



Planning and Development Acts 2000 to 2020

Planning Authority: Wicklow County Council

Planning Register Reference Number: 21/-59

Appeal by Seamus Sweeney and Fiona Smyth care of McAuley Rice Architects of First Floor, Green Tree House, Fitzwilliam Square, Wicklow, County Wicklow against the decision made on the 26th day of July, 2021 by Wicklow County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Proposed extensions and alterations to an existing 175.6 square metres dwelling. The works will comprise of the following: (1) a proposed single storey extension to the rear circa 22 square metres, (2) single storey extension to the side circa 9.6 square metres, (3) dormer extension to accommodate a new stair, bedroom and ensuite at roof level circa 30 square metres, (3) alterations to existing internal layout and elevations, (4) removal of side bay window, (5) new boundary wall and fence detail to side boundary between 4 Seapoint and all associated site works, all at 5 Seapoint, Wicklow Town, County Wicklow.

Decision

Having regard to the nature of the conditions the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to REMOVE condition number 3 and the reason therefor.

Reasons and Considerations

Having regard to the existing pattern of development in the vicinity of the site, the proposed plans and particulars lodged with the planning authority, including drawing number 2012/PP/402A – Proposed Section C-C, and the additional information submitted to the planning authority on the 7th day of May, 2021, prepared by McAulay Rice Architects, of images of the visible planes from the first floor window, it is considered that the proposed first floor window to the northern elevation with a cill height of 1.05 metres and 0.8 metres would not seriously injure the amenities of property in the vicinity by reason of overlooking. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area. It is considered, therefore, that the modifications to the design of the proposed window cill to the northern elevation as required by condition number 3 would be unwarranted.

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.



John Connolly

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**



Dated this *9th* day of *DECEMBER* 2021.