



An
Bord
Pleanála

Board Order
ABP-310623-21

Planning and Development Acts 2000 to 2021

Planning Authority: Wicklow County Council

Planning Register Reference Number: 21/370

Appeal by Michael and Mary Bannon care of Brock McClure of 63 York Road, Dún Laoghaire, County Dublin against the decision made on the 27th day of May, 2021 by Wicklow County Council to refuse a permission for the proposed development.

Proposed Development: The construction of a side and front single extension (circa 84 square metres) housing two bedrooms and bathrooms, with ancillary space, the construction of a glazed hallway at ground floor level connecting the existing dwelling to the new extension within the walls of an existing courtyard, the refurbishment of existing dwelling including minor internal re-layout amendments, and an infill to existing south western window at first floor level and all associated landscape, planting and groundworks at Moorlands Mews, Whitshed Road, Killincarrig, Greystones, County Wicklow (within the original curtilage of Moorlands, Whitshed Road, Killincarrig, Greystones, County Wicklow, a Protected Structure Ref 08.28 of RPS in The Burnaby Architectural Conservation Area).

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

The application site is located in an area zoned for residential development in the Greystones-Delgany and Kilcoole Local Area Plan 2013-2019. Having regard to the modest scale of the proposed development, its nature as an extension to an existing residential use and subject to compliance with the conditions set out below, it is considered that the proposed development would not seriously injure the integrity or special interest of a protected structure on site or undermine the quality of The Burnaby Architectural Conservation Area and would, therefore, be in accordance with the provisions of the current Local Area Plan and Wicklow County Development Plan and 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. Surface water drainage arrangements shall comply with the requirements of the planning authority for such works.

Reason: In the interest of public health.

3. The external finishes of 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.

4. (a) A conservation expert shall be employed to manage, monitor and implement the works on the site and to ensure adequate protection of the retained and historic fabric during the works. In this regard, all permitted works shall be designed to cause minimum interference to the retained building and facades structure and/or fabric.

- (b) All repair works to the protected structure shall be carried out in accordance with best conservation practice as detailed in the application and the 'Architectural Heritage Protection Guidelines for Planning Authorities' issued by the Department of Arts, Heritage and the Gaeltacht in 2011. The repair works shall retain the maximum amount of surviving historic fabric in situ, including structural elements, plasterwork (plain and decorative) and joinery and shall be designed to cause minimum interference to the building structure and/or fabric. Items that have to be removed for repair shall be recorded prior to removal, catalogued and numbered to allow for authentic re-instatement.
- (c) All existing original features, including interior and exterior fittings/features, joinery, plasterwork, features (including cornices and ceiling mouldings) staircases including balusters, handrail and skirting boards, shall be protected during the course of refurbishment.

Reason: To ensure that the integrity of the retained structures is maintained and that the structures are protected from unnecessary damage or loss of fabric.

5. The existing dwelling (Moorlands Mews) 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 mews dwelling.

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

6. 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.

DR. Maria FitzGerald

Maria FitzGerald

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this *8th* day of *Feb.* 2022

