



Planning and Development Acts 2000 to 2022

Planning Authority: Wicklow County Council

Planning Register Reference Number: 22/673

APPEAL by Conor McCarthy of 11 Woodbine Avenue, Mountain Bay, Arklow, County Wicklow against the decision made on the 4th day of August, 2022 by Wicklow County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Change of use of existing single storey domestic garage building (Gross Floor Area 38 square metres) to residential use and construction of a single storey extension of 14 square metres and all associated site works at Union Lane, South Quay, Arklow, County Wicklow.

Decision

The Board, in accordance with section 48 of the Planning and Development Act, 2000, as amended, considered, based on the reasons and considerations set out below, that the terms of the Development Contribution Scheme for the area had not been properly applied in respect of condition number 2 and directs the said Council to REMOVE condition number 2 and the reasons therefor.

Reasons and Considerations

The Wicklow County Council Development Contribution Scheme 2015 as updated in 2021 clearly allows for waivers in the change of use of permissions and the proposed new use for a one bedroom dwelling would not attract a need or upgraded local authority infrastructure in the area. Therefore, it is considered that the terms of the Wicklow County Council Development Contribution Scheme were not properly applied in this case.


Oonagh Buckley

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



Dated this 5th day of July 2023.

