

An  
Bord  
Pleanála

**Board Order**

**ABP-315663-23**

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Wexford County Council**

**Planning Register Reference Number: 2022/0995**

**Appeal** by Donal Donegan care of Bobby Sinnott Planning and Design Services of Finchogue, Enniscorthy, County Wexford against the decision made on the 4<sup>th</sup> day of January, 2023 by Wexford County Council to grant subject to conditions a permission to FRS Solutions Group Society Limited care of Buttle Design and Planning Consultants Limited of Main Street, Carnew, County Wicklow in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Construction of an extension to the rear of existing unit and permission to remove existing stores previously granted to make way for new extension and all associated site works, all at Moyne Upper, Enniscorthy Rural, 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.**

## Reasons and Considerations

Having regard to the nature and scale of the proposed development, the planning history and the established usage on the site, the existing pattern of development in the vicinity, and the objectives for Enniscorthy as set out in the Wexford County Development Plan 2022-2028, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, and would represent an appropriate use in this established industrial area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

### Appropriate Assessment Screening:

The Board considered the information on file and concluded that the proposed development, individually or in combination with other plans or projects, would not be likely to have a significant effect on any European Site, and that a Stage 2 appropriate assessment is not, therefore, required.

## Conditions

1. The proposed development shall be carried out 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 1<sup>st</sup> day of December, 2022 and the further plans and particulars received by An Bord Pleanála on the 27<sup>th</sup> day of February, 2023, 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 proposed 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 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.

3. (a) The access road and entrance, parking, footpaths, service yard and traffic arrangements serving the site shall be in accordance with the detailed requirements of the planning authority for such works and shall be carried out at the developer's expense.

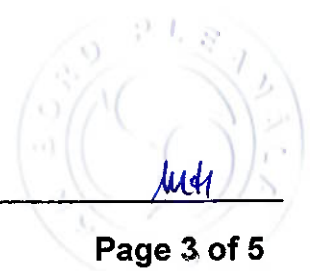
(b) Details of any new external lighting to the yard area shall be agreed in writing with the planning authority prior to commencement of development.

**Reason:** In the interest of pedestrian and traffic safety.

4. (a) Deliveries to/from the site shall take place in accordance with the traffic management plan submitted on the 1<sup>st</sup> day of December, 2022. A record of deliveries shall be kept and made available for inspection by the planning authority.

(b) No vehicles shall be parked on the access road to the side of the building or within the rear yard area at any time as such would cause obstruction. 'No parking' signage shall be erected at the side of the building and yard area.

**Reason:** To avoid congestion on the right-of-way access route and in the interest of traffic safety.



5. No materials, including chemicals, drums etc., shall be stored within the rear yard area. All such materials shall be stored indoors. The yard area shall be kept free of obstruction.

**Reason:** To ensure that the yard area is kept free of obstruction.

6. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall 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.

7. The construction of the proposed development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the proposed development, including hours of working, traffic management and noise reduction measures and off-site disposal of construction/demolition waste.

**Reason:** In the interest of public safety and residential amenity.

8. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

**Reason:** In the interest of sustainable waste management.

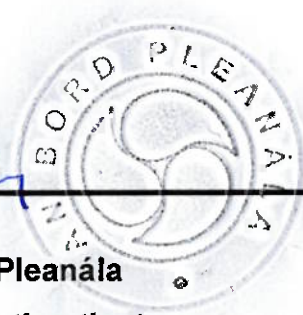
9. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the 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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**Mary Henchy**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**



Dated this 26<sup>th</sup> day of March 2024.

