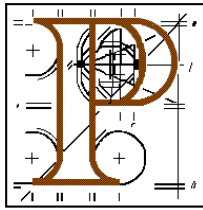


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Wicklow County

Planning Register Reference Number: 15/844

An Bord Pleanála Reference Number: PL 27.246105

APPEAL by James and Alexandra Cahir care of James Reynolds and Associates of 8 Bridlewood, Collins Avenue, Dunmore Road, Waterford and by James Meaney and others care of 9 Sidmonton Court, Bray, County Wicklow against the decision made on the 15th day of January, 2016 by Wicklow County Council to grant subject to conditions a permission to Richard and Sarah-Jane Dinn care of Buckley Partnership Architects of 2 Duncairn Terrace, Bray, County Wicklow in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Alterations and extension to existing detached single storey house to include- external wall insulation to be added to all existing walls, provision of a new roof with increased ridge and eaves height to allow for a new attic storey, to include seven number rooflights, alterations to front elevation to include a new window at first floor level and an additional bay window at ground floor level, alterations to the rear elevation to include a new window at first floor level, provision of a new single storey rear and side extension with two number new rooflights, relocation of side door on north/side elevation, removal of two number existing windows and addition of new window, and alterations to the south/side elevation to include relocation of front door, resizing of existing window and inclusion of new window at ground floor level, all at number 8 Sidmonton Court, 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 provisions of the Bray Town Development Plan 2011-2017, to the pattern of development in the area and to the nature and extent of the development proposed, 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 be out of character with the area and would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board noted that Sidmonton Court comprises a development of 26 houses of which nine houses are accessed directly from Sidmonton Road, a mature residential area. Sidmonton Road is a long roadway that accommodates a wide range of house types and building heights. The Board considered that the proposed extension to the subject dwelling, which is set back from Sidmonton Road, and which includes, inter alia, a modest increase in ridge height and the provision of rooflights, would not be so injurious to the character or the visual amenities of the area to warrant a refusal in this instance. The Board also noted that the existing house is not a protected structure and is not located within or adjacent to an Architectural Conservation Area. The Board concurred with the Inspector that the development is otherwise acceptable in terms of impacts on residential amenity (overshadowing and overlooking) and further concurred with the Inspector that the planning history of the site to the north, An Bord Pleanála appeal reference number PL27.245191, referred to by the planning authority, was not of particular relevance to the consideration of the subject 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 the 14th day of December, 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. The proposed development shall be constructed based on the roof light, 'Rear Window – Option 1' and external wall finish details set out in the further information submitted to the planning authority on the 14th day of December, 2015.

Reason: In the interest of clarity and residential amenity.

3. The roof finishes shall be the same as those of the existing dwelling in respect of colour and texture unless otherwise agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

4. The existing dwelling and proposed extension shall be jointly occupied as a single residential unit and the extension shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

Reason: To restrict the use of the extension in the interest of residential amenity.

5. All surface water run-off from roofs, entrances, driveways and parking areas shall be collected and disposed of within the site to soakpits, drains or adjacent watercourses. In particular, no such surface water run-off shall be allowed to flow onto the public roadway or adjoining properties, or to discharge to the public sewer.

Reason: In the interest of traffic safety and residential amenity.

6. 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.