



An
Bord
Pleanála

Board Order

ABP-317992-23

Planning and Development Acts 2000 to 2022

Planning Authority: Wexford County Council

Planning Register Reference Number: 20230490

Appeal by Adamar Developments Limited care of Fehily Timoney and Company of Core House, Pouladuff Road, Cork against the decision made on the 16th day of August, 2023 by Wexford County Council to grant permission subject to conditions for the proposed development.

Proposed Development: Permission to amend part of the previously approved Phase 3 Masterplan as permitted under planning reference number 20181380. The proposed development will consist of the relocation of the previously approved detached Creche building and revised two-storey design for a proposed detached Creche building including a proposed detached single storey Commercial/Retail building all with associated parking spaces, vehicular access, bicycle parking, refuse bin storage, associated landscaping/public open space and site development works with connection to existing local public mains services. Relative previously approved planning permissions within Ard Uisce development include the following planning register reference numbers: 20052508, 20070402, W2008199, W2008231, 20171346, 20171679, 20181380, 20211574 and pending planning register reference number 20230334 at Ard Uisce, Whiterock South, (E.D. Wexford Rural), Wexford.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Reasons and Considerations

The Board was not satisfied having, regard to the nature of the condition, that Section 139, an appeal against a condition, is appropriate. The Board decided the determination of the application, as if it had been made to the Board in the first instance, is warranted.

The proposed development for a two-storey creche and single-storey commercial/retail building has been described as an amendment to the development as permitted under Planning Permission Reference number 2081380. The expiry date for the duration of this planning permission has passed, and therefore, the planning permission ceases to have effect. It is considered that the Board is precluded from granting permission to amend the development as granted under Planning Permission Reference number 2081380 as this permission ceases to have effect.



Mary Henchy

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this 15th day of November 2024.