An Coimisiún Pleanála

Commission Order

PL-501006-WX-26

Planning and Development Act 2000, as amended

Planning Authority: Wexford County Council

Planning Register Reference Number: 20250320

Appeal by Joyce Daly against the decision made on the 6th day of March, 2026 by Wexford County Council to grant subject to conditions a permission to Blockford Limited in accordance with plans and particulars lodged with the said Council.

Proposed Development: (A) Retention of works including (i) raising existing rear wall to building at first floor level and change from flat roof construction to a pitched slate roof construction; (ii) increased floor space to the original toilet block and new window and door opes for use as part of Apartment 4; and (iii) enclosure of open void between roofs and new window at first floor level on rear elevation (at Apartment 6) and (B) proposed development comprising of: (i) amendments to exempted development carried out under the Planning and Development Act (Exempted Development) Regulations 2022 (S.I. 75 of 2022) including

internal revisions to create four number apartments at ground floor, three number at first floor and two number at second floor; (ii) a landscape/public realm plan to provide communal open space, bike parking, and bin storage; and (iii) all associated works. All at Castleland, Ferns, 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 provisions of the Wexford County Development Plan 2022 - 2028, and to the siting, scale and design of the proposed development and development proposed to be retained, it is considered that, subject to compliance with the conditions set out below, the proposed development and development proposed to be retained, as described in the public notices, would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would not adversely affect the character of the area, would not have a significant impact on archaeology or heritage, and would not have a significant impact on ecology or on European sites in the vicinity.

The Commission considered the submissions received in response to the notices issued under section 132 of the Planning and Development Act, 2000, as amended, and noted that enforcement is a matter for the planning authority and not the Commission, and that the development being permitted is that described in the public notice. With regard to the matter of the works that the notice states are exempt, the Commission draws the applicant's attention to section 34(13) of the Planning and Development Act, 2000, that applies to all permissions.

Furthermore, the Commission concurred with the planning authority and not the Inspector, that Apartment Number 4 should be omitted and this area should be available for communal open space, a bin storage area and cycle storage to serve the development (details of which are to be agreed with the planning authority). The Commission considered that the Inspector's recommendation did not address the issue of the proximity of Apartment Number 4 to Apartments Numbered 1 and 2 and the negative impact this would have on the residential amenity of future residents. The Commission also agreed with the planning authority that the removal of apartment number 4 would go some way to address the lack of amenity space associated with the development.

The proposed development and the development proposed to be retained, subject to compliance with the conditions set out below, would accord with the Wexford County Development Plan 2022 – 2028 and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained, carried out and completed in accordance with (i) the plans and particulars lodged with the application and (ii) the further information received by the planning authority on the 12th day of February 2026, except as may otherwise be required in order to comply with the following conditions.

   Reason: To ensure the development accords with the permission and that effective control is maintained.

2. Apartment Number 4 (as shown on Drawing Reference 33-22-K, Existing and Proposed Ground Floor Layout, submitted to the planning authority on the 24th day of March 2025) shall not be occupied. Within three months of this order, the applicant shall submit amended plans for the written agreement of the planning authority showing Apartment Number 4 omitted and for this area to be replaced with a dedicated communal open space area and communal bin storage area to serve the development. The details submitted shall include a timeframe for the carrying out of this work.

   Reason: In the interest of the residential amenities of future occupants.

3. Each permitted residential unit shall be used and occupied as a single dwelling unit for residential purposes and shall not be sub-divided or used for any commercial purposes, without a specific grant of planning permission for same (including short-term letting).

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Reason: In the interest of clarity.

4. The applicant or developer shall enter into water and/or wastewater connection agreement(s) with Uisce Éireann prior to the commencement of this development.

   Reason: In the interest of public health.

5. Within three months of the date of this order the applicant shall submit for the written agreement of the planning authority a scheme for landscaping prepared by a suitably qualified person, including hard landscaping of the site. The landscaping scheme shall be carried out within 12 months from that date of the scheme being agreed. Any trees or shrubs planted in accordance with this condition which are removed, die, become severely damaged or diseased within two years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

   Reason: In the interest of residential amenity.

6. The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

   Reason: To provide for the satisfactory future maintenance of this development in the interest of residential amenity.

7. (a) The construction of the development shall be managed in accordance with a Construction Management Plan which shall be agreed in writing with the planning authority.

(b) Permission shall be sought from the planning authority for construction work outside the hours of 0700 to 1900 from Mondays to Fridays and outside the hours of 0800 to 1400 on Saturday. Construction works shall not take place on Sundays and Bank Holidays.

Reason: In the interests of orderly development and residential amenity.

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

Dated this 27th **day of** October **2026.**