



An  
Bord  
Pleanála

## Board Order ABP-309619-20

**Planning and Development Acts 2000 to 2020**

**Planning Authority: Wicklow County Council.**

**Planning Register Reference Number: 20/845.**

**Appeal** by Pauline Murphy care of Peter P. Gillett and Associates of 55 Glencarrig, Sutton, Dublin against the decision made on the 15<sup>th</sup> day of February, 2021 by Wicklow County Council to grant subject to conditions a permission to Marion Davis care of L/K Design of Moneystown, Roundwood, County Wicklow in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Change of use from a commercial shop to a private dwelling, demolition of 99.5 square metres of existing building, construction of 63.9 square metres extension, new wall to front of building, new entrance to front of building, new parking area and garden area to front of building and associate works at Ashtown, Roundwood, 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**

In coming to its decision, the Board had regard to the following:-

- (a) National Policy Objective 11 of the National Planning Framework,
- (b) the Wicklow County Development Plan 2016 2022,
- (c) the Roundwood Settlement Plan 2016-2022,
- (d) the site's location within the settlement boundary,
- (e) the site history,
- (f) the nature, scale and layout of the proposed development,
- (g) the decision of the planning authority,
- (h) the submissions and observations received, and
- (i) the report of the Inspector

it is considered that, subject to compliance with the conditions as set out below, the proposed development which provides for a change of use from a commercial unit to a residential unit within the development boundary of Roundwood would be in accordance with the objectives set out in the National Planning Framework and the Wicklow County Development Plan 2016 2022. 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 was satisfied that the proposed development would not be contrary to the objectives set out in the Wicklow County Development Plan 2016 2022 and would 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 submitted on the 25<sup>th</sup> day of January, 2021, 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 development 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. Prior to commencement of development, the developer shall enter into water and/or waste water connection agreement(s) with Irish Water.

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

4. 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.

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

Dated this 13<sup>th</sup> day of May 2021

