



An
Bord
Pleanála

Board Order ABP-320051-24

Planning and Development Acts 2000 to 2022

Planning Authority: Wicklow County Council

Planning Register Reference Number: 2460038

Appeal by Keith Carroll care of Patrick Joyce of 2 Prospect Grove, Stocking Lane, Rathfarnham, Dublin against the decision made on the 4th day of June 2024 by Wicklow County Council to grant subject to conditions a permission to John O'Donoghue care of Ger Kelly of Ballyknockan, Blessington, County Wicklow in accordance with plans and particulars lodged with the said Council.

Proposed Development: Demolition of existing shed and full planning permission for a single storey split level extension to the rear of existing cottage, along with the installation of an oakstown treatment plant with soil polishing filter and a bored well, along with a new vehicular access and all associated site works

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 the Wicklow County Development Plan 2022-2028, the modest scale and nature of the development and the prevailing pattern and character of the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in terms of traffic safety and convenience, and would not seriously injure the visual or residential amenities of the area or be prejudicial to 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 10th day of May 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. The finished floor levels shall accord with drawing number 24.004 submitted on 10th day of May 2024 unless otherwise agreed in writing by the planning authority.

Reason: In the interest of visual amenity.

3. The landscaping scheme shown on drawing number JOH-DON/LMP/001, as submitted to the planning authority on the 10th day of May 2024 shall be carried out within the first planting season following substantial completion of external construction works. In addition to the proposals in the submitted scheme, all new boundary planting within the site boundary shall be native hedgerow or trees.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity

4. (a) The roadside boundary wall shall be set back as detailed on drawing number 24.004 as submitted to the planning authority on the 10th day of May 2024.
- (b) The entrance detail shown on drawing number 24.004, as submitted to the planning authority on the 10th day of May 2024, shall be amended such that the wing walls and associated pillars shall not exceed 0.8 metres in height within 2.4 metres of the public road.

Reason: In the interest of traffic safety.

5. (a) The wastewater treatment system hereby permitted shall be installed in accordance with the recommendations included within the site characterisation report submitted with this application on the 29th day of January 2024 and shall be in accordance with the standards set out in the document entitled "Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent \leq 10) " – Environmental Protection Agency, 2021.
- (b) Treated effluent from the septic tank/ wastewater treatment system shall be discharged to a percolation area/ polishing filter which shall be provided in accordance with the standards set out in the document entitled "Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent \leq 10)" – Environmental Protection Agency, 2021.
- (c) Within three months of the first occupation of the dwelling, the developer shall submit a report to the planning authority from a suitably qualified person (with professional indemnity insurance) certifying that the septic tank/ wastewater treatment system and associated works is constructed and operating in accordance with the standards set out in the Environmental Protection Agency document referred to above.

Reason: In the interest of public health.

6. (a) All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site and such drainage shall accord with the details set out on drawing number 24.004 as submitted to the planning authority on the 10th day of May 2024. 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.

7. Details of the materials, colours and textures of all the external finishes to the dwelling extension shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Only natural stone shall be used and reconstituted stone shall not be used other than for cills and door surrounds.

Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.

8. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday 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.



Declan Moore

Member of An Bord Pleanála

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

Dated this *5th* day of *November* 2024