



An
Bord
Pleanála

Board Order

26.RP.2151

Planning and Development Acts 2000 to 2018

Planning Authority: Wexford County Council

Planning Register Reference Number: 20061351

WHEREAS by order dated the 5th day of January, 2007 Wexford County Council, under planning register reference number 20061351, granted subject to conditions a permission to JPK Developments Limited care of Nicholas Mernagh of Custom House Quay, Wexford for development comprising the proposed erection of 50 number fully serviced dwellinghouses and associated site works (the duration of which permission was extended under planning register reference number 20061351E) at Ard na Slaine, Ballyboggan, Wexford Rural, County Wexford:

AND WHEREAS condition number 2 attached to this permission required the developer to enter into agreement with the planning authority, pursuant to Part V of the Planning and Development Act 2000, and Part 2 of the Planning and Development (Amendment) Act 2002, relating to the provision of social and affordable housing on site, and that details of the legal agreement were to be finalised with the local authority within 8 weeks of the date of notification of grant of planning permission:

AND WHEREAS the developer and the planning authority failed to agree on the above details in compliance with the terms of this condition and the matter was referred by the developer to An Bord Pleanála on the 22nd day of June, 2017 for determination:

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 34(5) of the Planning and Development Act, 2000, as amended, and for the Reasons and Considerations set out below, hereby determines that the provision by the developer of part of the development site in question, consisting of houses/sites numbers 20 to 27, would comply with the requirements of condition number 2 of the relevant planning permission.

Reasons and Considerations

Having regard to section 34(5) of the Planning and Development Act 2000, as amended, the submissions on file, and the planning history of the site (including evidence of correspondence between the planning authority and the developers of the site), it is considered that the provision of that part of the overall development site, consisting of houses/sites numbers 20 to 27, would be appropriate and sufficient, in the particular circumstances of this case, to meet the developer's obligations under Part V of the Planning and Development Act, 2000, as amended, and therefore would comply with the requirements of condition number 2 of the relevant planning permission.

