



Planning and Development Acts 2000 to 2018

Planning Authority: Wicklow County Council

Planning Register Reference Number: 18/617

Appeal by Maurizio and Caroline Bruno care of Peter Thomson Planning Solutions of 4 Priory Grove, Kells, County Kilkenny against the decision made on the 25th day of February, 2019 by Wicklow County Council to refuse permission.

Proposed Development: Retention of an existing covered in sun terrace (30.20 square metres) in garden at Tyners Rest, Ballinahinch, Ashford, County Wicklow. The proposed development was amended by further public notices received by the planning authority on the 17th day of January, 2019 and on the 31st day of January, 2019 and now comprises retention of flat roof garden building with outdoor eating area (30.20 square metres) in garden and increase to height of existing chimney flue to same.

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, to the pattern of development in the area and to the nature and scale of the development to be retained, it is considered that, subject to compliance with the conditions set out below, the development to be retained would not seriously injure the residential or visual amenities of adjoining properties and would, otherwise, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained, carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 17th day of January, 2019 and on the 31st January, 2019, except as may otherwise be required in order to comply with the following condition.

Reason: In the interest of clarity.

2. The structure shall be used solely for purposes incidental to the enjoyment of the house and shall not be used for human habitation or for commercial purposes, sold, leased or otherwise transferred or conveyed, save as part of the dwelling.

Reason: To protect the amenities of property in the vicinity.

Paul Hyde

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

Dated this day of 2019.