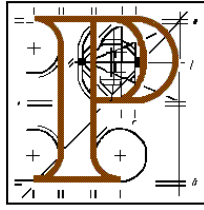


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Wicklow County

Planning Register Reference Number: 15/1082

An Bord Pleanála Reference Number: PL 27.247049

APPEAL by Leo Rooney of Scalp Lane, Donard, County Wicklow against the decision made on the 15th day of July, 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: Retention of (a) changes made to an existing dwelling in regard to elevations and location granted under previous planning register reference numbers 06/6463 and 04/161, (b) an existing garage structure and (c) planning permission to complete the existing on-site sewage treatment system to current requirements at Scalp, Hollywood, County Wicklow, as amended by the further public notice received by the planning authority on the 28th day of June, 2016.

DECISION

Having regard to the nature of the condition(s) 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 conditions numbers 2, 4, 6 and 8 and the reasons therefor.

REASONS AND CONSIDERATIONS

Having regard to the nature and scale of the development proposed for retention and to the provisions of the County Wicklow Development Contribution Scheme 2015, the Board considered that the terms of the scheme had been properly applied and that there were no deductions or discounts that that could be availed of by the applicant. Accordingly, it was considered that condition number 2 as attached by the planning authority was warranted.

Having regard to the nature and scale of the development proposed for retention, the Board considered that the requirements of condition number 4 as attached by the planning authority was warranted in the interests of public health.

Having regard to the nature and scale of the development proposed for retention, the Board considered that a condition prohibiting the use of the domestic garage use for human habitation or for commercial use without the benefit of a separate grant of planning permission was warranted. Accordingly, the Board considered that the planning authority condition number 6 should be attached.

Having regard to the nature and scale of the development proposed for retention, the Board considered that the requirement of condition number 8 as attached by the planning authority was warranted in the interests of the visual amenities of this rural 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.