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**Planning and Development Acts 2000 to 2017**

**Planning Authority: Wicklow County**

**Planning Register Reference Number: 16/676**

**Appeal** by Caroline McCoy care of Prendiville Planning of 10 Loretto Terrace, Bray, County Wicklow against the decision made on the 7<sup>th</sup> day of February, 2017 by Wicklow County Council to grant subject to conditions permission to John and Betty Kenny care of SK Design of Rednagh Road, Aughrim, County Wicklow in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** (a) Retention for extension to the eastern elevation, (b) retention for smoking areas to the northern and eastern elevations, (c) retention for overflow car park, (d) retention for two number staff accommodation buildings, (e) retention of change of use of existing dwelling to staff accommodation, (f) permission for library room extension to the northern elevation, (g) permission to demolish existing stores and replace same with new stores and ancillary use building attached to east and rear of main building, (h) permission for wc extension to western elevation and (i) permission for general internal alterations to the existing building, the provision of electric gates and associated works, all at The Wicklow Heather Restaurant, Brockagh, Laragh, 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 established use on the appeal site and the planning history of the site, the nature of the development to be retained and that which is proposed and the existing established pattern and character of development in the immediate vicinity of the site, it is considered that, subject to compliance with the conditions set out below, the development for which retention is sought, and the proposed development would not seriously injure the residential amenities of nearby properties, would not detract from the existing visual amenities of the area, would not impact on the safety of road users and would not, therefore, 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, as amended by the further plans and particulars submitted on the 21<sup>st</sup> day of September, 2016 and the 18<sup>th</sup> day of January, 2017, 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 and the development shall be retained and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The gated access to and from the adjacent laneway shall be used for delivery vehicles only and shall be located at all other times.

**Reason:** In the interest of traffic safety and the amenities of the area.

3. The three number residential units shall be used for staff accommodation for the employees of 'The Wicklow Heather Restaurant' and shall not be used for any other purpose.

**Reason:** To restrict the use of these units for the uses for which permission was sought.

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

**Reason:** In the interest of public health.

5. Within six months of the date of this order, each car parking space in the car park shall be lined and demarcated with stone cobbles.

**Reason:** To ensure that adequate off-street parking provision is available to serve the proposed development.

6. Within six months of date of this order, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security for the satisfactory compliance with the conditions of this permission. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

**Reason:** To ensure the satisfactory completion of the development.

7. Existing shrub and tree vegetation on the site shall be retained, except those strictly required to be removed to carry out the development. Where any tree fails it may be removed, and shall be replaced with a tree of similar species.

**Reason:** In the interests of visual amenity and integrating the development into the landscape.

