



An
Bord
Pleanála

Board Order
ABP-315956-23

Planning and Development Acts 2000 to 2022

Planning Authority: Wicklow County Council

Planning Register Reference Number: 22/668

Appeal by Ben Gorman care of Farry Town Planning Limited of Suite 180, 28 South Frederick Street, Dublin in relation to the application by Wicklow County Council of the terms of the Development Contribution Scheme made for the area in respect of condition number 2 of its decision made on the 20th day of February, 2023.

Proposed Development: Retention permission for a single storey bedroom and bathroom extension which measures 33 square metres which is located to the northern side of an existing building which already stands on the land and for the retention of the use of this overall structure, whose original section already accommodates a combined kitchen and living room (with boiler adjacent), for tourist and other short-stay accommodation purposes, of up to three months in duration. Permission is also sought for the retention of a well and a secondary sewage treatment system which serves both the existing year-round home on the land and this tourist/short-stay facility and for the provision of a new polishing filter and the use of the garden and parking areas within this site by resident guests at Ballynabrocky Manor, Blessington, 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 been properly applied in respect of condition number 2 and directs the said Council to ATTACH condition number 2 and the reasons therefor.

Reasons and Considerations

Section 48 of the Planning and Development Act 2000, as amended, requires planning authorities to make development contribution schemes which provide for the payment of a contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority and that is provided, or that it is intended will be provided, by or on behalf of a local authority. The Board considered the totality of the file, the Board noted that the application was for retention of both works and use of a structure, and that Section 5.2 of the Wicklow County Council Development Contribution Scheme 2015 (updated 2021) states no exemptions/reductions will be allowed for retention applications. The scheme also states that tourism related developments are treated in the commercial category and Table 4.3 states that commercial development is charged at the rate of €48.00 per square metres.



Having regard to the same and having regard to the proposed development which includes for the retention of an extension and the retention of use of an existing building for tourism purposes both of which cumulatively measure 70 square metres, then the contribution applicable to this development is 48 x 70 square metres = €3360.00, being the contribution imposed under condition number 2.



Mary Henchy

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this 29th day of February 2024.