



An
Bord
Pleanála

Board Order
ABP-319242-24

Planning and Development Acts 2000 to 2022

Planning Authority: Wexford County Council

Planning Register Reference Number: 20231528

Appeal by Michael Kavanagh of Strahart, Bunclody, County Wexford against the decision made on the 16th day of February, 2024 by Wexford County Council to grant subject to conditions a permission to Murgreen Limited care of Molloy Architecture and Design Studio of 9 McCurtain Street, Gorey, County Wexford in accordance with plans and particulars lodged with the said Council.

Proposed Development: Permission for the following: (a) retention permission for the construction of a two-storey extension to the side of existing structure consisting of the provision of an enclosed fire escape stairwell, mechanical lift and ancillary rooms and also for a single storey extension to the rear consisting of accommodation, (b) retention permission for alterations made during construction to the drawings, specifications and details that were previously granted permission under planning register number 20091687 consisting of the relocation of a first-floor external fire escape stairs, the omission of an external fire escape stairs, reduction in the floor area of the extended areas and minor ancillary internal and external alterations, (c) retention permission for a partly enclosed and roofed external seated area to the rear with ancillary roof alterations, and also for external

hard and soft landscaping and planted areas and hard stands and (d) permission to widen existing permitted access driveway, all with ancillary works at Newtownbarry, Bunclody, 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 information submitted with the planning application and the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would comply with the zoning objective for the site as set out in the Wexford County Development Plan 2022-2028, would accord with the pattern of development in the area, would not seriously injure the amenities of the area or the amenities of property in the vicinity, would not constitute an unacceptable traffic risk and 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 planning authority, 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 retained and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The use of the room at first floor level at the south-east end of the hallway and served by the window (previously an external door to fire escape) at first floor level in the south/side elevation, shall be as indicated on drawing number 'MM01-PI02-01- Floor Plans' and granted permission under planning register reference 20091687, that is, this room shall be used as a shower room as indicated on drawing number 02/05 received by the planning authority on the 9th day of December, 2009.

Reason: In the interest of clarity and as the obscure glazing would provide a substandard level of residential amenity to occupiers of the bedroom and, in addition, in the interest of the amenity of the adjoining property to the south.

3. 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 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. 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.

4. 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.



Joe Boland

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

Dated this 26TH day of September 2024.