



An  
Coimisiún  
Pleanála

Commission Order  
LV-502095-WX-26

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**Planning and Development Act 2000, as amended**

**Planning Authority: Wexford County Council**

**Planning Register Reference Number: 20260627W**

**Application for Leave to Appeal** against the decision of the planning authority by Bernie Sinnott and others having an interest in land adjoining the land in respect of which Wexford County Council decided on the 21<sup>st</sup> day of August 2026 to grant, subject to conditions, a permission to Ann Ruth.

**Proposed Development:** Permission to erect a detached bungalow with services with connections to the existing public services, the provision of off-street car parking, all with ancillary works at Ballinatray Lower, Courtown, County Wexford.

## Decision

**REFUSE** leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, based on the reasons and considerations set out below.

## Reasons and Considerations

While it has been shown that the development, in respect of which a decision to grant permission has been made, will differ materially from the development as set out in the application for permission, by reason of condition 2 imposed by the planning authority to which the grant is subject, it has not been shown that the imposition of condition 2 will materially affect the leave to appeal applicant's enjoyment of the land adjoining the land in respect of which it has been decided to grant permission or reduce the value of the land.

The Commission considered that the entrance to the proposed development was indicated from Oak Grove in the application documents submitted to the planning authority on 19<sup>th</sup> day of May 2026 and the material difference arising from the imposition of condition number 2 relates solely to the removal / cutting back of hedgerow required for sightlines. The Commission noted that Oak Grove Road has been taken in charge by Wexford County Council, and that ownership of the verge is a civil matter to be resolved between the parties, having regard to the provisions of section 34(13) of the Planning and Development Act 2000, as amended.



**Emer Maughan**

**Planning Commissioner of An Coimisiún**

**Pleanála duly authorised to authenticate**

**the seal of the Commission.**



Dated this 5<sup>th</sup> day of October 2026