



An  
Bord  
Pleanála

Board Order  
ABP-320674-24

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Wicklow County Council**

**Planning Register Reference Number: 24285**

**Appeal** by Morgan Doyle of Rolgan House, Wexford Road, Arklow, County Wicklow against the decision made on the 13<sup>th</sup> day of August 2024 by Wicklow County Council to grant, subject to conditions, a permission to Yeun Wah Wong Lee care of Liz O'Loughlin and Associates of Ballytracey, Boolavogue, Ferns, County Wexford in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Construction of three number detached houses with new access entrance and connection to existing services, all at Knockenrahan Upper, Wexford Road, Arklow, 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 'RE' 'existing residential' zoning which applies to the site under the Arklow and Environs Local Area Plan 2018-2024, under which residential development is stated to be generally acceptable in principle, it is considered that, subject to compliance with the conditions set out below, the proposed development would be an appropriate form of development on this existing infill site, would align with the policies and objectives of the Wicklow County Development Plan 2022-2028 and National Planning Guidance, would not seriously injure the visual amenities of the area by reasons of design, height and form, would not seriously injure the amenities of the adjoining residential property in the vicinity by reason of site works, overshadowing or overbearing, and would be acceptable in terms of traffic and pedestrian safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The proposed 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. Details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. In this regard, the roof colour shall be blue-black, black, and the external walls shall comprise smooth render finish in white/off-white colour or brick finish.

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

3. Prior to commencement of development, details of the proposed boundary treatments to all shared site boundaries shall be submitted to, and agreed in writing with, the planning authority and shall comply with the requirements of the planning authority for such works.

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

4. Site development and building works shall be carried out only between the hours of 0700 and 1800 Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall 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 properties in the vicinity.

5. All necessary measures shall be taken by the developer to prevent the spillage or deposit of clay, rubble, or other debris on adjoining roads during the course of the works.

**Reason:** To protect the amenities of the area.

6. Prior to commencement of development, the developer shall enter into a connection agreement (s) with Uisce Éireann to provide for a service connection(s) to the public water supply and/or wastewater collection network.

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

7. Surface water drainage arrangements shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health and surface water management.

8. All public service cables for the proposed development, including electrical and telecommunications cables, shall be located underground throughout the site.

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

9. (a) The shared vehicular entrance shall be installed in such a manner so that the existing profile of the grass verge is maintained, and that surface water can continue to flow freely off the public road.
- (b) The gradient of the access driveway shall not exceed one in 40 for a minimum distance of six metres from its junction with the public road.
- (c) The roadside kerb shall be dished and strengthened to the satisfaction of the planning authority.
- (d) No gates shall be fitted at the shared vehicular entrance.

**Reason:** In the interest of traffic safety and the avoid queuing on the main road.

10. The developer shall pay to the planning authority a financial contribution of 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. The application of any indexation required by this condition 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.

**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.

  
Declan Moore

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

Dated this 7<sup>th</sup> day of JANUARY 2025.