



An
Coimisiún
Pleanála

Commission Order
ACP-323588-25

Planning and Development Act 2000, as amended

Planning Authority: Wexford County Council

Planning Register Reference Number: 2024/1622

Appeal by Anita Gaul and by Peter Donati against the decision made on the 22nd day of August, 2025 by Wexford County Council to grant subject to conditions a permission to Philip Coyne in accordance with plans and particulars lodged with the said Council.

Proposed Development: Demolition of existing extension to rear.
Renovation of existing three-storey terrace house to form a four-bedroom apartment and the construction of a single storey extension to rear to form one number two-bedroom apartment with divided open space and ancillary site works at 40 High Street, Wexford, 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 location of the proposed development in the centre of Wexford Town, the nature of the proposed development to return a vacant property to use and the densification of a central urban area, and the relevant provisions of the Wexford County Development Plan 2022-2028 in support of same, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in terms of the policy requirements of the Wexford County Development Plan 2022-2028, would be acceptable in terms of the residential amenity of future occupants, would not seriously injure the visual or residential amenities of the area, and would not be prejudicial to public health or archaeological heritage. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 20th day of May, 2025 and the 28th day of July, 2025, 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

3. (a) The developer shall engage the services of a suitably qualified and experienced conservation architect/conservation engineer to carry out a comprehensive survey of the town wall (both interior and exterior elevations) in consultation with the archaeologist engaged by the developer. The survey shall be completed in advance of any site preparation, demolition, site clearance and/or construction works and shall inform the preparation of a conservation methodology to be agreed with the planning authority, following consultation with the Department of Housing, Local Government and Heritage, and shall be implemented by the developer to ensure the preservation and protection of the town wall as an integral part of the overall development.
- (b) Careful removal of vegetation by hand from the town wall shall be required to facilitate a detailed visual inspection by the conservation specialist(s), analysis and recording of the built fabric and the completion of a comprehensive measured survey of the section of the town wall that forms the western boundary of the site. This shall be required to determine the structural stability of the town wall, to identify any architectural features evident within the structure (e.g. evidence of wall walk, historical reinforcement works, parapet details, building phases etc.) and analysis of building materials to inform the preparation of the required conservation methodology to be implemented.

- (c) The survey shall be completed and a report shall be submitted to the planning authority and the Department of Housing, Local Government and Heritage in advance of any development works. Specifications for any required conservation works shall be provided by a competent conservation specialist and included in the report. Any required conservation works specified by the planning authority, following consultation with the Department of Housing, Local Government and Heritage, shall be implemented by the developer.
- (d) The developer shall engage a suitably qualified archaeologist (licensed under the National Monuments Acts 1930-2014) to carry out pre-development archaeological testing in areas of proposed ground disturbance and shall submit an Archaeological Impact Assessment Report for the written agreement of the planning authority, following consultation with the Department of Housing, Local Government and Heritage, in advance of any groundworks and/or construction works. The report shall include an archaeological impact statement and mitigation strategy.
- (e) Where archaeological material is shown to be present, avoidance, preservation in-situ, preservation by record (archaeological excavation) and/or monitoring shall be required. Any further archaeological mitigation requirements specified by the planning authority, following consultation with the Department of Housing, Local Government and Heritage, shall be complied with by the developer. No site preparation and/or construction works shall be carried out on site until the archaeologist's report has been submitted to and approval to proceed is agreed in writing with the planning authority.

- (f) The planning authority and the Department of Housing, Local Government and Heritage shall be furnished with a final archaeological report describing the results of any subsequent archaeological investigative works and/or monitoring following the completion of all archaeological work on site and the completion of any necessary post-excavation work. All resulting and associated archaeological costs shall be borne by the developer.

Reason: In order to protect and preserve archaeological heritage.

4. Prior to commencement of development, details of the proposed boundary treatments within and at the perimeter of the site shall be agreed in writing with the planning authority.

Reason: In the interest of visual amenity.

5. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

6. Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreements with Uisce Éireann.

Reason: In the interest of public health.

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. All existing over ground cables shall be relocated underground as part of the site development works.

Reason: In the interest of visual amenity.

8. Prior to commencement of any works associated with the development hereby permitted, the developer shall submit a detailed Construction and Environmental Management Plan (CEMP) for the written agreement of the planning authority. The CEMP shall incorporate details for the collection and disposal of construction waste, surface water run-off from the site, and environmental management measures during construction, including noise control, dust and vibration control and monitoring of such measures. A record of daily checks that the construction works are being undertaken in accordance with the CEMP shall be kept at the construction site office for inspection by the planning authority. The agreed CEMP shall be implemented in full in the carrying out of the proposed development.

Reason: In the interest of residential amenities, public health and safety and environmental protection.

9. Site development and building works shall be carried out between the hours of 0700 to 1900 hours Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

10. 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 Gurrle

Mary Gurrle

Planning Commissioner of An Coimisiún

Pleanála duly authorised to authenticate

the seal of the Commission.

Dated this *13* day of *February* 2026.