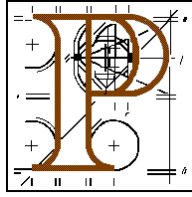


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2006

Wexford County

Planning Register Reference Number: 20062303

An Bord Pleanála Reference Number: PL 26.220060

APPEAL by Maeve and Patrick Malone of 8 Rosetown Village, Rosslare Strand, County Wexford against the decision made on the 19th day of September, 2006 by Wexford County Council to grant subject to conditions a permission to Chris and Kathy Lynch care of Chris Lynch of EngCo Resources Limited, Kilpatrick, Kyle, Crossabeg, County Wexford in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Construction of six houses to the east of the railway line, provision of new pedestrian access at south end of the site, transfer of sterilised land to west of railway line and alterations to site works previously granted under planning register reference number 20033191 at Rosetown, Rosslare, County Wexford.

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 provisions of the current Wexford County Development Plan, the Rosslare Local Area Plan and the existing pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would be acceptable in terms of layout and design. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. The proposed development shall be carried out in accordance with the plans and particulars lodged with the application as amended by the drawings received by the planning authority on the 23rd day of August, 2006, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of clarity.

2. The proposed pedestrian access and footpath to the county road to the south of the site shall be completed and ready for use prior to first occupation of the proposed dwellings. The proposed gate shall not be locked at any time. The proposed access shall not be used by any motorised vehicles other than wheelchairs.

Reason: In order to facilitate access and permeability to / within the proposed development and in the interest of proper planning and sustainable development.

3. Full details of all boundary treatments, including materials and their finishes, shall be submitted to and agreed in writing with the planning authority. The proposed development shall be carried out in accordance with such agreed details.

Reason: In the interest of security, visual amenity and proper planning and sustainable development.

4. A 2.4 metre high wall shall be erected along the boundary with the railway line. Details of the wall, including construction and finishes, shall be submitted to the planning authority for agreement.

Reason: In the interest of public safety.

5. All service cables associated with the proposed development (such as electrical, communal television, telephone and public lighting cables) shall be run underground within the site.

Reason: In the interest of orderly development and the visual amenities of the area.

6. Prior to commencement of construction of houses, details of the materials, colours and textures of all the external finishes to the proposed houses shall be submitted to the planning authority for written agreement.

Reason: In the interest of orderly development and the visual amenities of the area.

7. The internal road network serving the proposed development, including turning bays, junctions, parking areas, footpaths and kerbs shall be in accordance with the detailed requirements of the planning authority for such works.

Reason: In the interest of amenities and public safety.

8. Public lighting shall be provided in accordance with a scheme, details of which shall be submitted to the planning authority for agreement prior to the commencement of development. The scheme shall –

- (a) employ low level lighting to primarily light the footpaths and areas of interaction between pedestrians and vehicular traffic,
- (b) employ a high pressure sodium (SON) or similar white light source and
- (c) minimise light spill beyond the site boundaries,

Reason: To protect residential amenities and to minimise light pollution.

9. Prior to commencement of development, proposals for an estate/street name, house numbering scheme and associated signage shall be submitted to the planning authority for written agreement.

Reason: In the interest of orderly development.

10. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and to ensure a proper standard of development.

11. The site shall be landscaped with suitable trees, shrubs or hedging which shall mainly be of indigenous species. Details shall be agreed in writing with the planning authority before the development is commenced.

Reason: To help integrate the development into the surrounding area.

12. The areas shown as public open space on the lodged plans shall be reserved for such use and shall be soiled, seeded, levelled and landscaped in accordance with a detailed scheme, including a timetable for implementation, to be agreed in writing with the planning authority.

Reason: In the interest of the amenities of the occupants of the proposed housing.

13. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of social and affordable housing in accordance with the requirements of section 96 of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter (other than a matter to which section 97(7) applies) may be referred by the planning authority or any other prospective party to the agreement to the Board for determination.

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area.

14. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the planning authority of roads, footpaths, water mains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to the Board for determination.

Reason: To ensure the satisfactory completion of the development.

