



An
Bord
Pleanála

Board Order
ABP-317640-23

Planning and Development Acts 2000 to 2022

Planning Authority: Wicklow County Council

Planning Register Reference Number: 23/136

Appeal by Mark O'Hare of 'Sunbeam', Marine Road, Greystones, County Wicklow and by John Rafferty of Shinjuku, Kimberley Road, Greystones, County Wicklow against the decision made on the 30th day of June, 2023 by Wicklow County Council to grant subject to conditions a permission to Michael and Evelyn Cawley care of Wilson Hill Architects of Number 15 The Season Building, 44/45 Clontarf Road, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: 1. The removal of the existing rear return, outbuildings and front porch. 2. The construction of a single storey flat roof extension to the south of the existing main house, together with associated proposed number two chimneys to flat roof, internal reconfiguration of the existing dwelling and replacement front porch to existing dwelling. 3. The construction of a first-floor extension (over an undercroft car port) to the west of the existing main house with hipped slate roof to match existing, together with number one associated roof light (on the east hip of the proposed extension's roof). 4. Removal of existing concrete boundary wall, blocking up of existing vehicular entrance, creation of new vehicular/pedestrian and

construction of a new stone boundary wall along Kimberly Road. 5. The blocking up of existing vehicular entrance to be replaced by render wall to match existing wall, creation of new vehicular entrance using existing pillars, together with a new separate pedestrian entrance and new partial timber screening behind the existing boundary wall on Marine Road, together with all associated site, landscaping and ancillary works which is located within an Architectural Conservation Area (Greystones Harbour designation) at Carriglea, Marine Road, Greystones, 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 the provisions of Wicklow County Development Plan 2022-2028 (as varied) and the Greystones-Delgany & Kilcoole Local Area Plan 2013-2019 (as varied), the location of the proposed development within the settlement boundary of Greystones on zoned town centre lands, the relatively small scale nature of the proposal in the context of the appeal site and overall Architectural Conservation Area (ACA), significantly removed from the main concentrations of protected structures in this ACA, and the prevailing pattern and character of development in this area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not materially or adversely affect The Harbour ACA, would not seriously injure the amenities of the area or of property in the vicinity, would not negatively impact on the natural heritage of the area, would not endanger public safety by reason of a traffic hazard or impact public health. 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, as amended by the further plans and particulars received by the planning authority on the 6th day of June, 2023, 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. All boundaries shall be permanently retained save insofar as required to relocate the front vehicular access and pedestrian gate along Marine Road.

Reason: In the interests of visual and residential amenity.

3. The roof of any extension shall not be used as a balcony or roof garden.

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

4. Prior to commencement of development hereby permitted, the Japanese knotweed on site shall be removed in accordance with the sequence of works set out in section 2.3 of the 'Site Assessment and Treatment Proposal for Invasive Alien Plant Species' report, submitted to the planning authority on the 6th day of June, 2023.

Reason: In the interests of biodiversity and natural heritage.

5. (a) No development shall take place during the swift nesting period, May to September inclusive.
- (b) Details of swift bricks or other suitable alternatives shall be submitted to and agreed in writing with the planning authority prior to the commencement of the development.

Reason: In the interests of biodiversity and natural heritage.

6. Water supply and drainage arrangements, including the attenuation and 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.

7. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 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 residential amenities of property in the vicinity.

8. 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 Contributions 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.



Patricia Calleary

Member of An Bord Pleanála

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

Dated this 19 day of August 2024