

An
Bord
Pleanála

Board Direction
BD-019079-25
ABP-321224-24

The submissions on this file and the Inspector's report were considered at a Board meeting held on 03/03/2025.

The Board treated this case under section 48 of the Planning and Development Act, 2000, as amended. The Board decided that the planning authority be directed, to amend condition 3 as follows:

3. Before development commences, the developer shall pay the sum of €95,593.92 (ninety five thousand, five hundred and ninety three euro and ninety two cents) to the Planning Authority as a contribution in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority.

The contribution sought is in accordance with Wicklow County Council's Development Contribution Scheme for the area in which the site is located and Section 48(1) of the Planning and Development Act 2000.

Where the contribution remains unpaid the monies payable shall be updated in accordance with the Wholesale Price Index as published by the Central Statistics Office on the 1st of January of each year following the date of the Final Grant.

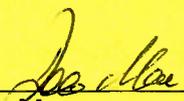
Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Reasons and Considerations

Having regard to the Planning and Development Regulations, 2001, (as amended) and the specific conditions of the Wicklow County Council Development Contribution Scheme 2015 (updated in 2021) the Board considered that the Planning Authority's original calculations should have excluded the under-croft car parking and bicycle parking provisions, but not the groundkeeper's store. The Board also considered that each Class of Contribution was correctly applied in accordance with Section 2.4 of the Wicklow County Council Development Contribution Scheme '...in respect of public infrastructure and facilities benefitting development in its functional area...'

The Board did not agree with the Inspector that other elements outside the main building should be exempt, there are no such exemptions outlined in the complying Wicklow County Council Development Contribution Scheme 2015 (amended 2021).

Board Member:


Declan Moore

Date: 06/03/2025

Note

PA calculation of floor area	3,036.35 m ²
Minus under croft	- 1152 m ²
Add groundkeeper store	115.2 m ²
Minus bike store	- 8.18 m ²
Total area	1,991.36 m ²
Contribution Rate	€47 m ²
Contribution Total	€93,593.92