



An
Bord
Pleanála

Board Order

PL 27.248602

Planning and Development Acts 2000 to 2017

Planning Authority: Wicklow County Council

Planning Register Reference Number: 17/89

Appeal by Gerry McGlinchey of Brookville, Ballyman Road, Enniskerry, County Wicklow against the decision made on the 5th day of May, 2017 by Wicklow County Council to grant subject to conditions a permission to Paul and Gaynor Crosbie care of McCauley and Associates Architects of 4 Westbourne Road, Terenure, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Construction of new two storey dwelling, single storey detached garage, modifications to existing entrance to include walling, piers and sliding gate, timber/timber post and rail boundary fences and wall, boundary treatment and all site ancillary works at site of previously approved dwelling (planning register reference number 16/64) at House number 1, 'Willowbrook', Countybrook, Ballyman Road, Enniskerry, 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 location of the site on lands zoned under land use objective RE, as set out in the Wicklow County Development Plan 2016 - 2022, to the design and scale of the proposed development, to the planning history of the site and adjacent lands and to the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of properties in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The 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 13th day of April 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 flat roof to the rear of the property shall not be used as a terrace, balcony or for any similar purpose, and shall be accessed solely for maintenance purposes.

Reason: In the interest of protecting the residential amenities of adjoining properties.

3. The roof colours of the proposed house and of the proposed garage shall be blue-black, black, dark brown or dark grey only, using slates or flat roof profiles. The colour of the ridge tiles shall be the same as the colour of the roof.

Reason: In the interest of visual amenity.

4. The external walls shall be finished in neutral colours such as grey or off-white.

Reason: In the interest of visual amenity.

5. Water supply and drainage arrangements, including the attention and 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.

6. All public service cables for the development, including electrical and telecommunications cable, shall be located underground throughout the site.

Reason: In the interest of visual amenity.

7. All trees and hedgerows within and on the boundaries of the site shall be retained. The landscaping of the development shall incorporate a continuous line of trees using native deciduous species, which shall be planted for the full length of the northern boundary.

Reason: In the interest of residential amenity and visual amenity.

8. The site and building works required to implement the development shall be carried out only between the hours of 0800 to 18900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and Public Holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the amenities of property in the vicinity.

9. 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