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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Wicklow County Council**

**Planning Register Reference Number: 18/1435**

**Appeal** by Jason Watson care of Vincent JP Farry and Company Limited of Suite 180, 28 South Frederick Street, Dublin against the decision made on the 21<sup>st</sup> day of February, 2019 by Wicklow County Council to refuse permission to the said Jason Watson in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Recreational and entertainment development at Unit Numbers 2 and 3, along with works to the entrance to the basement area (and part of the basement itself) which comprises (1) the amalgamation of two vacant ground level shops, (2) change from retail use of Units Numbers 2 and 3 to a refreshment/leisure centre (containing 105.4 square metres) which will form part of the existing Q Club premises which would then contain 436 square metres, with Unit Numbers 2 and 3, then containing a coffee dock, internet portals, pool tables and non-gaming (amusement only) machines, (3) erection of fascia signage, (4) single storey 6.22 square metre extension to the front of Unit 3 to form a new entrance and lobby, (5) internal alterations including male and female toilets, and (6) a new entrance for the basement including the installation of a lift linking the ground and basement levels along

with (7) and all associated site works, all at the Q Club, The Mall, Main Street, Wicklow Town, 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 location of the proposed development in the retail core of Wicklow town as set out in the Wicklow Town/Rathnew Development Plan 2013-2019 and to the pattern of commercial development in the, it is considered that the proposed development, subject to compliance with the conditions set out below, would not detract from the vitality and viability of the town centre, would not seriously injure the visual amenity of the area, would comply with the policies and objectives in relation to retail development set out in the Wicklow County Development Plan 2016-2022 and the Wicklow/Rathnew Town Development Plan 2013-2019 and 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, 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 proposed shopfront shall be in accordance with the following requirements:-
  - (a) the existing 'Casino' sign shall be removed from the premises. New signs shall be restricted to two single fascia signs comprising either hand-painted lettering or individually mounted lettering,
  - (b) lighting shall be by means of concealed neon tubing or by rear illumination,
  - (c) no awnings, canopies or projecting signs or other signs shall be erected on the premises without a prior grant of planning permission,
  - (d) no external roller shutter shall be erected on the premises and any internal shutter shall be only of the perforated type, coloured to match the shopfront colour, and
  - (e) no adhesive material shall be affixed to the windows or the shopfront.

**Reason:** In the interest of visual amenity.

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

**Reason:** In the interest of public health.

4. 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 the Board 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.

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

**Dated this            day of            2019.**