



An
Bord
Pleanála

Board Order PL 26.248193

Planning and Development Acts 2000 to 2016

Planning Authority: 20161447

Planning Register Reference Number: PL 26.248193.

Appeal by Ibar and Aileen Cloake of The Avenue, Castlebridge, County Wexford against the decision made on the 22nd day of February, 2017 by Wexford County Council to grant subject to conditions a permission to Enniscorthy Passive Developments Limited care of MosArt Limited of Wicklow County Campus, Clermont House, Rathnew, County Wicklow in accordance with plans and particulars lodged with the said Council.

Proposed Development: Demolition of an existing dwelling and construction of three number two-storey terraced dwellings with attic room, built to the passive house standard, with new vehicular and pedestrian entrances and associated site works including connection to existing public sewerage system and public water supply, all at Castlebridge, 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 'District Town' designation of Castlebridge in the Wexford County Development Plan 2013-2019, the planning history of the site and the pattern of existing development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not represent overdevelopment and would not seriously injure the residential and visual amenities of properties in the vicinity of the development site, 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 considered that the proposed development would have a positive impact on the Castlebridge 'District Town' by bringing the site back into use. It is considered that the marginal shortfall in the provision of private open space associated with the dwellings was acceptable and not detrimental to the residential amenities of future occupiers and that the setback and perpendicular orientation of the proposed buildings to the road was not at variance with the diverse pattern of development in the area and, therefore, the proposed development would not be detrimental to the residential and visual amenities of properties in the area and of the proposed development site.

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. Details of the materials, colours and textures of all the external finishes to the proposed dwellings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Roof colour shall be blue-black, black or grey in colour only.

Reason: In the interest of visual amenity.

3. Water supply and drainage arrangements, including the attenuation and 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.

4.
 - (a) All foul sewage and soiled water shall be discharged to the public foul sewer.
 - (b) Only clean, uncontaminated storm water shall be discharged to the surface water drainage system.

Reason: In the interest of public health.

5. All service cables associated with the proposed development shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development. All existing over ground cables shall be relocated underground as part of the site development works.

Reason: In the interests of visual and residential amenity.

6. Six number car parking spaces shall be provided within the site. The location(s) and layout of these spaces shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To ensure adequate off-street parking provision is available to serve the proposed development.

7. Footpaths shall be dished at road junctions in accordance with the requirements of the planning authority. Details of the locations and materials to be used in such dishing shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of pedestrian safety.

8. Proposals for an estate/street name, house numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of urban legibility and to ensure the use of locally appropriate place names for new residential areas.

9. Site development and building works shall be carried out only between the hours of 0700 and 1900 Mondays to Fridays inclusive, between the hours of 0700 and 1600 hours on Saturdays and not at all on Sundays, Bank or 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.

10. The construction of the development 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/dust management measures and off-site disposal of construction/demolition waste.

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

11. 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 local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local 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 An Bord Pleanála for determination.

Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.

