

An  
Bord  
Pleanála

**Board Direction**  
**BD-018641-25**  
**ABP-320191-24**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 14/01/2025.

The Board decided to make a split decision, to

- (1) grant permission, for the following reasons and considerations and subject to the following conditions for the permanent construction of a single-storey contemporary style structure as an extension to the existing original structure to replace the existing structure for use as a coffee shop sit-down area and all associated site works in accordance with the said plans and particulars

and

- (2) refuse permission for retention for a temporary period of two years for the existing structure as constructed, located to the front of the existing building

generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

### **Reasons and Considerations (1)**

Having regard to the provisions of the Wicklow County Development Plan 2022-2028, to the nature, scale, and character of the development, and to the provisions of Section 34(13) of the Planning and Development Act 2000, as amended, it is considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the visual amenities of the area,

and would 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. The proposed development shall be amended as follows:

The proposed extension shall be reduced in width to avoid obscuring the carved stone features (the corner buttresses and the carved stones above them) at the ends of the front elevation, and the roof shall be set below the sawtooth string course.

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 order to not obscure the features of the existing building, in the interest of the protection of architectural heritage.

3. All external signage shall be in accordance with details which shall be submitted to, and agreed in writing with, the planning authority prior to the provision of such signage. Where agreement cannot be reached between the applicant/developer and the local authority, the matter shall be referred to An

Bord Pleanála for determination.

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

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

**Reason:** In the interest of visual amenity and to ensure an appropriate high standard of development.

5. Site development and building works shall be carried out between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 and 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

**Reason:** To safeguard the amenity of property in the vicinity.

6. The disposal of surface water shall comply with the requirements of the planning authority for such works and services.

**Reason:** To prevent flooding and in the interest of sustainable drainage.

7. 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



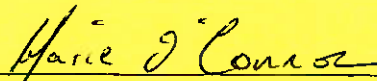
provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of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

## Reasons and Considerations (2)

The structure proposed for retention has since been removed, and cannot be retained.

Board Member:

  
Marie O'Connor

Date: 14/01/2025