

Planning and Development Acts 2000 to 2021

Planning Authority: Wicklow County Council

Planning Register Reference Number: 21/719

APPEAL by The Social Guys Limited care of PD Lane Associates of 1 Church Road, Greystones, County Wicklow against the decision made on the 15th day of October, 2021 by Wicklow County Council to refuse permission for the development proposed to be retained.

Proposed Development: Retention of change of use of private yard to sale of food from a mobile waffle van and ancillary site development works on Town Centre zoned lands at Victoria Road, Greystones, County Wicklow.

Decision

GRANT retention permission for the above development in accordance with the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to the Town Centre zoning of the site, the policies of the Wicklow County Development Plan 2016 - 2022, the limited hours of operation and the proposals to prevent illegal car parking in the vicinity of the railway bridge, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would not give rise to a traffic hazard, would be acceptable in terms of traffic safety and would not seriously injure the residential amenities of the area. The development proposed to be retained 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, as amended by the further plans and particulars submitted on the 24th day of September, 2021, 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 retained and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The hours of operation shall be limited to between 1400 and 2100 from Mondays to Fridays inclusive and to between 1200 and 2100 on Saturdays, Sundays and public holidays.

Reason: In the interest of residential amenity.

3. The developer shall control odour emissions from the development proposed to be retained in accordance with measures which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

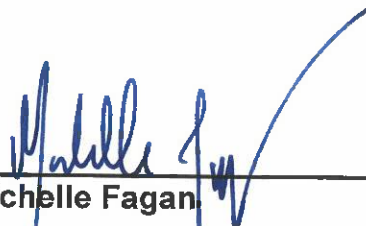
Reason: In the interest of public health and to protect the amenities of the area.

4. Power for the development to be retained shall be solely via mains electricity and shall not be provided via a portable generator.

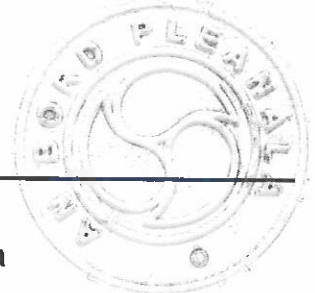
Reason: In the interest of residential amenity and to reduce noise.

5. 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.



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



Dated this **30th** day of **August** 2022.