



An
Bord
Pleanála

Board Direction
BD-002281-19
ABP-302616-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on 04/02/2019.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the zoning objective for the site as set out in the Wexford Town & Environs Development Plan 2009-2015 (as extended to 2019), the established pattern of development in the area, the nature of the use to be retained together with the location, scale and design of the proposed lift shaft it is considered that, subject to compliance with the conditions set out below, the development proposed for retention and the proposed development would not seriously injure the amenities of the area or property in the vicinity, would be acceptable in terms of traffic safety and would therefore be generally in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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 prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. No advertisement or advertisement structure (other than the signage shown on the drawings submitted with the application) shall be erected or displayed on the building (or within the curtilage of the site) in such a manner as to be visible from outside the building, unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity

3. The construction of the lift shaft shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and residential amenity.

4. Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

5. Standard S48.

Board Member

Date: 04/02/2019

Terry Prendergast

Note: The Board did not agree with the Inspector that the use of the building comes within Class 3 of Part 4 of Schedule 2 of the Planning and Development Regulations 2001 (as amended). It is of the view that the use of the building falls within Class 8 i.e. use (a) as a health centre or clinic or for the provision of any medical or health services (but not the use of the dwelling house of a consultant practitioner, or any building attached to the dwelling house of within the curtilage thereof, for that purpose); (b) as a crèche; as a day nursery; (d) as a day centre.

Note: Please issue Direction with Order.