

# Board Order PL 27.248969

Planning and Development Acts 2000 to 2017 Planning Authority: Wicklow County Council Planning Register Reference Number: 17/633

**Appeal** by Mary Hannon care of O Caoimh and Associates of Barchuilla Studios, Kilmacanogue, County Wicklow against the decision made on the 17<sup>th</sup> day of July, 2017 by Wicklow County Council to refuse permission for the proposed development.

**Proposed Development:** Alterations and two-storey extension (comprising of ground floor level and attic level accommodation with rooflights) to existing single storey house at 9 Kilgarron Park, 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 Wicklow County Development Plan 2016 – 2022, it is considered that the proposed development would, subject to compliance with the conditions set out below, comply with the zoning objective for the site and be compatible with the visual and residential amenities of the area. The proposed development 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 particulars received by An Bord Pleanála on the 2<sup>nd</sup> day of August, 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 proposed development shall be amended as follows:

A wheelchair ramp shall serve the new front door. Consequential changes to the design and layout of the car parking area shall be shown.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of residential amenity and to ensure accessibility.

3. The existing mobile home shall be permanently removed from the site prior to the commencement of development.

**Reason:** In the interests of clarity, residential amenity, and orderly development.

4. The external finishes of the proposed extension (including roof tiles/slates) shall be the same as those of the existing dwelling in respect of colour and texture.

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

5. The landscaping scheme shown on the planting schedule, as submitted to the planning authority on the 31<sup>st</sup> day of May, 2017, shall be carried out within the first planting season following substantial completion of external construction works.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interests of residential and visual amenity.

6. 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.

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

7. Site development and building works shall be carried out only between the hours of 0800 to 1900 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 residential amenities of property in the vicinity.

8. The existing dwelling and proposed extension shall be jointly occupied as a single residential unit and the extension shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

**Reason:** To restrict the use of the extension in the interest of residential amenity.

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 the 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

**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