



An  
Bord  
Pleanála

**Board Order  
PL 27.248554**

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## **Planning and Development Acts 2000 to 2017**

**Planning Authority: Wicklow County Council**

**Planning Register Reference Number: 17/94**

**Appeal** by Owen Reid of Ballinacarrig, Brittas Bay, County Wicklow against the decision made on the 26<sup>th</sup> day of April, 2017 by Wicklow County Council to grant subject to conditions a permission to Hugh and Hillary Hamilton care of McAulay Rice Architects of First Floor, Green Tree House, Fitzwilliam Square, Wicklow Town, County Wicklow in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Construction of extension and alterations to existing 71.73 square metres dwelling. The works will include a circa 53.50 square metres extension to the rear and side of existing dwelling, a new proposed secondary treatment system including percolation area to current EPA guidelines in place of existing system and all associated site works, all at Castletimon, Brittas Bay, 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 dwelling on the site, to the design, character and layout of the proposed extension, and to the proposed replacement and upgrading of the effluent treatment system serving the existing and proposed development, it is considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the residential amenities of adjoining properties, would not constitute a pollution threat, and would otherwise be in accordance with the provisions of the current Wicklow County Development Plan. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## **Conditions**

1. The proposed 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 to the planning authority on the 31st March, 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 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 external finishes of the proposed extension shall harmonise in colour and texture with the existing finishes on the house.

**Reason:** In the interest of visual amenity.

3. (a) A proprietary effluent treatment and disposal system shall be provided. This shall be designed, constructed and maintained in accordance with the requirements of the planning authority. Details of the system to be used, and arrangements in relation to the ongoing maintenance of the system, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.
- (b) Treated effluent shall be discharged to a raised percolation area which shall be provided in accordance with the requirements of the document entitled "Code of Practice - Wastewater Treatment and Disposal Systems Serving Single Houses (p.e.  $\leq$  10)" – Environmental Protection Agency, 2009.
- (c) Within three months of the first occupation of the dwelling, the developer shall submit a report from a suitably qualified person with professional indemnity insurance certifying that the proprietary effluent treatment system has been installed and commissioned in accordance with the approved details and is working in a satisfactory manner and that the raised percolation area is constructed in accordance with the standards set out in the EPA document.

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

4. 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 and to ensure a proper standard of development.

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

**Dated this        day of                                2017**