



Planning and Development Acts 2000 to 2018

Planning Authority: Wexford County Council

Planning Register Reference Number: 20181173

Appeal by Peter Mahon and others care of 7A Mary Street, Wexford, County Wexford against the decision made on the 14th day of February, 2019 by Wexford County Council to grant subject to conditions a permission to Richard and Angela Browne care of Nicholas Mernagh Architects of Tagoat, Rosslare Harbour, Wexford in accordance with plans and particulars lodged with the said Council:

Proposed Development: Provision of a car park including associated and auxiliary site work involving the demolition of an existing office and store building (bounded by the Wexford Town Wall on the eastern side which is a protected structure) at Mary Street, Wexford Town.

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 location of the site in Wexford town centre, the relevant provisions of the Wexford Town & Environs Development Plan, 2009-2015, (as extended) and the nature of the proposed development, 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, would not adversely affect the character or setting of protected structures or be detrimental to the heritage of Wexford Town, 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.

Conditions

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 18th day of January, 2019, 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. The proposed development shall be amended as follows:
 - (a) The car parking space nearest the site entrance (identified as car parking space No. 1 on the site layout plan received by the planning authority on the 18th day of January, 2019) shall be omitted, and the area thus released shall be secured accordingly against unauthorised parking.
 - (b) Detailed specifications of the bollards to be installed within the buffer area between the proposed car parking and the Wexford Town Walls. The bollards shall be of high-quality contemporary design, visually unobtrusive and use non-reflective materials.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of traffic safety and in order to conserve the archaeological heritage of the site.

3. This permission shall apply for a temporary period of five years from the date of this order.

Reason: In order to facilitate the monitoring of the long-term strategic suitability of the proposed use in the light of the zoning of the site.

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

Reason: To ensure adequate servicing of the development, and to prevent pollution.

5. Prior to commencement of development, design and siting details of all lighting within the car park shall be submitted to, and agreed in writing with, the planning authority. The design and location of artificial light sources shall be carefully designed to avoid light nuisance. In order to minimize the extent of light spill, lights that are pole mounted shall be directional and cowled to ensure that light is directed downwards and inwards. The duration and intensity of artificial light shall be controlled in order to avoid light spill at dwellings and on adjoining roads.

Reason: In the interest of residential and visual amenity and in the interest of traffic safety.

6. Prior to commencement of development, the design and location of any proposed signage in relation to the development shall be submitted to, and agreed in writing with, the planning authority.

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

7. The buffer shall not be used from any purpose other than the protection of the town wall.

Reason: In the interest of clarity and the protection of the visual presentation of the town wall.

8. (a) A conservation expert shall be employed to manage, monitor and implement the works on the site and to ensure adequate protection of historic fabric during the works. In this regard, all permitted works shall be designed to cause minimum interference to the Wexford Town Walls.

- (b) All repair works to the protected structure (the Wexford Town Walls) shall be carried out in accordance with best conservation practice as detailed in the application and the Architectural Heritage Protection Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in 2004.

Reason: To ensure that the integrity of the historic protected structure (the Wexford Town Walls) is maintained and that the structure is protected from unnecessary damage or loss of fabric.

9. Interpretative panels relating to the Wexford Town Walls shall be provided on the site. Details in relation to the type, location and content of this interpretative signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of orderly development and to conserve the archaeological heritage of the site.

10. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall -
 - (a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development,
 - (b) employ a suitably-qualified archaeologist who shall monitor all site clearance and demolition works, and
 - (c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

Terry Ó Niadh

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this day of 2019.