



An
Coimisiún
Pleanála

Commission Order
ABP-322409-25

Planning and Development Act 2000, as amended.

Planning Authority: Wexford County Council

Planning Register Reference Number: 20250152

Appeal by Cassandra Gleeson care of CDP Architecture of 4 The Mall, Main Street, Lucan, County Dublin against the decision made on the 4th day of April, 2025 by Wexford County Council to refuse a permission for the proposed development.

Proposed Development: Permission for development which will consist of (a) a single-storey with a part-mezzanine extension (140 square metres) to the rear/west of the existing house. Reconfiguration of the internal layout to create an additional bedroom, totaling six number bedrooms. Relocation of the main entrance door to the south and north elevations, along with alterations and general refurbishment of the existing structure, including the removal of the chimney, removal of the entrance structure at the north elevation, part removal of the wall at the west elevation, closure of windows and door at east and south elevations, the addition of two number rooflights, green roofs, and a balcony at the first-floor level; (b) refurbishment and extension (23 square metres) to the existing detached outhouse to the side/north of the existing dwelling, including the addition of a home office space and roof terrace; (c) the construction of a single-storey, detached garage (72 square metres) to the east of the site, all with associated general

site works at 545 Dawn House, Ballyconnigar Upper, Blackwater, 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 existing structures on the site and the nature and form of the proposed development, and to the pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the landscape character of the area or the amenities of property in the vicinity, would be acceptable in terms of visual amenity, and would be in accordance the provisions of the Wexford County Development Plan 2022-2028, including Sections 3.2 and 3.4.

The Commission noting

- (a) the backland nature and size of the site and that there is an existing dwelling on site;
 - (b) an ancillary existing two storey structure that when altered is to be used as a plant room and office ancillary to the main house; and
 - (c) that the proposed garage is less than 80 square meters,
- considered that in this instance the proposed development is on the whole consistent with the development plan and does not detract from the wider landscape and, therefore, did not consider it necessary or appropriate to amend the house design or remove the existing structure that includes the proposed plant room as recommended by the Inspector. The Commission decided the proposed development 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 application, as amended by further plans and particulars submitted with the appeal, 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. External finishes to the proposed development shall be in accordance with the details received by the planning authority on the 11th day of February 2025.

Reason: In the interest of visual amenity.

3. The garage shall not be used for human habitation, commercial use, industrial use or for any other purpose other than a purpose incidental to the enjoyment of the dwelling.

Reason: In the interest of orderly development.

4. (a) All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road or adjoining properties.

(b) The access driveway to the proposed development shall be provided with adequately sized pipes or ducts to ensure that no

interference will be caused to existing roadside drainage.

Reason: In the interest of traffic safety and to prevent flooding or pollution.

5. Prior to the commencement of development, the developer shall enter into a Connection Agreement with Uisce Éireann (Irish Water) to provide for a service connection to the public water supply network.

Reason: In the interest of public health and to ensure adequate water facilities.

6. (a) The septic tank/wastewater treatment system including polishing filter hereby permitted shall be installed in accordance with the recommendations included within the site characterisation report submitted with this application, and the further details received by the Commission on 30th day of April 2025, and shall be in accordance with the standards set out in the document entitled "Code of Practice -Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)" Environmental Protection Agency, 2021.
- (b) Treated effluent from the septic tank/ wastewater treatment system shall be discharged to a percolation area/ polishing filter which shall be provided in accordance with the standards set out in the document entitled "Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)" – Environmental Protection Agency, 2021.
- (c) Within three months of the first occupation of the dwelling, the developer shall submit a report to the planning authority from a suitably qualified person (with professional indemnity insurance)

certifying that the septic tank/ wastewater treatment system and associated works is constructed and operating in accordance with the standards set out in the Environmental Protection Agency document referred to above.

Reason: In the interest of public health and to prevent water pollution

7. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity.

8. The site shall be landscaped, using only indigenous deciduous trees and hedging species, in accordance with details which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:
 - (a) the reinforcement/establishment of a hedgerow along all side and rear boundaries of the site, and
 - (b) planting of trees at intervals along the boundaries of the site.

Any plants, trees or hedging 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 with the planning authority.

Reason: In order to screen the development and assimilate it into the surrounding rural landscape, in the interest of visual amenity.

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 Coimisiún 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.



Mary Henchy

Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.

Dated this 22nd day of Sept 2025.