



Planning and Development Acts 2000 to 2019

Planning Authority: Sligo County Council

Planning Register Reference Number: 20/53

Appeal by Caroline Tansey of Point Piper, Cregg, County Sligo against the decision made on the 15th day of April, 2020 by Sligo County Council to grant subject to conditions a permission to George and Jo Mullan care of Hamilton Young Architects of 12 Beulah Buildings, Finisklin Road, Sligo in accordance with plans and particulars lodged with the said Council:

Proposed Development: Material change of use of an existing private residential apartment to short-term lettings accommodation. The apartment is located above the domestic garage at Washington Lodge, Cregg, Rosses Point, County Sligo.

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 and scale of the proposed development, the existing development on site, the pattern of development in the area, the guidance contained in the 'Guidance Note for Local Authorities for Regulating Short Term Letting' prepared by the Department of Housing, Planning and Local Government in July 2019, and the provisions of the Sligo County Development Plan 2017-2023, it is considered that, subject to compliance with the conditions set out below, the proposed development would constitute an appropriate use in this location, would not adversely impact on the character or the mix of uses in the area, would not result in the substantive loss of long-term residential stock within the area, would not seriously injure the amenities of the area or of property in the vicinity, would be acceptable in terms of traffic safety and convenience and would not be prejudicial to public health. The proposed development 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 short-term residential apartment shall be let as a single apartment, and shall not be subdivided, without a separate grant of planning permission.

Reason: To limit the nature of the development to that sought, in the interest of clarity.

3. 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 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.

Paul Hyde

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

Dated this day of 2020