

Planning and Development Acts 2000 to 2020

Planning Authority: Wicklow County Council

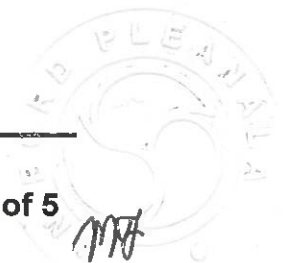
Planning Register Reference Number: 20/1082

Appeal by Phillip Mulligan care of Flynn Planning and Design of Carrig Na Sí, Rocky Valley Drive, Bray, County Wicklow against the decision made on the 12th day of April, 2021 by Wicklow County Council to refuse a permission for the proposed development.

Proposed Development: 43 square metres extension to side of existing 108 square metres house, internal alterations to existing house including change to fenestration on west elevation, replace existing septic tank with effluent disposal system to Environmental Protection Agency guidelines 2009 and associated site works at Killough Lower, Bray, 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.

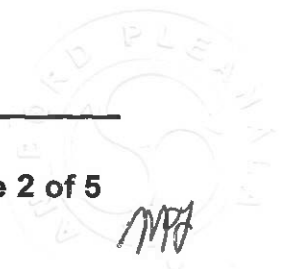
Reasons and Considerations

Having regard to the nature, extent and design of the proposed development and the provisions of the Wicklow County Development Plan 2016 – 2022, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area and would not negatively impact on the character 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 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.

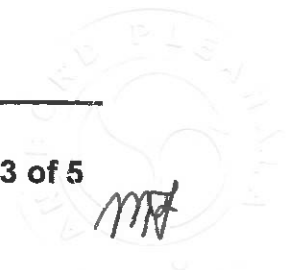


2. (a) The existing dwelling and proposed family flat shall be jointly occupied as a single residential unit and the family flat shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.
- (b) The family flat shall be used for private domestic use only and it shall be integrated into the main dwelling house when no longer required for the purpose applied for.

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

3. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works.

Reason: To ensure adequate servicing of the development, and to prevent pollution.



4. (a) The proposed effluent treatment and disposal system shall be located, constructed and maintained in accordance with the details submitted to the planning authority on the 27th day of October 2020, and in accordance with the requirements of the document entitled "Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)" Environmental Protection Agency, 2021. Arrangements in relation to the ongoing maintenance of the system shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.
- (b) Within three months of the completion of the treatment system, the developer shall submit a report from a suitably qualified person with professional indemnity insurance certifying that the proprietary effluent treatment system has been installed and commissioned in accordance with the approved details and is working in a satisfactory manner in accordance with the standards set out in the EPA document.

Reason: In the interest of public health.

5. 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.

6. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between the hours of 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.

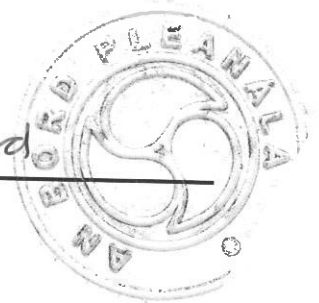
DR. Maria FitzGerald

Maria FitzGerald

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.



Dated this *5th* day of *August* 2021