

Planning and Development Acts 2000, as amended

Planning Authority: Wicklow County Council

Planning Register Reference Number: 2660109

Appeal by Sam Pop Buia against the decision made on the 1st day of April 2026 by Wicklow County Council to grant, subject to conditions, a permission in accordance with plans and particulars lodged with the said Council.

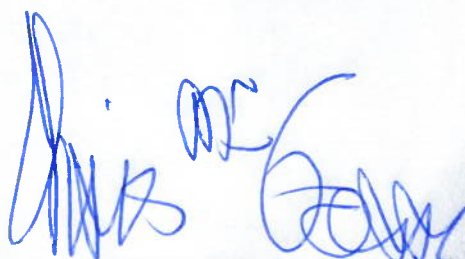
Proposed Development: Proposed works to existing dwelling. Install new window to front external wall and second new window to rear external wall to first floor level storage rooms, new rooflights and all associated site works at Ballinahinch, Ashford, County Wicklow.

Decision

Having regard to the nature of the condition number 2, the subject of the appeal, the Commission is satisfied that the determination by the Commission of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to **REMOVE** condition number 2 and the reasons therefor.

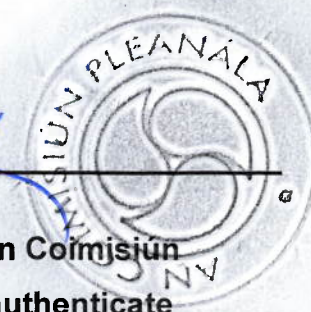
Reasons and Considerations

Having regard to the provisions of the Wicklow County Development Plan 2022-2028, including s3.1.3 Privacy Appendix 1 Development and Design Standards with respect to privacy of adjoining dwellings which normally requires a separation distance of 22 metres between opposing ground level windows (though this rule shall be applied flexibly), with this distance considerably exceeded in the current case by reference to the proposed first floor front window, and noting that the proposed first-floor rear window faces no existing directly opposing window, and to the provisions of the 2024 Compact Settlement Guidelines regarding the minimum 16 metre separation distances for above ground habitable rooms, it is considered that the privacy of property in the vicinity and development potential of the site to the rear will not be affected by the proposed development and, therefore, the removal of condition number 2 is considered acceptable as it is not considered necessary to protect the amenities of adjacent properties. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.



Chris McGarry

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



Dated this 14th day of August 2026.