



An Bord Pleanála

Inspector's Report

Development: 10 year permission for holiday complex, including hotel, 66 no. lodges, caretaker's lodge, 18 hole golf course, golf maintenance facilities, realignment and underpass under R742 at Kilmacoe and Coolrainey, Ardcolm, Co. Wexford

Planning Application

Planning Authority: Wexford County Council
Planning Authority Reg. Ref.: 20120120
Applicant: William Nevin and Sons (Construction)
Type of Application: Permission
Planning Authority Decision: Grant

Planning Appeal

Appellant(s): Mary O'Brien
James O'Brien
Type of Appeal: 3rd Party
Observers: James O'Connell

Date of Site Inspection: 19th February 2013

Inspector: L. Dockery

1.0 SITE LOCATION AND DESCRIPTION

- 1.1 The subject site, which has a stated area ranging from 74.5 to 78 hectares, is located outside the village of Curracloe, approximately 10km north of Wexford town. At the present time, Curracloe is a small village, essentially comprising a group of buildings located around a T-junction, with linear development radiating out along the local roadways. A number of caravan parks are evident in the general vicinity and this is a popular tourist destination during the summer months.
- 1.2 The subject site is generally under grass with belts of woodland and parkland trees evident, in particular on the northern element. This parkland setting dates back from when the site was part of the estate of Kilmacoe Lodge and its associated demesne. The site is bisected by the R742, Curracloe to Blackwater Road, with the majority of it located to the north of this roadway. The portion to the south of the R742 links the landbank to the R743, Beach Road and the existing caravan park at Coolrainey, which also forms part of the site area.
- 1.3 For ease of clarity, the site description can be divided into three main parts, namely the element to the north of the R742; the existing mobile home site at Beach Road (R743) and the remainder of the site located between the two. The largest element of the site is located to the north of the R742, on its landward side. This element has frontage of approximately 700 metres with the roadside boundary comprising a low stone wall, presumably part of the original demesne wall, with a belt of mature planting behind. It is on this element of the site that Kilmacoe Lodge formally existed and two access points are visible. This portion of the site rises gently away from the road and there is a wooded area towards its centre, which gives the appearance of a parkland setting. The land rises more steeply to the north and west of the wooded area and is more exposed. The land is in agricultural use. This element of the site is defined on both its eastern and western sides by local

roadways. It is this element which contains part of the Screen Hills Special Area of Conservation (Ref. 000708).

- 1.4 The second element of the site comprises the existing mobile home park, which accesses onto the R743, Beach Road. It is stated within the documentation that there are 63 units on this site, all of which are typical mobile home units, of similar style, size and are all low rise. At the time of my visit, the site was closed off but was evidently well established and maintained. There are views north towards the larger element of the site from this area. The R743 is of poor standard at this point, with a solid white line running along its centre.
- 1.5 The third element of the site is the remaining lands, extending north and north-east towards the R742, located on the seaward side of this roadway. These lands are also undeveloped and in agricultural use and essentially comprise three very large fields, separated by field boundaries. This section of the site has road frontage with the R742 of approximately 900 metres. By contrast to the above, this element of the site is more open and exposed and free from mature planting with the exception of field boundaries. The site is well screened along the R742 with native hedgerow, with only limited views available of this section of the site as one travels along the public roadway. Once on the site however, there are panoramic views across the landscape to the sea and dunes. The land slopes downwards from the R742 towards the sea with some mounds visible. It is this element of the site which contains part of the proposed Natural Heritage Area (Ref. 000712).
- 1.6 The general area is characterised by ribbon development with frontage onto the roadways. Along the R742 the site is located approximately 290 metres from the Curracloe village centre and approximately 130 metres outside of the 50km/hr speed limit. As one travels out from Curracloe along the Blackwater Road the area is very rural in nature with only sporadic one-off housing visible. Along the R743, the same applies although development could be said to be slightly more intense

with some caravan parks and a housing estate visible. In the main however, the area is characterised by sporadic, one-off dwellings fronting onto the roadway.

