



Planning and Development Acts 2000 to 2018

Planning Authority: Wicklow County Council

Planning Register Reference Number: 18/447

Appeal by Ken and Maria Ross of The Courtyard, Ballybeg House, Tinahely, County Wicklow against the decision made on the 16th day of July, 2018 by Wicklow County Council to grant subject to conditions a permission to Ballybeg Weddings Limited care of Ronnie Jacob of Unit 18 Riverside Business Centre, Tinahely, County Wicklow in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention of 10 number glamping pods, one number utility/amenity building and permission for eurotank treatment system and ancillary site development works at Ballybeg, Ballinacor South, County Wicklow.

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 nature, extent and design of the development proposed for retention and the proposed development, to the general character and pattern of development in the area and to the provisions of the Wicklow County Development Plan 2016-2022, it is considered that, subject to compliance with the conditions set out below, the subject development would not seriously injure the rural character of the area or the residential amenities of property in the vicinity and would be acceptable in terms of traffic safety and convenience. The proposed development and the development proposed for retention would, therefore, be in accordance with the proper planning and sustainable 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, as amended by the further plans and particulars submitted on the 27th day of June, 2018, 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. The glamping pods shall be available for short term letting only of maximum duration four weeks in association with the existing tourism and recreation facility in the overall landholding.

Reason: in the interest of orderly development.

3. The glamping pods shall not be occupied until the contra-flow traffic system has been constructed in accordance with the permission granted under An Bord Pleanála appeal reference number PL 27.219412 (planning register reference number 06/5590) to the written satisfaction of the planning authority.

Reason: In the interest of traffic safety.

4. The glamping pods shall not be occupied until Tier 2 assessment and design calculations for the percolation area have been submitted to, and agreed in writing with, the planning authority.

Reason: In the interest of public health.

5. The glamping pods shall not be occupied until the developer has obtained a Discharge Licence under the Local Government (Water Pollution) Act, 1977, as amended, for wastewater discharge.

Reason: In the interest of public health.

6. The disposal of surface water shall comply with the requirements of the planning authority for such works.

Reason: In the interest of public health and to ensure a proper standard of development.

7. The landscaping and tree planting shall be carried out in accordance with drawing number ETC.BBW.1.18 Number 47 submitted to the planning authority on the 27th day of April, 2018, within eight months of the date of this Order.

Reason: In order to assimilate the development on this site into the surrounding area and in the interest of visual amenity.

8. The developer shall pay to the planning authority a financial contribution 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 prior to the 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 Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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

Dated this day of 2019.