

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Wexford County

Planning Register Reference Number: 20150299

An Bord Pleanála Reference Number: PL 26.246054

APPEAL by Georgina Kingston care of Dean Design of The Mill House, Dunleckney, Bagenalstown, County Carlow against the decision made on the 21st day of December, 2015 by Wexford County Council to refuse permission.

PROPOSED DEVELOPMENT: Retention of the demolition of chalet, retention of chalet as constructed, decommissioning of existing septic tank and construction of a packaged wastewater treatment system and polishing filter, all ancillary site works and services at Glen Richards, Ardamine, Gorey, 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.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

Having regard to the established residential use of the site, the planning history of the site, the nature of the proposed development which involves the retention of a replacement for an existing chalet and to the limited scale and low profile design of the chalet to be retained and to the proposed upgrading and improvement of the on-site wastewater treatment and management, it is considered that, subject to compliance with the conditions as set out below, the proposed development would not seriously injure the visual or other amenities of the area, would not be prejudicial to public health, would be acceptable in terms of traffic safety and convenience and would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board noted that the chalet proposed for retention is not intended for permanent occupation on a year round basis and replaces a previous chalet which was well established at this location.

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. (a) A proprietary effluent treatment and disposal system shall be provided. This shall be designed, constructed and maintained in accordance with the requirements of the planning authority. Details of the system to be used, and arrangements in relation to the ongoing maintenance of the system, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

- (b) Within three months of the first occupation of the chalet, the developer shall submit a report from a suitably qualified person with professional indemnity insurance certifying that the proprietary effluent treatment system has been installed and commissioned in accordance with the approved details and is working in a satisfactory manner.

Reason: In the interest of public health.

3. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 of those Regulations shall take place within the curtilage of the chalet shall be erected on the site, without a prior grant of planning permission.

Reason: In the interest of the amenities of the area.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2016.