

Board Order PL 27.248642

Planning and Development Acts 2000 to 2017 Planning Authority: Wicklow County Council Planning Register Reference Number: 17/114

Appeal by O'Connor Whelan Limited of 222-224 Harold's Cross Road, Dublin in relation to the application by Wicklow County Council of the terms of the Development Contribution Scheme made for the area in respect of condition number 2 of its decision made on the 15th day of May, 2017.

Proposed Development: The change of use of the first floor from offices and a yoga studio to five number apartments (four number two beds and one number three bed units); balconies to all apartments; a courtyard garden at first floor and roof garden at second floor level (include an extension to the stair core); two enlarged first floor windows on the Hillside Road elevation, two new first floor windows and a high level slit window on the south west elevation; use of five car paring spaces in the basement for residential purposes: two new bin stores; a residential storage area and 16 number bicycle spaces in the basement and all associated site development works at Zoe House, Church Road/Hillside Road, Greystones, County Wicklow.

Decision

The Board, in accordance with section 48 of the Planning and Development Act, 2000, as amended, considered, based on the reasons and considerations set out below, that the terms of the Development Contribution Scheme for the area had not been properly applied in respect of condition number and directs the said Council to REMOVE condition number 2 and the reason therefor.

Reasons and Considerations

The development consists of a change of use, with only minor incidental works, that would not result in a significant intensification of demand on public infrastructure. Section 4.10 of the contribution scheme adopted by the planning authority under section 48 of the Planning and Development Act, 2000, as amended, on the 5th October 2015 states that contributions will not be charged on permissions for such development. Therefore, no development contribution is payable under the scheme in this case.

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.

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

Dated this day of