

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Wicklow County

Planning Register Reference Number: 16/1217

An Bord Pleanála Reference Number: PL 27.247898

APPEAL by Maurice Keogh care of Cronin Planning and Design Consultancy of Station Road, Dunlavin, County Wicklow against the decision made on the 20th day of December, 2016 by Wicklow County Council in relation to an application by the said Maurice Keogh for permission for development comprising retention of single storey extension to dwellinghouse and retention of outside sheds used as tool shed, gym and laundry room and fuel stores at Dunlavin Lower, Dunlavin, County Wicklow in accordance with the plans and particulars lodged with the said Council (which decision was to grant subject to conditions a permission for retention of single storey extension and to refuse permission for retention of outside sheds used as tool shed, gym and laundry room and fuel stores).

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 Wicklow County Development Plan 2016-2022, to the pattern of development in the area, to the planning history of the subject site, and to the nature, form, scale and design of the development for which retention is sought, it is considered that, subject to compliance with the conditions set out below, the development for which retention is sought would not seriously injure the residential or visual amenities of the area, would not represent an overdevelopment of the site and would not distort the mass and scale of development on the overall site. The development for which retention is sought would, therefore, not be contrary to the proper planning and sustainable development of the area.

CONDITIONS

1. The development shall be retained and completed in accordance with the plans and particulars lodged with the application except as otherwise may be required in order to comply with the following conditions.

Reason: In the interest of clarity.

2. The extension to the dwelling hereby permitted shall be used, together with the existing dwelling as a single housing unit. The dwelling, extension and existing granny flat shall be retained in single ownership, as family accommodation, and the extension and granny flat shall not be sold, let or otherwise transferred or conveyed save as part of the dwelling.

Reason: In order to restrict the use of this extension in the interest of residential amenity.

3. The sheds hereby permitted shall be used solely for purposes incidental to the enjoyment of the main dwelling, and shall not be used for human habitation, nor for any commercial or business purposes, and shall not be sold, let or otherwise transferred or conveyed save as part of the dwelling site.

Reason: In order to restrict the use of these sheds to the purposes outlined in the planning application, and in the interest of residential amenity.

4. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of

the planning authority for such works and services. All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road or adjoining properties.

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 2017.