

An  
Bord  
Pleanála

**Board Order**  
**ABP-311054-21**

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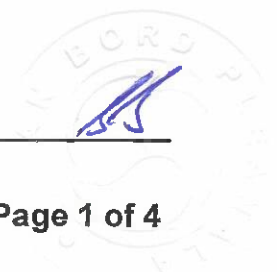
**Planning and Development Acts 2000 to 2021**

**Planning Authority: Wicklow County Council**

**Planning Register Reference Number: 21/629**

**Appeal** by Charles Keddy of Sea Road, Kilcoole, County Wicklow against the decision made on the 12<sup>th</sup> day of July, 2021 by Wicklow County Council to grant subject to conditions a permission to Mary Byrne care of MPBA Architects of 5 Stable Lane, Bray, County Wicklow in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** The construction of a part single storey, part two storey dwelling and garage accessed off Donarea Avenue, together with associated boundary treatments and site works at a site beside Donarea Lodge, Donarea Avenue, Sea Road, Kilcoole, 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 location of the application site in an established residential area, the availability of public piped services and vehicular and pedestrian access and, subject to compliance with the conditions set out below, it is considered that the proposed development would not seriously injure the amenity of the area or of property in the vicinity, would be in with the provisions of the Wicklow County Development Plan 2016 - 2022 and 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. Surface water drainage arrangements shall comply with the requirements of the planning authority for such works.

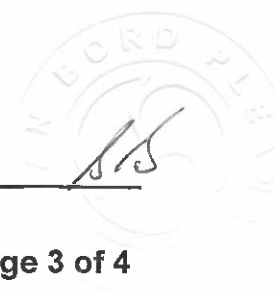
**Reason:** In the interest of public health.

3. Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreement(s) with Irish Water.

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

4. A comprehensive boundary treatment and landscaping scheme shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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



5. 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.



**Stephen Bohan**

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



Dated this 4<sup>th</sup> day of February 2022