

Planning and Development Acts 2000 to 2022

Planning Authority: Wicklow County Council

Planning Register Reference Number: 21/1488

Appeal by Shaun Ryan and Olga Kilkenny of 6 Hunters Brook, Delgany, County Wicklow, and by Others, against the decision made on the 18th day of July, 2022 by Wicklow County Council to grant subject to conditions a permission to Coconut Point Limited care of Plan 8 Architects of Church Road, Delgany, County Wicklow in accordance with plans and particulars lodged with the said Council.

Proposed Development: Provision of a new rear two-storey extension, comprising 17 bedrooms to rear of existing building; conversion of existing 1st floor kitchen/dining room to two en-suite bedrooms 5A and 6A; retention permission for existing first floor en-suite bedrooms 2A to 4A; provision also sought for new traffic management system and pedestrian access off the current car park entrance; all necessary foul, mains and surface water connections and all public services; and all ancillary works to facilitate the above-mentioned proposals at The Horse & Hound Public House, Convent Road, Delgany, 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.

Reasons and Considerations

Having regard to policies and objectives of the Wicklow County Development Plan 2022-2028, the specific characteristics of the site and the pattern of development in the surrounds, it is considered that, subject to compliance with the conditions set out below, the proposed development and the development proposed to be retained would not seriously injure the residential amenities of the area or of property in the vicinity, would not adversely impact the character of the Delgany Village Architectural Conservation Area, would not be prejudicial to public health, would not represent a traffic hazard and would constitute an acceptable form of development at this location. The proposed development and the development proposed to be retained would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed development and the development proposed to be retained shall comply with the plans and particulars lodged with the application submitted, as amended by Further Information received on 21st June 2022, 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, retained and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The developer shall provide for the omission of guest bedroom numbers 10 and 11 and the bathroom of bedroom number 12. Access to the first-floor level accommodation at this location shall be appropriately screened to minimise overlooking of the properties to the north. Prior to the commencement of development, the developer shall submit, for the written agreement of the planning authority, revised sections, elevation and plans incorporating said amendments.

Reason: In the interest of residential amenity and to protect the residential amenity of the existing properties to the north of the subject site.

3. A 1.8-metre-high opaque glazed screen shall be attached to the stairway and walkway at the eastern end of the proposed extension, unless otherwise agreed in writing with the planning authority.

Reason: To minimise overlooking into the rear gardens of the adjoining dwellings to the east of the site, in the interest of residential amenity.

4. Prior to commencement of development, the developer shall enter into water and wastewater connection agreements with Uisce Éireann.

Reason: In the interest of public health.

5. Drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

6. Prior to the commencement of development, a schedule (including colour photographs) of all external materials, finishes and colours, shall be submitted for the written agreement of the planning authority.

Reason: In the interests of visual amenity.

7. The proposed traffic light and barrier system shall be fully installed and operational prior to the occupation of the proposed development. In addition, the traffic light at the entrance shall be relocated such that it is not located on the public footpath. The developer shall submit the following items to the planning authority for written agreement prior the commencement of development:

- (a) Revised plans which provide for the omission of the access road asphalt surface and its replacement with stone paving (or similar) with minimal number road markings and signage. The shared surface, road markings, lighting, and signage shall be in accordance with the requirements of the planning authority.
- (b) Details of refuse and delivery arrangements.

Reason: In the interest of clarity and to safeguard the amenities of property in the vicinity.

- 8. The construction of the proposed development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of all intended construction practice for the proposed development, including noise management measures and off-site disposal of construction/demolition waste.

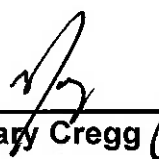
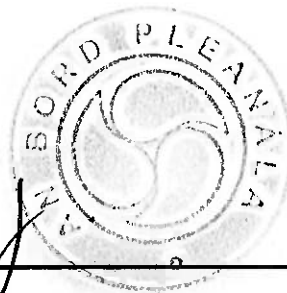
Reason: In the interest of public safety and residential amenity.

- 9. Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0900 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.

10. The developer shall pay to the planning authority a financial contribution as a special contribution under section 48(2) (c) of the Planning and Development Act 2000, as amended, in respect of replacement tree planting in the vicinity of this development, as a result of the requirement to remove street tree/s to provide vehicular access to the site. This is to ensure that there is no net loss of tree canopy cover in the area. The amount of the contribution 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 for determination. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate.

Reason: It is considered reasonable that the developer should contribute towards the specific exceptional costs which are incurred by the planning authority which are not covered in the Development Contribution Scheme and which will benefit the proposed development.

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

Dated this 3rd day of January 2024.