2.0 PROPOSED DEVELOPMENT

2.1 The Bord is referred to Volume I, Section Three of the revised EIS, which gives a comprehensive description of the development proposed. In summary, the proposal comprises an application for the construction of

1. a 4* hotel, with 59 bedrooms including 6 suites, with ancillary bar and dining facilities, incorporating a leisure centre and golf club house
2. 66 no. two and three bedroom self-contained lodges, accessed from the R743, located in an area currently occupied by a mobile home park
3. an 18 hole golf course

2.2 The proposed works also include for the widening of the R742 and R743 to facilitate access; construction of access junctions, excavation and construction of tunnel under the R742 to facilitate access between the hotel element of the site and the remaining portion of the development on the opposite side. An internal road from the holiday village will run north under the R742 to the hotel entrance, which will serve holiday village traffic wishing to access the main routes towards Dublin and Wexford. The proposed works also include for car parking, caretaker's dwelling, landscaping and associated site works.

2.3 The proposed hotel, which is to be located to the north of the R742, is four stories in height with an overall length of approximately 79 metres. Parking is to be provided to the north-east and south-west of the proposed structure while deliveries will take place within a sunken area

between the hotel structure and the public road. A swimming pool, changing areas, golf changing, and services/storage are all to be located at Lower Ground Floor level. Dining, kitchen and associated facilities are located at ground floor level, together with 19 guest rooms. First floor level accommodates 20 rooms, together with three suites while second floor level is a replica of that below. In total, 59 rooms and 6 suites are proposed. Elevations are comprised of stone and nap plaster finish while the pitched roof will have slate finish and the flat elements having single skin finish.

- 2.4 In terms of the golf course element of the proposal, it is to be an 18-hole 71 par, member's style course, totalling 6118 square metres and designed by Peter McEvoy of Sporting Concepts Ltd. UK. The development of the course will involve the selected removal of tree cover and scrub from fairways, greens and tees and the footprint of built elements; stripping and stockpiling of topsoil and shaping of golf course features; installation of surface water drainage system including three attenuation ponds as golf course features and irrigation system. The works also include for golf maintenance/storage buildings and a single storey caretaker's lodge.
- 2.4 The proposed holiday lodge element of the proposal comprises a mix of lodges ranging from single storey to two-storey in height, arranged around open space courtyard features, located on the site of an existing caravan/mobile home park. There are a total of 66 lodges proposed, 31 no. 'Type A' (two-bed, single storey units) and 35 no. 'Type B' (three-bed, two-storey units). The proposed units are either semi-detached or terraced in nature. Elevations are to be comprised of a nap plaster finish with pitched roofs having concrete tiles. The single storey 'Type A' dwellings have a maximum stated height of 4.785 metres while the two-storey 'Type B' dwellings have a maximum stated height of approximately 7.85 metres.
- 2.5 Mains water only will be used as a potable water supply to service the development, with approximately 85.5m³/day required. A new foul

drainage system and two waste water pump stations will be installed as part of the development. Pump Station No. 1 will maximise the possibility of servicing existing developments to the south and east of the applicant's land, should that be deemed advisable. This pump station will then discharge to Pump Station No. 2, which is to be located to the south and east of the Curracloe primary school. This will be the main pump station and will pump the sewage from both the public sewer connections and from the proposed development to the Wexford town sewerage system. A public gravity sewer is to be laid from the public road to Pump Station No. 2 as part of these proposals. The estimated waste water generated is 85.5m³ per day, equivalent to 475 people at 180 litres per person per day. A new surface water drainage system will be installed serving the hardstanding areas of the proposed development, with a separate system being installed to serve the golf course.

3.0 PLANNING AUTHORITY'S DECISION

Planning permission GRANTED subject to 22 no. conditions.

Condition No. 2 relates to mitigation measures contained within EIS, Condition No.3 relates to surveys of protected flora and fauna and obtaining relevant licences, Condition No. 4 relates to Section 47 agreement with regards to pumping station, Condition No. 5 relates to roads issues, Condition No. 6-9 inclusive relates to contributions, Condition No. 10 relates to Construction Management Plan, Condition No. 11 relates to groundwater monitoring, Condition No. 12 relates to surface water, Condition No. 13 relates to water supply, Condition No. 14 relates to site clearance and construction, Condition No. 15 relates to Waste Management Plan, Condition No. 16 relates to external finishes, Condition No. 17 and 18 relates to signage, Condition No. 19 relates to undergrounding of services, Condition No. 20 relates to archaeological protection, Condition No. 21 relates to landscaping and Condition No. 22 relates to tree/hedgerow protection.

