

An  
Bord  
Pleanála

**Board Order**  
**ABP-319573-24**

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Wicklow County Council**

**Planning Register Reference Number: 23/60222**

**Appeal** by Mary O'Mahony care of Kieran O'Malley and Company Limited of 2 Priory Office Park, Stillorgan Road, Blackrock, County Dublin and by Others against the decision made on the 26<sup>th</sup> day of March, 2024 by Wicklow County Council to grant subject to conditions outline permission to Breda Maguire care of L/K Design of Moneystown, Roundwood, County Wicklow in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Construction of detached dwelling, subdivision of existing site, connection to all services for proposed dwelling, close off existing site entrance, new recessed site entrance onto existing laneway for proposed dwelling and associated works, all at Parknasilloge, Enniskerry, County Wicklow.

## **Decision**

**GRANT outline 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 existing pattern of development in the area, to the scale and design of the proposed dwelling, to the provisions of the Wicklow County Development Plan 2022-2028 in relation to the RE: existing residential zoning and policy objectives CPO 6.21 and CPO 6.22 as set out in the Plan, and to the planning authority reports, it is considered that, subject to compliance with the conditions set out below, the proposed development would be an appropriate form of development in terms of scale, design, form and layout, would provide for an acceptable entrance off the public road, would not significantly increase the traffic volumes at the junction of the private access road and the local road, and would not seriously injure the residential amenity of adjoining properties or result in a deterioration of the environment. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board considered the evidence on the file in relation to the existing pattern of development in the area, the scale and design of the proposed dwelling, the provisions of the Wicklow County Development Plan 2022-2028 in relation to the RE: existing residential zoning and policy objectives CPO6.21 and CPO 6.22, and the planning authority reports.



## 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 29<sup>th</sup> day of February 2024, 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. Site development and building works shall be carried out between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

**Reason:** To safeguard the amenity of property in the vicinity.

3. (a) All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road or adjoining properties.  
  
(b) The access driveway to the proposed development shall be provided with adequately sized pipes or ducts to ensure that no interference will be caused to existing roadside drainage.

**Reason:** In the interest of traffic safety and to prevent flooding or pollution.

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4. Prior to the commencement of development the developer shall enter into a Connection Agreements with Uisce Éireann to provide for service connections to the public water supply and wastewater collection network.

**Reason:** In the interest of public health and to ensure adequate water/wastewater facilities.

5. The side panels of the balcony shall have glazing which shall be manufactured opaque or frosted glass and shall be permanently maintained. The application of film to the surface of clear glass is not acceptable.

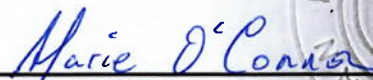
**Reason:** In the interest of residential amenity.

6. (a) The landscaping plan, as submitted to the planning authority on the 29<sup>th</sup> day of February, 2024 shall be carried out within the first planting season following substantial completion of external construction works. .
- (b) The tree protection measures as identified in the Arboricultural Assessment submitted to the planning authority on the 29<sup>th</sup> Day of February, 2024 shall be implemented in full prior to commencement of development.
- (c) All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, shall be replaced within the next planting season with others of similar size and species.

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

7. 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.



Marie O'Connor

Member of An Bord Pleanála

duly authorised to authenticate  
the seal of the Board.

Dated this 08 day of November 2024.