

An
Bord
Pleanála

Board Order
ABP-309193-21

Planning and Development Acts 2000 to 2020

Planning Authority: Wicklow County Council

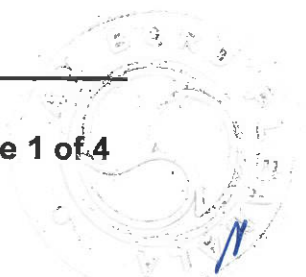
Planning Register Reference Number: 20/1096.

Appeal by Andrew Fleming care of Alphaplan Design of Suite 14, Block 1, Broomhall Business Park, Rathnew, County Wicklow against the decision made on the 17th day of December, 2020 by Wicklow County Council to refuse permission for the proposed development.

Proposed Development: Retention of domestic garage on concrete base and associated works at 33 Saint Michael's Terrace, Arklow, 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 limited scale of the development proposed for retention and the domestic scale use proposed, 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 amenity of nearby property and would be in accordance with the zoning objective for the area set out in the Arklow and Environs Local Area Plan 2018-2024 and would, therefore, be in accordance with the proper planning and sustainable development of the area.



Conditions

1. The development shall be retained 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 and the development shall be retained in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The application site shall be used solely for the storage of a motor car.

Reason: In the interest of the residential amenity of nearby property.

3. The building and concrete slab shall be demolished and removed from the site within three years of the date of this Order, unless a further permission for the building/slab and permitted use shall have been granted by that date.

Reason: To allow the planning authority to assess the impacts on the residential amenity of nearby property.

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 within three 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. 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 15th day of June 2021.