Further Information was requested from the applicant by the planning authority requiring:

1. Substantially improved EIS based on more comprehensive EIA
2. Groundwater study and samples
3. Study on air quality including dust
4. Enhanced programme of measures regarding soiled water emissions from site during construction stage- full topographic maps with details of proposed settlement ponds and further attenuation measures
5. Re-examination of site for golf course with a view to greatly minimising amount of excavation and relocating of material on site
6. Address issues raised by Department of Arts, Heritage and the Gaeltacht in particular with regards to EIS and Appropriate Assessment Screening
7. Proposed holiday homes to be located within the existing natural field boundaries of existing caravan park- omission Units 36, 53 and 54
8. Submission of revised landscaping plan

4.0 TECHNICAL REPORTS

Original Reports:

Planner's Report

Further Information requested

Water Services Report (dated 10/04/2012)

Grant permission, subject to conditions

Environment Section (report dated 02/04/2012)

Further Information requested

Disability Access Officer

Further Information required

Health and Safety Authority

No observations

Chief Fire Officer

Fire Safety Certificate is required

Prescribed Bodies:

An Taisce

- Recommends refusal on environmental grounds as it breaches policy of operative County Development Plan
- Would contravene Policy CZ1 of CDP and affect visual quality of the area
- Part of site lies within coastal zone
- Drainage proposals are unacceptable and prejudicial to public health
- Impacts on landscape, altering of flora and fauna

- Opposed to removal of trees
- Concerns regarding impacts on local environment

Department of Arts, Heritage and the Gaeltacht- Nature Conservation
Recommendations (dated 26/03/2012)

Outlines deficiencies in both EIS and AA Screening

Department of Arts, Heritage and the Gaeltacht- Archaeological
Recommendations (dated 20/03/2012)

Recommends condition be attached to any grant of permission

Reports received on foot of Further Information submission

Planner's Report

The report generally reflects the decision of the Planning Authority. The principle of the proposed development is acceptable at this location and has been under each of the previous applications. The applicant has addressed the reasons for refusal issued under planning application 20101316. These related to disposal of wastewater, the adverse visual impact of the holiday homes and the impacts that the proposed development would have on the pNHA and cSAC.

Roads Report

Recommends permission subject to conditions relating to provision of public footpath; realignment of R743 and details of proposed underpass

Environment Report

Noted that all wastewaters from proposed development are to be discharged to sewers which connect to the Wexford Main Drainage System. It is considered that due to the already agricultural nature of the proposed site that permission be granted subject to a number of environmental conditions which relate mainly to the construction phase of development.

Conditions attached

Prescribed Bodies:

An Taisce (dated 24/10/2012)

- Very little has changed since previous applications apart from method of sewage removal
- Specific details raised in previous applications have not been fully addressed in current application
- Refers to two letters from Department of Arts, Heritage and the Gaeltacht
- Applicants are dismissive of the relative importance of the pNHA as opposed to the SAC and arbitrary settings of widths of buffer zones
- Provision for the use of a deep well is unjustified by any test-concerns with regards to local pressure and volume of water as a result of proposed development
- Need for proposal is not established in particular need for golf course and holiday homes
- Employment would be seasonal and not sustainable
- Concerns regarding long term pollution damage, together with impacts on Screen Hills SAC have not been alleviated by EIS
- Concerns about breeding of mosquitoes in created lakes

Department of Arts, Heritage and the Gaeltacht- Nature Conservation Recommendations (dated 22/10/2012)

- The Further Information has addressed many of the concerns of the Department. Should note that several licences may be required under the Wildlife Acts of 1976 and 2000 prior to the proposed development commencing as detailed.

