



An
Coimisiún
Pleanála

Commission Order
PL-500324-WW

Planning and Development Act 2000, as amended

Planning Authority: Wicklow County Council

Planning Register Reference Number: 25/193

Appeal by Michael and Ann Rasmussen against the decision made on the 28th day of October, 2025 by Wicklow County Council to grant subject to conditions a permission to Deborah O'Brien in accordance with plans and particulars lodged with said Council.

Proposed Development: Single storey dwellinghouse, connection to public water and public sewage, all associated site works, new shared entrance to serve proposed dwellinghouse and existing dwellinghouse, and closure of existing entrance off the local road, all at Mount Alto, Ashford, 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 the Wicklow County Development 2022-2028, including the zoning objective for the site 'RE – Existing Residential' which allows for infill residential development that reflects the established character of the area in which it is located, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual or residential amenities of adjoining property or of property in the vicinity, would provide an acceptable standard of amenity for future residents, would not be prejudicial to public health, and would be acceptable in terms of traffic safety and convenience. 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, as amended by the further plans and particulars received by the planning authority on the 6th day of October, 2025, 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 as submitted with the application, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of visual amenity and orderly development.

3. Prior to commencement of development, the developer shall submit an acceptable naming and/or numbering scheme for the written agreement of the planning authority.

Reason: In the interest of orderly development.

4. 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 and surface water management.

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

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

6. When the ground floor slab has been laid, and before any further development takes place on the proposed dwelling, a certificate from a Chartered Engineer, Architect or other suitably qualified professional (with professional indemnity insurance) stating that the floor level is in accordance with the plans and particulars shall be submitted to the planning authority.

Reason: In the interest of visual amenity and integrating the proposed development into the landscape.

7. (a) Prior to commencement of development, final design details of all earthworks and associated retaining structures shall be submitted to, and agreed in writing with, the planning authority. The details shall be accompanied by an engineering report setting out all cut and fill requirements, rock excavation methods and rock stability requirements, and detailed design of the retaining structures, including any associated safety fencing/railings at the top of all retaining structures.
- (b) Prior to occupation of the proposed dwelling, a certificate from a Chartered Engineer, or other suitably qualified professional (with professional indemnity insurance) shall be submitted to the planning authority certifying that all earthworks, rock excavations, and retaining structures have been carried out and constructed in accordance with the details agreed under (a) above and relevant engineering standards.

Reason: To ensure that all earthworks and retaining structures have been carried out and constructed such that the slope stability of the site and surrounding lands have been protected and in the interest of proper planning and sustainable development.

8. Prior to commencement of development, details of all boundary treatments, including planting proposals, shall be submitted to, and agreed in writing with, the planning authority. The details shall include the following:
 - (a) A 1.8 metre fence between the proposed house and existing house to the north 'Sloperton'.
 - (b) Proposed boundary to the existing vehicular entrance of the subject site from Mount Alto Road to the south.

- (c) Boundary walls and entrance details to the proposed shared vehicular entrance from the existing roadway to the east.
- (d) All boundary planting shall be retained, unless where required to facilitate the new shared vehicular entrance.

Reason: In the interest of residential and visual amenity.

9. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development. All existing over ground cables shall be relocated underground as part of the site development works.

Reason: In the interest of visual and residential amenity.

10. Site development and building works shall be carried out only between the hours of 0700 to 1900 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 residential amenities of property in the vicinity.

11. The construction of the proposed development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the proposed development, including noise, dust and debris management measures, traffic management measures, and off-site disposal of construction waste.

Reason: In the interest of public safety and residential amenity.

12. 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 Coimisiún 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.



Paul Caprani

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**



Dated this 10th day of June 2026.