

Planning and Development Act 2000, as amended

Planning Authority: Wicklow County Council

Planning Register Reference Number: 2560904

Appeal by Rowan Blake against the decision made on the 4th day of March, 2026 by Wicklow County Council to refuse permission for the proposed development.

Proposed Development: Conversion of his existing attic to habitable accommodation (two bedrooms and a bathroom) including (1) raising the existing ridge level. (2) changing the roof profile from hipped ends to gable ends (3) new windows to the new gable walls (front and rear). (4) four new velux rooflights, one to the south side and three to the north side of the roof. (5) raising existing rear chimney to suit new roof profile. (6) remove the existing chimneys to the side; all at roof level at Mountrath, Meath Road, Bray, 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 residential zoning of the site, to the relevant provisions of the Wicklow County Development Plan 2022-2028, to the modest nature, scale and form of the development proposed and to the pattern of residential development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential and visual amenities of the area nor would it adversely affect the amenities of property in the vicinity by reason of overlooking, would constitute an appropriate form of extension to an established dwelling in an urban area containing a range of house and design styles, would accord with the totality of relevant development plan policy with regard to extensions and alterations at roof/attic level to established dwellings, and would be acceptable in terms of pedestrian and traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the recommendation of the Inspector to refuse permission (overlooking from the proposed first floor east facing window and loss of privacy to the private amenity space of the adjoining dwelling to the east), the Commission considered the full detail of the proposed development, along with the contextual relationship to this adjoining dwelling. The Commission determined, having regard to the distance of the window to the site boundary of some 7.3 metres allied with the size and orientation of the private amenity space of the adjoining dwelling, the positioning of the existing shed structure therein, and subject to a condition recessing the proposed window, that no material impact would arise from overlooking. In reaching this determination the Commission noted the established urban context within which the subject site is located, wherein some element of sight from windows of dwellings towards gardens of other dwellings is likely.



Furthermore, the Commission noted the 2024 Compact Settlement Guidelines which reference a minimum distance of 16 metres between directly opposing upper level windows. In effect this (reasonable) guidance reflects a potential garden depth of eight (8) metres for two directly aligned back-to back dwellings. In this case, the addition of a condition recessing the proposed first floor east facing window will have the effect of increasing the distance of this window to about eight metres off the adjoining rear boundary and with the additional design change which will limit the nature of views from the window as a consequence of its recessed form.

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 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 glazing on the first floor east facing (front bedroom) window shall be recessed by 700 millimetres, measured from the outside of the external wall. Plans and particulars detailing the amended window shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of residential amenity.

3. Details of the external finishes of the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

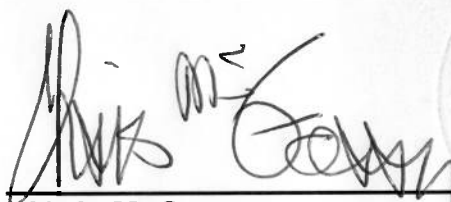
4. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

5. 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 Coimisiún Pleanála to determine.

A handwritten signature in black ink is written over a faint circular official stamp. The signature appears to be 'M. B.' or similar. The stamp is partially legible and contains the words 'PLANNING AUTHORITY' and 'DUBLIN'.

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.



Chris McGarry

Planning Commissioner of An Coimisiún

**Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this 2nd day of July 2026