- Refers to meeting with staff of NPWS held to advise on legally protected plant, 'hairy birds foot trefoil' which is present on the site. Advised that a licence under the Wildlife Acts will be necessary for proposed development because it is the habitat of this protected plant. Location of species will need to be mapped and advised to carry out survey immediately to identify its location. Applicant's consultant expressed the view that the applicant was unlikely to carry out any further surveys at this stage
- Licences under Wildlife Acts will also be required if there are any impacts on other protected species or their resting or breeding places, such as frogs, newts or birds' nests
- Recommends that in any permission granted for this proposed development that it is a condition that prior to construction, or any site works commencing, that licences under the Wildlife Acts must be first obtained from NPWS with regards to protected plant and also if applicable, for other species such as newts, frogs, bats and nesting birds. Applicant should be made aware that there is a possibility that such licences may not be granted or may result in redesign or other works
- Recommends that all mitigation measures in the Further Information EIS and AA Screening be a condition of any planning permission

5.0 APPEAL GROUNDS

Two appeals have been submitted, one from James O'Brien and a second from Mary O'Brien. Both appeal submissions are almost identical in nature and may therefore be summarised as follows:

- Outlines history of applications on site
- Hotel complex is unaltered in size from that previously refused- large development, out-of-scale with existing small rural community.
- Necessitates the removal of a number of mature trees, conflicts with Policy 9.4.5 of operative County Development Plan
- Holiday village will adversely impact on visual amenities of coastal area. Currently the site comprises a caravan park with low caravans of broadly the same type and style. Adverse change in current visual amenity in a sensitive coastal area, which in accordance with Policy CZ1 of the operative County Development Plan, is an area the planning authority are required to protect from intensive unnecessary housing, tourism and recreational development
- With regards water supply and effluent treatment, considers that permission conditional upon legal issues regarding transfer of title is uncertain and premature
- No internal reports from Conservation Officer, considering location of site in proximity to cSAC and pNHA
- Original EIS was considered deficient and revised statement was required- proposed application will result in environment undergoing significant development in a concentrated period of time

- Disagrees that the development fulfils several requirements for the development of tourism both locally and regionally
- Overall impact on the sensitive and protected rural and coastal areas will be a negative one
- Considers that proposal conflicts with standards set out for Tourism, Recreation and Leisure in the current County Development Plan
- Actual need for hotel and golf course is not referred to
- Proposed golf course is an unnatural idiom in a coastal area that has an acknowledged complex and fragile eco system- level of drainage required and intensive use of chemicals that will be needed to treat and maintain golf greens will significantly adversely impact on designated areas
- R742 is a narrow winding coastal road and appellants have concerns as to how existing road infrastructure would cope with proposed development- considers that permitting access direct from R742 is contrary to Policy TP5 of operative County Development Plan regarding regional roads
- Proposed development is inappropriate for locality for reasons of scale of development, infrastructure and adverse environmental impact in an area that combines SAC, pNHA and Coastal Zone

6.0 OBSERVERS

An observation was received on behalf of James O'Connell, which may be summarised as follows:

- Proposal would have a substantial and negative visual impact- can be seen for miles; would represent a dominant feature within the landscape

- No framework in place for site's planned development; LAP lapsed in 2010
- Raises question whether existing caravan park would get permission today if proposed
- Possible impacts on European sites
- Design of proposed hotel fails to address concerns raised in previous refusal relating to scale, height, form and excessive bulk- concerns regarding architectural quality and merit- height is unsuited to site
- Design of lodges would constitute suburban type housing; out of character with existing pattern of development in the area- opposed to houses in principle
- Inappropriate overdevelopment of the site by reason of scale, bulk and design; would be out of character with existing development pattern and would seriously injure the amenities of the area
- Increase in number of lodges from that previously refused on site (19 to 66)
- Poor original location of caravan park- visually obtrusive at this sensitive location
- Does not consider that proposed development can be satisfactorily drained by methods proposed; would be prejudicial to public health; represents a risk to natural heritage of the area
- Suitability of this location for proposed development is questionable
- 10 year permission suggests development is speculative

