



Planning and Development Acts 2000 to 2022

Planning Authority: Wicklow County Council

Planning Register Reference Number: 23520

APPEAL by Suzanne Cullen and others care of Abhlach and Mariposa, Ballyguile Beg, Wicklow Town, County Wicklow against the decision made on the 1st day of August, 2023 by Wicklow County Council to grant subject to conditions a permission to Liam Neville Developments Limited care of PD Lane and Associates of 1 Church Road, Greystones, County Wicklow in accordance with plans and particulars lodged with the said Council.

Proposed Development: Modifications to approved residential development currently under the course of construction as follows: permission sought for revisions to length of rear gardens of house numbers 26 to 31, inclusive, previously granted permission planning register reference number 16/514 (extended under register reference 21/60, and as amended under planning register reference numbers 17/445 and 18/635, retention of recently constructed boundary wall at rear of houses 26 to 31, inclusive, all at Avonvale Manor, Ballynerrin Upper, Wicklow Town, 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 zoning of the site for residential development in the Wicklow/ Rathnew Town Development Plan 2013 – 2019 and the wider provisions of the Wicklow County Development Plan 2022-2028, the relevant planning history and to the nature and scale of the proposed development and development proposed to be retained, it is considered that, subject to compliance with conditions below, the development would comprise reasonable modifications to the development previously permitted under the planning authority register reference 16/514 and amended under 17/445 and 18/635, that would not seriously injure the visual or residential amenities of the dwellings or property in the area, and would comply with the relevant standards of the Development Plan. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. Apart from any departures specifically authorised by this permission, 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.

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2. The development shall be carried out and completed in accordance with the relevant terms and conditions of the permission granted under planning authority register reference 16/514 and amended under planning authority register reference 17/445, and any agreements entered into thereunder, except as amended in order to comply with the conditions attached to this permission. The duration of the permission granted herein shall expire with the expiration of the planning permission granted under planning authority register reference 16/514, as extended pursuant to Section 42 of the Planning and Development Act, 2000 (as amended), by planning authority register reference 21/630.

Reason: In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission.



Patricia Calleary

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

Dated this 08 day of May 2024.