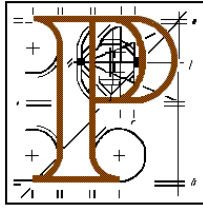


Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Wicklow County

Planning Register Reference Number: 15/1160

An Bord Pleanála Reference Number: PL 27.246235

APPEAL by Brioc McHugh care of John Flynn of 326 Clontarf Road, Dublin against the decision made on the 4th day of February, 2016 by Wicklow County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Conversion of attic to bedroom and play room with new gable external balcony to bedroom, new window to front and new Juliet balcony to rear attic level and associated internal alterations, all at 14 Rectory Way, Bray, County Wicklow.

DECISION

Having regard to the nature of the conditions the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to **ATTACH** condition number 2 and the reason therefor and to **AMEND** condition number 3 so that it shall be as follows for the reason set out.

3. (a) The proposed balcony shall be replaced by a rooflight system of similar dimensions to the opening proposed in the roof profile. In this regard, a system such as the velux cabrio system (or similar) as submitted with the appeal is considered acceptable.
- (b) The proposed Juliet balcony in the rear second floor elevation is not permitted, and shall be replaced with a non-opening window whose overall dimensions shall not exceed a height of 1.5 metres and a width of 0.8 metres.

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 the interests of residential and visual amenity.

REASONS AND CONSIDERATIONS - CONDITION NUMBER 2

The application of the development contribution set out in condition number 2 is considered to be compliant with the Wicklow County Council Development Contribution Scheme 2015 adopted in accordance with section 48 of the Planning and Development Act, 2000, as amended.

REASONS AND CONSIDERATIONS - CONDITION NUMBER 3

Having regard to the pattern of development in the area and to the nature, scale and orientation of the proposed development, the amendments to condition number 3 are considered appropriate to protect the residential amenities of the adjoining properties and the visual amenities of the area.

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.

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

Dated this day of 2016.