- Application is premature pending the preparation of a Coastal Village Development Plan for the Curracloe Area, considering previous Plan expired in 2010
- Not satisfied that the principle of an integrated holiday complex on the appeal site is acceptable or accords with the provisions of the CDP and LAP
- Outlines planning history on this and adjoining sites- considers that rather than responding to refusals with proposals whose impact would be less; the applicant responds with one which is more, for example proposal has 47 more lodges than that appeal assessed by ABP in 2006
- Proposal is contrary to planning policy
- Impacts on residential amenity
- Inappropriate scale of proposed development is such that it would overwhelm the village of Curracloe
- Scope and quality of EIS does not reflect the sensitivity of the site and fails in many areas to provide sufficient detail
- No meaningful assessment of 'alternatives considered' in the EIA
- No 'material assets' assessment in EIA- no assessment provided as to the possible sustainability of this project to the area if built- no analysis of if it is actually required- queries if this is a viable, sustainable project
- Extent of drainage works required raises concerns over perceived prematurity of this application
- Raises concerns in relation to foul drainage and detail provided in respect of this element of the proposal

- Considers that surface water drainage proposals are not sufficiently precautionary considering location of site
- Considers that condition relating to funding of proposed pumping station is ultra vires as location of pumping station is outside of red line of their planning application
- A number of conditions refer to issues which should be addressed before permission is granted
- Concerns relating to location of golf course and underpass with regards drainage and maintenance necessary would have a deleterious effect on the fragile eco-system of the marshland area

7.0 RESPONSES

No response was received from the planning authority

A response was received on behalf of the first party which may be summarised as follows:

- Details context for development; planning history including excerpts from previous ABP reports; description of current development and excerpts from Planning Officer's Report
- States that it has been acknowledged over a considerable period of time that the re-use of Kilmacoe Demesne lands for an integrated tourism and leisure development is acceptable in principle
- Servicing proposals linking existing and proposed development in Curracloe to Wexford waste-water treatment plant represents a planning gain to Curracloe and County Wexford

- EIS referred to 'Analysis of the Need for the Development' and set this in the context of the tourism sector generally and policy relating thereto, noting current government policy
- Cites excerpts from Draft Wexford County Development Plan 2013-2019, in particular Chapter 7 relating to tourism
- Kilmacoe Demesne lands were identified in Curracloe LAP as suitable for the development of an integrated tourism facility
- Proposed development is consistent with the policies and objectives of the new Wexford County Development Plan 2013
- Reasons for refusal in previous applications relating to drainage have been addressed by the proposal to provide two pumping stations- planning authority considers this is a planning gain and propose to take the infrastructure in charge on completion, in accordance with the conditions attached- Condition No. 4 has been drafted using terminology from Planning and Development Acts and has been accepted by the applicant- does not involve any transfer of title between the applicant and authority. Proposal is not premature as it proposes to link into existing infrastructure
- Scale and layout has been significantly amended and is confined within natural field boundaries of existing caravan park
- Appropriate national authorities, relating to natural heritage, recommend that permission be granted and that there would be no deleterious impacts upon designated areas
- Appellants contend that hotel complex is unaltered in size and scale. However, size and scale were not an issue in previous determination by planning authority- principle of development acceptable on site

- Vast majority of trees on site will be retained- new tree planting will be carried out at a rate of 8 new trees for every tree removed- demesne landscape will be maintained and improved as a result of proposed development
- Extracts of EIS quoted by appellants have been taken out of context and misrepresent what is stated in EIS. When proposed mitigation measures are put into effect, inevitable short-term negative impacts will improve to a positive landscape
- Statements regarding level of drainage required and amount of chemicals needed are incorrect
- Existing road infrastructure is capable of accommodating the proposed development, subject to conditions

8.0 PLANNING HISTORY

97/2144 (PL26.118079)

Permission GRANTED for 50 bed hotel, 32 holiday homes, leisure centre and golf course. Decision OVERTURNED on appeal to An Bord Pleanala on grounds of visual amenity, drainage and prematurity pending preparation of Coastal Village Development Plan for Curraclloe Area

2004/3650 (PL26.214799)

Permission GRANTED for hotel, golf course and 19 two-storey dwellings. Decision OVERTURNED by An Bord Pleanala for reasons of scale, height, form and excessive bulk of hotel building, together with its location would seriously detract from visual qualities of the area and secondly of grounds of drainage.

