

An
Bord
Pleanála

Board Order
ABP-318970-24

Planning and Development Acts 2000 to 2022

Planning Authority: Wexford County Council

Planning Register Reference Number: 20231017

Appeal by Martina Carroll-Garrison care of Armstrong Planning Limited of 12 Clarinda Park North, Dún Laoghaire, County Dublin against the decision made on the 10th day of January, 2024 by Wexford County Council to grant subject to conditions a permission to Tony Dempsey care of Justin Kelly of Castlehayestown, Taghmon, County Wexford in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of an extension to the existing dwelling house (ground floor and first floor), upgrade the existing septic tank with a new sewage treatment plant and percolation area, installation of new entrance wall with interceptor at the entrance and all associated site works at Shelmaliere Commons (ED Carrick), Carrick, Barntown, 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 information submitted with the application and the nature and scale of the proposed development, it is considered that, the proposed development, subject to compliance with the conditions set out below, would not seriously injure the amenities of the area and would not give rise to, or exacerbate flooding on the subject site or lands surrounding the subject site including the public roadway and would, therefore, 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 planning application, as amended by the further information received by the planning authority on the 8th day of December 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 development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The access to the site shall be constructed in accordance with the submitted plans and retained thereafter. The works to provide the required sightlines shall be carried out prior to the commencement of any other works hereby permitted.

Reason: To ensure site access during construction with the provision of the required sightlines in the interest of traffic safety.

3. The external finishes of the proposed extension (including roof tiles/slates) shall harmonise with those of the existing dwelling in respect of colour and texture.

Reason: In the interest of visual amenity.

4. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. No part of the development hereby permitted shall be occupied until interceptor drainage grating has been provided along the full width of the entrance with the public road and shall be piped to a satisfactory outfall. The access shall be piped with a suitably sized pipe to ensure that no interference shall be caused to the existing roadside drainage. Surface water drainage arrangements shall comply with the requirements of 'BRE 365 – Soakaway Design'. Provision shall be made to ensure ease of future maintenance. Surface water from the site shall not be permitted to drain onto the adjoining public road. The access laneway of the site shall be retained in a permeable surface in accordance with the approved plans.

Reason: In the interest of traffic safety.

5. (a) The proposed effluent treatment and disposal system shall be located, constructed and maintained in accordance with the details submitted to the planning authority and in accordance with the requirements of the document entitled "Code of Practice – Domestic Wastewater Treatment Systems (p.e. ≤ 10)" – The Environmental Protection Agency, 2021. Arrangements in relation to the ongoing maintenance of the system shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

- (b) Prior to the occupation of any extensions hereby permitted, the developer shall submit a report from a suitably qualified person with professional indemnity insurance certifying that the proprietary effluent treatment system has been installed and commissioned in accordance with the approved details and is working in a satisfactory manner in accordance with the standards set out in the EPA document. The certification shall include the submission of colour photographs taken at each stage of the installation of the percolation area. Where applicable, certification shall include the results of percolation tests carried out on each lift of the placed soil.

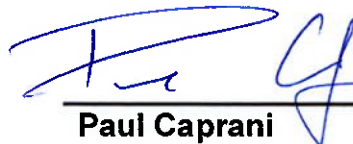
Reason: In the interest of public health.

6. Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

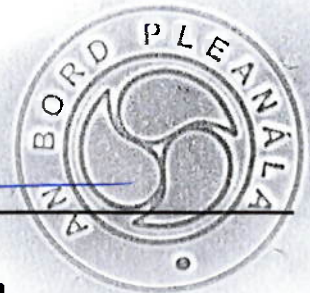
7. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid 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. The application of any indexation required by this condition 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.

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



Paul Caprani

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



Dated this 14th day of October 2024.