



An  
Bord  
Pleanála

Board Order  
ABP-316311-23

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Wexford County Council**

**Planning Register Reference Number: 20220989**

**Appeal** by Liam Sheridan of Tomsallagh, Enniscorthy, County Wexford against the decision made on the 24<sup>th</sup> day of March, 2023 by Wexford County Council to grant subject to conditions a permission to William and Kathleen Whelan care of Bobby Sinnott Planning and Design Services of Finchogue, Enniscorthy, County Wexford in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Retention of existing agricultural entrance on site at Tomsallagh, E.D. Tinnacross, 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 limited scale of the development proposed to be retained, to the overall extent of the development in a rural location and to the established nature of the agricultural land use, it is considered that the development proposed to be retained would not give rise to flooding, would not seriously injure the amenities of the adjoining properties 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, as amended by the further plans and particulars submitted on 28<sup>th</sup> day of February, 2023 and the further plans and particulars received by An Bord Pleanála on the 17<sup>th</sup> day of May, 2023 (Drawing Number WKW SLP 2.1.1 dated May 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 applicant shall agree such details in writing with the planning authority and the development shall be retained, carried out and completed in accordance with the agreed particulars.

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



2. The existing agricultural gate shall be closed and the new gate and access installed within three months of the date of this Order.

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

3. No surface water from the site shall be permitted to flow onto the public road. The access shall be piped with a suitably sized pipe to ensure that no interference shall be caused to the existing roadside drainage. Interceptor drainage grating shall be provided the full width of the entrance with the public road and shall be piped to a satisfactory outfall. The detailed drainage arrangements shall be agreed in writing with the planning authority prior to commencement of development.

**Reason:** To ensure adequate servicing of the development, in the interest of traffic safety and prevent pollution.

4. (a) A landscaping plan shall be submitted to, and agreed in writing with, the planning authority for the south of the entrance splay and along the eastern boundary of the site as indicated on Drawing Number WKW SLP 2.1.1 (dated May 2023) and shall be landscaped using a continuous hedge of indigenous species planted for the full length of the eastern boundary marked X on the plan, within the first planting season following this order, unless otherwise agreed by the planning authority.



- (b) Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing by the planning authority.

**Reason:** To enhance the residential amenity of the adjoining property.



Una Crosse

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

Dated this 22<sup>nd</sup> day of August 2023.