

An  
Bord  
Pleanála

Board Order  
ABP-320853-24

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Wicklow County Council**

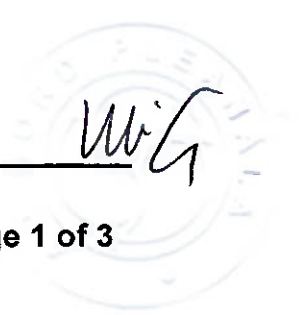
**Planning Register Reference Number: 24/60209**

**Appeal** by James McCall care of Michael Connolly Architects of Unit C4, Wicklow Enterprise Centre, The Murrough, Wicklow Town against the decision made on the 22<sup>nd</sup> day of August, 2024 by Wicklow County Council to refuse permission for the proposed development.

**Proposed Development:** Retention of free-standing garden building comprising conservatory and storage at 3 Abbeyfield, 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.**



## Reasons and Considerations

Having regard to the nature and extent of the garden building to be retained, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the existing residential amenities of the area. The proposed development 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 particulars received by the planning authority on the 6<sup>th</sup> day of August, 2024 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.

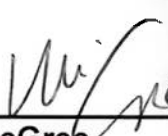
2. (a) The garden building shall be restricted to use that is incidental to the occupation of the adjacent dwelling house, as specified in the lodged documentation, unless otherwise authorised by a prior grant of planning permission.
- (b) The existing dwelling house, as extended, and the garden building the subject of this grant of retention planning permission, shall be occupied as a single residential unit, and the garden building shall not be used, sold, let or other transferred or conveyed, save as part of the dwelling house, as extended.

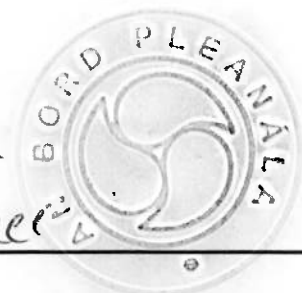
**Reason:** In the interest of orderly development.



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 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.

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



Dated this 27 day of February 2025