



An  
Bord  
Pleanála

**Board Direction**  
**ABP-312647-22**

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The submissions on this file and the Inspector's report were considered at Board meetings held on 28/09/23 and 30/01/2024.

**WHEREAS** a question has arisen as to whether or not the use of Stable Lane, Greystones, Co. Wicklow for car parking associated with the occupancy / ownership of The Mews, Beachview Court, on a sustained and prolonged basis is or is not development or is or is not exempted development.

In the interests of clarity, the Board decided to modify the question as follows;

'Whether the use of Stable Lane as a facility for the parking of vehicles (parking being defined as the act of stopping, disengaging and leaving a vehicle unattended) is or is not development or is or is not exempted development'.

The Board decided, as set out in the following Order, that

Board Order as follows:-

**WHEREAS** a question has arisen as to whether or not the use of Stable Lane, Greystones, Co. Wicklow as a facility for the parking of vehicles (parking being defined as the act of stopping, disengaging and leaving a

vehicle unattended) is or is not development or is or is not exempted development'.

**AND WHEREAS** Burnaby Residents Association requested a declaration on this question from Wicklow County Council and the Council issued a letter dated 4<sup>th</sup> January 2022, advising that there was a lack of definitive evidence and information available to enable them to make a Declaration in relation to the matter:

**AND WHEREAS** referred this declaration for review to An Bord Pleanála on the 3<sup>rd</sup> day of February 2022:

**AND WHEREAS** An Bord Pleanála, in considering this referral, had regard particularly to –

- (a) Section 2(1) of the Planning and Development Act, 2000, as amended,
- (b) Section 3(1) of the Planning and Development Act, 2000, as amended,
- (c) Section 4(1)(h) of the Planning and Development Act, 2000, as amended,
- (d) Article 6(1), Article 9(1) and Article 10(1) of the Planning and Development Regulations, 2001, as amended,
- (e) Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, as amended,
- (f) the planning history of the site, and
- (g) the pattern of development in the area:

**AND WHEREAS** An Bord Pleanála has concluded that:

- (a) the use comprises development within the meaning of Section 3 of the Planning and Development Act, 2000, as amended, (being a material change of use from service lane to car park)
- (b) the use does not come within the scope of Section 4 of the Planning and Development Act, 2000, as amended, and
- (c) the use does not come within the scope of Article 6(1) or Article 10(1) of the Planning and Development Regulations, 2001, as amended (such exemptions relate to works and not use and, therefore, not applicable).

**NOW THEREFORE** An Bord Pleanála, in exercise of the powers conferred on it by section 5(3)(b) of the 2000 Act, hereby decides the use of Stable Lane as a facility for the parking of vehicles is development and is not exempted development.

**Board Member:**



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Joe Boland

**Date:** 14/02/2024