

Planning and Development Acts 2000 to 2020

Planning Authority: Wexford County Council

Planning Register Reference Number: 2021/0080

Appeal by Colette Ceillier Aiken care of James P. Power of 2 Kent Terrace, Barnhill Road, Dalkey against the decision made on the 19th day of March, 2021 by Wexford County Council to grant subject to conditions a permission to Darius Sangari care of Ennis Martin Architecture of Main Street, Ferns, County Wexford in accordance with plans and particulars lodged with the said Council:

Proposed Development: Retention of an existing extension to the rear of dwelling at 64 King Street Upper, Wexford, 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 Wexford Town and Environs Development Plan, 2009 - 2015 (as extended), and to the scale, form and design of the development proposed for retention, it is considered that, subject to compliance with the conditions set out below, the development proposed for retention would not seriously injure the visual amenities of the area or the residential amenities of property in the vicinity, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

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

Reason: In the interest of clarity.

2. Within six months of the date of the grant of this permission, unless otherwise agreed in writing with the planning authority, the developer shall submit revised drawings showing the following:
 - (a) A detailed 'as-constructed' site survey to include all underground services, the route of all underground services, all connection points/junctions, all levels including invert levels and final outfall to the public sewer or property boundary.
 - (b) Should defects be found as a result of the findings at (a) above, these defects shall be resolved to the satisfaction of the planning authority within twelve months of the grant of this permission.

Reason: In the interests of clarity and public health.

3. Drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

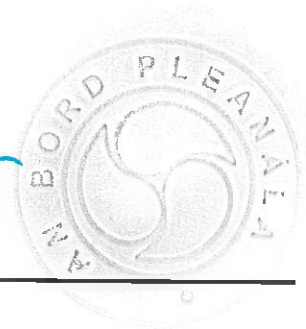
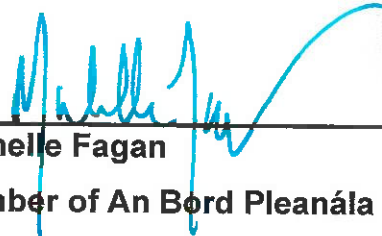
Reason: In the interest of public health.

4. Site development and building works shall be carried out only between the hours of 0700 and 1900 from Mondays to Fridays inclusive, between 0800 and 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 residential amenities of property in the vicinity.

5. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefitting 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.



Michelle Fagan

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this 24th day of June 2021.