



Planning and Development Acts 2000 to 2020

Planning Authority: Wexford County Council

Planning Register Reference Number: 20200708.

Appeal by Brigid Byrne care of PAC Studio Limited of Tower One, Fumbally Court, Fumbally Lane, Dublin against the decision made on the 21st day of August, 2020 by Wexford County Council to refuse a permission for the proposed development.

Proposed Development: Permission for the demolition of existing foundations and slab, and construction of a part single storey/part dormer dwelling with ancillary plant building along with all ancillary and associated site works at 35 Roney Point. The proposed development will measure a gross floor area of 214 square metres, of which the proposed dwelling is 199 square metres and the associated plant building is 15 square metres. The dwelling will comprise a kitchen/dining, informal living, lounge/playroom, tv room, 4 bedrooms, 2 wcs, a sauna, utility and pantry. An associated percolation area will be installed as part of the site works. Landscaping including external paving, entrance road, boundary treatment and new entrance point to site are also included in the scope of the development, all at 35 Roney Point, Askingarran Lower, Ardamine, 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 condition(s) 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 nature, and design of the proposed infill development and to the proposal to connect the development to the Roney Point communal Waste Water Treatment System, which has been demonstrated to be operating in accordance with the provisions of its discharge licence, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area and would not be prejudicial to public health. The proposed development 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, 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. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services. The developer shall prepare a suitable surface water drainage system that disposes of water wholly within the site and which shall incorporate SUDs measures, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of public health.

3. The applicant or developer shall enter into a water connection agreement with Irish Water, prior to commencement of development.

Reason: In the interest of public health.

4. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between the hours of 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 amenities of property in the vicinity.

5. All necessary measures shall be taken by the developer to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.

Reason: To protect the amenities of the area.

6. 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, as amended. The contribution shall be paid prior to 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 An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, 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.

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

Dated this day of 2021.