

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2018

Wicklow County

Planning Register Reference Number: 17/985

An Bord Pleanála Reference Number: ABP-301408-18

APPEAL by Peshawar Limited care of Alan Farrelly Architecture of Birch House, Blacklion, Greystones, County Wicklow against the decision made on the 16th day of March, 2018 by Wicklow County Council to refuse permission for the proposed development.

PROPOSED DEVELOPMENT: Extensions and alterations including new first floor living area and all associated works to existing house at Cliff Cottage, Rathdown Lower, Greystones, County Wicklow. The proposed development was revised by further public notices received by the planning authority on the 19th day of February, 2018.

DECISION

GRANT permission for the above proposed development in accordance with the plans and particulars lodged with the said council, 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 nature, extent and design of the proposed development, to the general character and pattern of development in the area and to the provisions of the Greystones – Delgany and Kilcoole Local Area Plan 2013-2019 it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of properties in the vicinity and would make a positive contribution to the character of the Greystones Harbour Architectural Conservation 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 with the further plans and particulars received by the planning authority on the 19th day of February, 2018, 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. (i) Fins shown on window of ground floor bedroom number 4 shall be omitted and glazing and finishes shall be simplified and harmonise with the proposed first floor finishes.
- (ii) Details including samples of the materials, colours and textures of all the external finishes (incorporating the above omission) to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of protecting the character of Greystones Harbour Architectural Conservation Area.

3. 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.

4. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 of those Regulations shall take place within the curtilage of the house, without a prior grant of planning permission.

Reason: In the interest of the amenities of the area.

5. 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 amenities of property in the vicinity.

6. 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.

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

Reason: In the interest of visual amenity.

8. 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.

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

Dated this day of 2018.