



An
Bord
Pleanála

Board Direction
BD-002115-19
ABP-302005-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on 14/01/2019.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the Town Centre zoning objective for the area, the existing pattern of development in the vicinity and recent planning history relating to the site, it is considered that, subject to compliance with the conditions set out below, the proposed development would not contravene the provisions of the Wicklow Town – Rathnew Development Plan 2013-2019, would be compatible with the existing pattern of development in the vicinity and would be in accordance with the proper planning and development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on 24 April 2018, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of clarity.

2. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works.

Reason: To ensure adequate servicing of the development, and to prevent pollution.

3. Before any development commences under this permission, the developer shall engage a suitably qualified engineer to carry out a Flood Risk Assessment on the appeal premises having regard to the nature of the development to be carried out. The developer shall submit to the planning authority a report containing the findings of the assessment and any proposed mitigation measures to be carried out as part of the development. The written agreement of the planning authority shall be obtained prior to the commencement of development and any agreed mitigation measures shall be completed prior to the first occupation of any of the apartments permitted under this permission.

Reason: In the interest of the proper planning and sustainable development of the area.

4. Financial Contribution – S.48 Unspecified.

5. The developer shall pay to the planning authority a financial contribution in respect of the Wicklow Port Relief Road. 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 Bord 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 Supplementary Development Contribution Scheme made under section 49 of the Act be applied to the permission.

Board Member

Date: 15/01/2019

Paul Hyde