

Planning and Development Acts 2000 to 2022

Planning Authority: Wexford County Council

Planning Register Reference Number: 2022/0443

Appeal by Peter Byrne and Pauline Shannon of Killeens Lane, Killeens, County Wexford against the decision made on the 15th day of July, 2022 by Wexford County Council to grant subject to conditions a permission to Colm Nolan care of Circa Design Limited of Killeens Lane, Killeens, County Wexford in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention of a domestic workshop, including storage for large domestic camper and domestic vehicles (approximately 128 square metres) incidental to the enjoyment of the existing dwelling together with all associated and ancillary site works, all at Killeens Lane, Killeens, 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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Reasons and Considerations

Having regard to the nature and scale of the development proposed to be retained, related solely to the domestic usage of the site and ancillary to the enjoyment of the dwellinghouse, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would not have an adverse impact on the environment, would not seriously injure the amenities of adjoining properties or the visual amenities of the area, would not be prejudicial to public health, and would be acceptable in terms of traffic safety and convenience. The development proposed to be retained 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, as amended by the further plans and particulars received by the planning authority on the 24th day of June, 2022, 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 within two months of the date of this Order and the development shall be retained and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The development proposed to be retained shall be used only for purposes of a domestic workshop and storage, incidental to the enjoyment of the dwellinghouse, and for no other purpose, without a prior grant of planning permission for change of use.

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Reason: In the interest of residential amenity.

3. Within two months of the date of this Order, the applicant shall submit details of the following for the written agreement of the planning authority:
 - (a) Details of the type of maintenance and repair activities to be carried out within the structure proposed to be retained and of noise control measures for the domestic workshop use of the building.
 - (b) Details of the type of waste generated by the said activities and of measures for waste disposal.

Reason: In the interest of clarity and residential amenity.

4. Development described in Classes 1 or 3 of Part 1 of Schedule 2 to the Planning and Development Regulations 2001 as amended, shall not be carried out within the curtilage of the dwelling without a prior grant of planning permission.

Reason: In the interest of residential amenities.

5. Water supply and drainage arrangements, including the attenuation and 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.

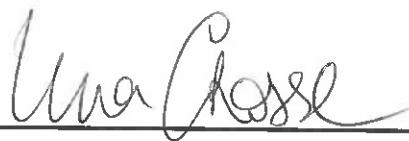
6. Existing landscaping along the boundaries of the site shall be retained and augmented along the northern and eastern site boundaries with species indigenous to the area.

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Reason: In the interest of visual amenity.

7. 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 within three months of the date of this Order 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.



Una Crosse

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.



Dated this 1st day of August 2023.