



An
Bord
Pleanála

**Board Order
PL 27.248929**

Planning and Development Acts 2000 to 2017

Planning Authority: Wicklow County Council

Planning Register Reference Number: 17/198

Appeal by Charles Keddy of Sea Road, Kilcoole, County Wicklow against the decision made on the 4th day of July, 2017 by Wicklow County Council to grant subject to conditions a permission to Carbonvale Limited care of Fergus Flanagan Architects of Crescent Quay, Wexford Town, County Wexford in accordance with plans and particulars lodged with the said Council:

Proposed Development: Demolition of dwelling and erection of four number dwelling units and all associated site works at Dun Na Ri, Sea Road, Kilcoole, 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 provisions of the Wicklow County Development Plan 2016–2022 and the Greystones-Delgany and Kilcoole Local Area Plan 2013–2019, to the pattern of development in the area, to the planning history of the site, to the zoning of the site and to its location within the urban boundary of Kilcoole and the 50 km/h zone, the Board considered that, subject to compliance with the conditions set out below, the proposed development would represent an appropriate design response to the site. would not seriously injure the residential amenities of adjoining properties or the visual amenities of the area and would be acceptable in terms of pedestrian and traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board concurred with the planning authority and considered that the proposed revised entrance location further west of the existing entrance substantially overcame the previous reason for refusal and considered that the proposed sightlines were acceptable in terms of compliance with the Design Manual for Urban Roads and Streets (DMURS).

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 15th day of May, 2017 and on the 9th day of June, 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. Details of the materials, colours and textures of all the external finishes to the proposed dwellings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Roof colour shall be blue-black, black, dark brown or dark grey in colour only. The brick colour to be used shall be the same as that used in the adjoining residential area.

Reason: In the interest of visual amenity.

3. (a) Unless otherwise agreed in writing with the planning authority, the external boundary treatment shall be in accordance with the details set out on site location drawing number 15-142-P-02.1 received by the planning authority on the 9th day of June, 2017.

(b) Existing trees and hedgerows along the site boundaries shall be retained along boundaries as detailed in site location drawing number 15-142-P-02.1 received by the planning authority on the 9th day of June, 2017, and shall be reinforced (where necessary) with additional planting of semi-mature native hedge plants and trees species sufficient to ensure the formation of a dense continuous screen.

- (c) New hedging to the revised roadside boundary shall be carried out as per drawing number 15-142-P-02.1 received by the planning authority on the 9th day of June, 2017 and shall be semi-mature native hedge plant species.

Reason: In the interests of visual amenity, residential amenity and privacy.

4. Landscaping and tree planting, in accordance with the site layout plan submitted to the planning authority on the 9th day of June 2017 (drawing number 15-142-P-02.1) and the requirements of condition 3 of this permission, shall be carried out before or during the first planting season or part thereof occurring after the commencement of development. Any plants, which become seriously damaged, shall be replaced by others of similar size and species.

Reason: In order to assimilate development on this site into the surrounding area, in the interests of visual amenity and the proper planning and sustainable development of the area.

5. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

6. All uncontaminated roof and surface water drainage shall be collected via a separate storm water system and attenuated on site. Full design details in this regard satisfying the requirements of the Greater Dublin Strategic Drainage Study (GDSDS), shall be submitted to and agreed in writing with the planning authority prior to commencement of development. No surface water run-off shall be allowed to discharge onto the public road, to the public foul sewer or adjoining properties. In order to provide volume reduction and source control of pollutants, the submission shall include proposals for Sustainable Urban Drainage Systems (SUDS) in compliance with GDSDS requirements. All SUDS proposals shall include provision for emergency overflow should unforeseen ground conditions limit their efficiency. For maintenance and ecological reasons, no piping or closed culverting of watercourses is acceptable except in the case of a road crossing

Reason: To ensure satisfactory storm water drainage in the interest of the proper planning and sustainable development of the area.

7. Public lighting shall be provided in accordance with a scheme, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Such lighting shall be provided prior to the making available for occupation of any house.

Reason: In the interests of amenity and public safety.

8. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development

Reason: In the interests of visual and residential amenity.

9. Proposals for a name/house numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all signs and house numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the names of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).

Reason: In the interest of urban legibility and to ensure the use of locally appropriate placenames for new residential areas.

10. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. 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 and maintenance of the development until taken in charge.

