The developer shall pay to the planning authority a financial contribution of 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. The application of any indexation required by this condition 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.

**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.



**Note:** The Board generally agreed with the inspector's assessment, however, the Board differed with the inspector's assessment of the rural housing need in that the proposed development is not for a residential development/house in the open countryside, rather it is a proposal for the renovation of an existing outbuildings within a complex on the site of a house, (a protected structure). Taking the context into account, the Board did not pursue the housing need policy or assess if the applicant/appellant meets such policy as the Board was satisfied that it was not a material consideration in this particular case.

**Board Member**



Patricia Calleary

**Date:** 21/06/2024