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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Wicklow County Council**

**Planning Register Reference Number: 19/1241**

**Appeal** by Brett Stephenson and Pamela Walsh care of Hendrik W van der Kamp of 1 Woodstown Court, Knocklyon, Dublin against the decision made on the 17<sup>th</sup> day of January, 2020 by Wicklow County Council to grant subject to conditions a permission to David and Barbara Molloy care of Ken Ussher Architectural Service of 120 Heathervue, Greystones, County Wicklow in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** The construction of a two-storey dormer dwelling (207.58 square metres) and the relocation of the existing retaining walls and pedestrian entrance on the north/west site boundary including all associated site works at Bellamont Cottage, Kilmolin, Glencree 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 zoning objective, the design, layout and scale of the proposed development and 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 visual amenities of the area or the residential amenities of property in the vicinity. 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, 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 external finishes to the proposed dwellinghouse shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

3. Details of the proposed roadside boundary treatment including heights, materials and finishes together with details of the area between the public road carriageway and the revised boundary wall shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. No other development shall commence on foot of this grant of permission until the roadside boundary wall has been constructed.

**Reason:** In the interests of traffic safety and visual amenity.

4. 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.

5. The developer shall enter into water and/or wastewater connection agreement(s) with Irish Water prior to commencement of development.

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

6. All public services to the proposed development, including electrical, telephone cables and associated equipment shall be located underground throughout the site.

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

7. Site development and building works shall be carried out only between the hours of 0800 and 1800 from Mondays to Fridays inclusive, between 0800 and 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.

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 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 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.

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

**Dated this            day of            2020.**