

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Wicklow County

Planning Register Reference Number: 16/866

An Bord Pleanála Reference Number: PL 27.248221

APPEAL by Michael Ryan on behalf of the Estate of Elizabeth Ryan of Grovewood House, Newtown Boswell, Ashford, County Wicklow against the decision made on the 3rd day of March, 2017 by Wicklow County Council to grant subject to conditions a permission to Karen Bennett care of Alphaplan Design of Suite 14, Block 1, Broomhall Business Park, Rathnew, County Wicklow in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Retention of partially converted stable building to storage facility and retention of storage sheds as constructed on site all for storage of film props at Clora, Nuns Cross, Ashford, County Wicklow, as amended by the further public notice received by the planning authority on the 14th day of February, 2017.

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.

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 planning history of the site, including the permissions already pertaining in relation to storage use;
- the specific nature and limited scale of the proposed additional storage;
- Development plan policies and land-use zoning pertaining to the site, and
- the pattern of development in the area,

it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would not seriously injure the residential amenities of the area or of property in the vicinity, would be acceptable in terms of traffic safety and in terms of protection of public health, and would not be contrary to the overall policies of the Development Plan for the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. The development shall be retained, carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 3rd day of February, 2017, 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. (a) Within two months of the date of this Order, the developer shall submit to, and agree in writing with, the planning authority, a detailed design for the dished footpath across the access point to the site from the R763.

- (b) Within four months of the date upon which the detailed design is agreed, the dished footpath shall be fully constructed.

Reason: In the interest of road safety.

3. Within two months of the date of this Order, the developer shall formally lay out the parking spaces shown on the revised site layout plan that was submitted to the planning authority on the 3rd day of February, 2017.

Reason: In order to facilitate efficient off-street parking.

4. Except for the containers shown on the revised site layout plan that was submitted to the planning authority on the 3rd day of February 2017, no open storage of film props shall occur at any time on the site.

Reason: In order to safeguard the visual amenity of the area.

5. The retained partial conversion of the stable block, the retained storage sheds, and the retained storage containers shall be used for the storage of film props only and for no other purpose within Class 5 of Part 4 of Schedule 2 to the Planning and Development Regulations, 2001, as amended, unless prior planning permission is obtained.

Reason: To order to afford the planning authority control over the use, in the interest of amenity and the proper planning and sustainable development of the area.

6. The developer shall pay to the planning authority a financial contribution of €21,156 (twenty-one thousand, one hundred and fifty-six euro) 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 within two months of the date of this Order 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 Bord Pleanála to determine.

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.

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

Dated this day of 2017.