



An  
Bord  
Pleanála

**Board Direction**

**BD-006608-20**

**ABP-307047-20**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 29/09/2020.

The Board decided to grant permission by a majority of 2:1, 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 policies in relation to rural housing set out in the current Wexford County Development Plan, and to the Sustainable Rural Housing Guidelines for planning authorities, the National Planning Framework Project Ireland 2040 and to the location, siting and design of the proposed development, it is considered that, subject to the conditions set out below, the proposed development would not negatively impact on the visual amenities of the area or protected structures or other heritage structures in the area, would not be prejudicial to public health or surface or ground water quality, and would, otherwise, be in accordance with the proper planning and sustainable development of the area.

### **1.0 Conditions**

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| 1. | The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars submitted on the 21 <sup>st</sup> day of February 2020 except as may otherwise be required in order to comply with the following |
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	<p>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.</p> <p><b>Reason:</b> In the interest of clarity.</p>
2.	<p>The external walls shall be finished in neutral colours such as grey or off-white.</p> <p><b>Reason:</b> In the interest of visual amenity.</p>
3.	<p>Prior to commencement of development, details of the site entrance (including entrance gates, set back from the edge of the public road, boundary treatments and roadside drainage) shall be submitted to and agreed in writing with the planning authority.</p> <p><b>Reason:</b> In the interests of traffic safety and visual amenity.</p>
4.	PA c 13
5.	<p>Detailed measures in relation to the protection of bats shall be submitted to and agreed in writing with the planning authority prior to commencement of development. These measures shall be implemented as part of the development. Any envisaged destruction of structures that support bat populations shall be carried out only under licence from the National Parks and Wildlife Service and details of any such licence shall be submitted to the planning authority.</p> <p><b>Reason:</b> In the interest of wildlife protection.</p>
6.	<p>The water supply to serve the proposed dwelling shall have sufficient yield to serve the proposed development, and the water quality shall be suitable for human consumption. Details, demonstrating compliance with these requirements, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p><b>Reason:</b> To ensure that adequate water is provided to serve the proposed dwelling, in the interest of public health.</p>
7.	PropTS 4
8.	<p>(a) The proposed dwelling, when completed, shall be first occupied as a place of permanent residence by the applicant, members of the applicant's immediate family or their heirs, and shall remain so occupied for a period of at least five years thereafter unless consent is granted by the planning authority for its occupation by other persons who belong to the same category of housing need as the applicant. The applicant shall enter into a written agreement with the planning</p>

	<p>authority under section 47 of the Planning and Development Act, 2000 to this effect.</p> <p>(b) Within two months of the occupation of the proposed dwelling, the applicant shall submit to the planning authority a written statement of confirmation of the first occupation of the dwelling in accordance with paragraph (a) and the date of such occupation.</p> <p>This condition shall not affect the sale of the dwelling by a mortgagee in possession or the occupation of the dwelling by any person deriving title from such a sale.</p> <p><b>Reason:</b> To ensure that the proposed house is used to meet the applicant's stated housing needs and that development in this rural area is appropriately restricted [to meeting essential local need] in the interest of the proper planning and sustainable development of the area.</p>
9.	<p>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. The contribution shall be paid prior to the commencement of development 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 the Board to determine the proper application of the terms of the Scheme.</p> <p><b>Reason:</b> It is a requirement of the Planning and Development Act 2000 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.</p>

**Board Member**

**Date:** 01/10/2020

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Terry Prendergast