2010/1316

Permission REFUSED for hotel, golf course and 123 no. lodges on grounds of drainage; prematurity; impact on proposed Natural Heritage Area; permeability and prejudicial to public health

An application of relevance on an adjoining site is as follows:

2005/4494 (PL26.216853)

Permission REFUSED by An Bord Pleanala to demolish existing part constructed hotel and to construct 74 holiday homes on grounds of adverse visual impacts; contrary to specific tourism objectives of planning authority; impacts on integrity of proposed Natural Heritage Area; linkages and drainage proposals.

9.0 DEVELOPMENT PLAN

The operative Development Plan is the Wexford County Development Plan 2007-2013

Curracloe is designated as a Local Growth Area within the operative County Development Plan (Section 2.3.5)

Objective SG2 seeks to 'prepare Village Design Statements in order to encourage sympathetic design of new buildings into existing villages'

Landscape Characterisation: Policy Area 2 and 3

Policy TR9: The Council shall promote and facilitate the development of holiday homes on existing caravan parks.

- Development will be resisted in areas already well provided for and in areas of landscape vulnerability and sensitivity.

Section 8.1.5 Destination Tourism

Section 10.10.0 Tourism

Landscape Designations:

Wexford Slobs and Harbour pNHA (Ref. 000712)

Screen Hills pNHA (Ref.000708)

Screen Hills SAC (Ref. 000708)

The Raven SPA (Ref.004019)

Draft Wexford County Development Plan 2013-2019

The subject site would appear to be outside the Coastal Zone as delineated on Map No. 9

Chapter 7 relates to Tourism

Section 7.4.2 relates to Coastal Tourism

Section 7.4.7 relates to Resorts and Amenities

10.0 ENVIRONMENTAL IMPACT ASSESSMENT

10.1 Article 94 and Schedule 6 of the Planning and Development Regulations 2001 sets out the information to be contained in an EIS and, in my opinion, the document accompanying the application technically accords with the said details, with the subjects to be addressed set out therein. A *non-technical summary* is included as a preface to the main document. It states that an EIS is required for the application as the proposed development falls within the threshold set down in Part 2(12)(c) of Schedule 5 of the Planning and Development Regulations 2001 relating to holiday villages which would consist of more than 100 holiday homes outside built-up areas; hotel complexes outside built-up areas which would have an area of 20 hectares or more or an accommodation capacity exceeding 300 bedrooms.

10.2 **Section 1** of the EIS is a *General Introduction*. It describes the layout and methodology used in the statement and the expertise used in its

preparation. It gives a brief outline of the proposed development; the planning history of the site; an overview of the site and the general area and existing site services. It also details consultations undertaken during the scoping for the EIS, outlines its structure, the methodology used, together with definitions, explanation of abbreviations and project team.

- 10.3 **Section 2** of the EIS is the *Planning Context and Need for the Development*, with this section focusing on setting out the need for the proposal through an analysis of the most recent plans and guidelines. It is stated that there is a focus on the need for growth in the tourism sector which the proposal will be part of.
- 10.4 **Section 3** of the EIS is a *Description of the Proposed Development Works* which essentially comprises the construction of a 4* 59 bedroom hotel, together with 6 suites, with ancillary bar and dining facilities, incorporating a leisure centre and golf club house; construction of approximately 66 two and three bedroom self-contained lodges and construction of an 18 hole golf course, along with all ancillary site development works. Details of finishes, drainage, water supply, lighting and general landscaping details are contained within this Section. A detailed description of the proposed golf course, its establishment and maintenance is outlined; together with details of golf course construction, including irrigation requirements, site development works and construction phase. A comparison of existing and proposed chemical usage on the landbank is included in this section showing the current usage rate based on 36.65 hectares of arable land as opposed to annual usage rate on a golf course of an area 1.35 hectares of green.
- 10.5 **Section 4** of the EIS examines *Alternatives Considered*. In terms of alternative locations, it is stated that the consideration of such for the development is considered a mute point given that EIA is only concerned with projects and is site specific. The developer does not

have an alternative landbank in the immediate area upon which to build and a review of the planning applications has not revealed any other plans for a similar type development in Curracloe. The alternatives reviewed are essentially the previous applications that pertained to the lands and the alterations that have been undertaken as a result of previous decisions. It is stated that after assessment by an ecologist, a number of changes were made to the layout of the golf course. Accordingly, the golf course will not directly impact on the SAC or indirectly impact it through significantly affecting the underlying groundwater or surface water regime supporting it. In addition, as part of the site overlaps the Wexford Slob and Harbour pNHA and this area will not be developed as part of the golf course.

