

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Wicklow County

Planning Register Reference Number: 15/346

An Bord Pleanála Reference Number: PL 27.246000

APPEAL by Finn and Maria Gallen of The Gallery, Violet Hill, Herbert Road, Bray, County Wicklow and by Tudor Violet Management Company Limited of Violet Hill, Herbert Road, Bray, County Wicklow against the decision made on the 4th day of December, 2015 by Wicklow County Council to grant subject to conditions a permission to Peadar and Danielle Bruton care of Niall Smith Architects of Hall Street, Kingscourt, County Cavan in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Conversion of existing attic to habitable accommodation, restoration of existing roof, new rooflights, roof structure between existing ridges, new stairs from first floor of existing dwelling a protected structure and associated site works at Mandalay, Violet Hill, Herbert Road, Bray, County Wicklow.

DECISION

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

Having regard to the location, nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not materially or adversely affect the protected structure and would not seriously injure the amenities of the area or of property in the vicinity. 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 13th day of November 2015, 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. 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.

3. The external finishes of the wall and roof and the design of the rooflights shall be in accordance with the details indicated on drawing number (00)002 and drawing number (00)004 submitted to the planning authority on the 13th day of November, 2015.

Reason: In the interest of visual amenity.

4. Water supply and drainage arrangements, including the disposal of surface water, shall be in accordance with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and to ensure a proper standard of development.

5. 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

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2016.