



Planning and Development Acts 2000 to 2020

Planning Authority: Wexford County Council

Planning Register Reference Number: 20210742

Appeal by Diana McGlade of 3 Grange Court, Rosslare Strand, County Wexford against the decision made on the 2nd day of July, 2021 by Wexford County Council to grant subject to conditions a permission to Nicky and Richard Kinsella care of Nicholas Mernagh Architects of Mullanour, Wexford and in accordance with plans and particulars lodged with the said Council:

Proposed Development: Erection of alterations and extensions to an existing dwellinghouse including garden room/home office and domestic store auxiliary to the main house together with associated and auxiliary accommodation and site works, all at Whitehouse, 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.

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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

The proposed development comprises amendments/extensions to an existing residential use in a built-up area where public water supply and sewerage are available. Having regard to the modest scale and single storey nature of the existing house and the proposed amendments/extensions, to the separation distances off the site boundaries and the existing boundary treatments, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenity of adjoining property by reason of overlooking and would, otherwise, 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. The proposed garden room/home office, beach store and other extensions shall be used solely for purposes ancillary to the residential use of the main dwelling on the site. These structures and other extensions shall not be used for any commercial purpose and shall not be let or sold independently of the main dwelling.

Reason: To restrict the use of the building in the interest of residential amenity.

3. The proposed garden room/home office and/or beach store shall not be used for human habitation or for the keeping of pigs, poultry or pigeons, ponies or horses or for any purpose other than a purpose incidental to the enjoyment of the house.

Reason: In the interest of residential amenity.

4. Surface water drainage arrangements shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

5. The developer shall enter into water and wastewater connection agreements with Irish Water.

Reason: In the interest of public health.

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.

Dr. Maria FitzGerald

Maria FitzGerald

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this *22nd* day of *Nov.* 2021.

