



An  
Bord  
Pleanála

**Board Order**  
**ABP-308530-20**

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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Wexford County Council**

**Planning Register Reference Number: 20201036**

**Appeal** by Ron Walsh of “Emmadale”, Station Road, Rosslare Strand, County Wexford against the decision made on the 21<sup>st</sup> day of October, 2020 by Wexford County Council to grant subject to conditions a permission to Monigle Limited care of Simon Clear and Associates of 3 Terenure Road West, Terenure, Dublin in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Retention of a steel framed, glazed and roofed seating enclosure located to the front of the building with plinth wall, vertical sliding glazed screens and retractable fabric roof in lieu of the boundary wall, glazed screen and canopy area as granted under Planning Register Reference Number 2017/0614 (ABP Reference Number PL 26.248931) at Sharky’s Restaurant, Station Road, Rosslare, 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 provisions of the current Wexford County Development Plan 2013-2019 (as extended), the location of the site in the established village core and to the nature and design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would not seriously injure the residential or visual amenities of the area and would be acceptable in terms of traffic and pedestrian safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The development shall be retained 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 and the development shall be retained and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The proposed development shall be operated in accordance with the conditions (where relevant) of the grant of planning permission made under planning appeal reference number PL26.248931.

**Reason:** In the interests of clarity and the residential amenity of the area.

3. 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.

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**Dave Walsh**

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

**Dated this            day of            2021**