

## Board Order 27.LV.3356

Planning and Development Acts 2000 to 2017 Planning Authority: Wicklow County Council Planning Register Reference Number: 17/400

**Application for Leave to Appeal** against the decision of the planning authority by Máirtín Mac Siúrtáin and Marion Mac Siúrtáin of Athleathan, Tomdarragh, Roundwood, Bray, County Wicklow, having an interest in land adjoining the land in respect of which Wicklow County Council decided on the 3<sup>rd</sup> day of August, 2017 to grant subject to conditions a permission to William Cosgrave care of Alphaplan Design of Suite 14, Broomhall Business Park, Rathnew, County Wicklow.

**Proposed Development:** Construction of a dwelling, wastewater treatment system, garage, new entrance with access driveway and associated works at Tomdarragh, Roundwood, County Wicklow.

## Decision

GRANT leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, based on the reasons and considerations set out below.

## **Matters Considered**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## **Reasons and Considerations**

Having regard to the submissions and documents received in connection with the application for leave to appeal and the conditions set out in the planning authority's decision, it is considered that it has been shown that -

- the development, in respect of which a decision to grant permission has been made, will differ materially from the development as set out in the application for permission by reason of condition numbered 4 imposed by the planning authority to which the grant is subject, and
- (ii) the imposition of condition numbered 4 will materially affect the applicant's enjoyment of the land adjoining the land in respect of which it has been decided to grant permission or reduce the value of the land.

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

Dated this day of 2017