10.6 **Section 5** of the EIS relates to *Impacts*. Section 5, **Part 5.1** relates to *Human Beings*. Curracloe is part of the Ardcolm DED where population increased by 13.6% between 2002 and 2006. No more recent data is included. During the summer months the population is likely to rise when caravan parks and holiday homes are fully booked. Approximately 100 people will be employed during the construction phase, resulting in a moderate beneficial short term impact as a result of the direct and indirect employment generation. When fully developed, the proposed development is anticipated to create approximately 90 new jobs resulting in a positive medium to long term local impact.

10.7 Section 5, **Part 5.2** of the EIS relates to *Flora and Fauna*. A site survey was undertaken in 2009 and a bat survey in 2012. As much of the site is farmland, it has a relatively low ecological value. The site is bordered by two designated areas and includes small parts of them. A kettle hole bog (poor fen) is part of the Screen Hills SAC (Ref. 000708) at the northern tip of the site; and the Wexford Slob and Harbour pNHA (Ref.000712) includes the marshy edge of the site at the south-east. Hairy birdsfoot trefoil, a protected species, has also been found on the site. Six species of bat were found in 2012 and a bat roost was

identified in a single storey building beside the disused barn. Smooth newt and a buzzard were also observed during the survey. The change in land-use from grazing land to golf course will alter the flora and fauna of the managed areas significantly. Mitigation measures have been outlined and it is stated that these will ensure that there will be no negative impacts on the adjacent designated areas.

- 10.8 Section 5, **Part 5.3** of the EIS relates to *Soils and Geology*. The geological formation underlying the proposed site consists of dark muddy limestone and shale, while the area where the proposed caravan site is located is underlain by made ground. It is envisaged that there will be no import or removal of materials from the site. Pollution potentials have been outlined for both the construction phase and operational phase. Mitigation measures are proposed including pollution prevention and spoil management. It is stated that as a result of the mitigation measures proposed, the residual impact on soils and geology as a result of the proposed development is likely to be a slight negative in the short term and negligible in the long term.
- 10.9 Section 5, **Part 5.4** of the EIS relates to *Hydrology*. The site, for the most part, is underlain by sands and gravels and is well drained. There are a variety of surface water features on site including wetlands, five ponds and a ditch. The only flowing watercourse on the site is the ditch connecting the largest existing pond in the south-west to the Curraclloe Marshes, which eventually discharge into Wexford Harbour. Curraclloe Beach, 500m to the east of the site is classified as transitional coastal recreational water with water quality deemed to be good since at least 2002. The other main surface water feature located in proximity to the site is the Ardcaivan sub-basin waterbody, approximately 800m to the west. Potential impacts on surface water quality have been outlined both during the construction and site development works, namely through silt and sediment run-off, and during the operational phase, which could include increased surface water runoff from reduced land cover and potential increased nutrient

concentrations in groundwater due to golf course management. Provided mitigation measures are implemented; which include stockpiling/control of silt laden run-off, oil storage/refuelling, cement handling during construction and pollution prevention; it is anticipated that there will be a negligible impact on surface water during both the construction and operational phase of proposed development. A screening for flood risk has been undertaken with the findings being that there is a low probability of flooding on site. Also, there is no risk of downstream flooding as a result of the proposed development.

10.10. Section 5, **Part 5.5** of the EIS relates to *Air Quality and Climate*. It is expected that ambient air quality at the site is good and within the relevant level values. During construction, the operation of mobile plant and equipment will give rise to limited emissions to atmosphere, with dust emissions also expected. The impact on air quality with mitigation measures in place is anticipated to be negligible. Renewable energy technologies are proposed as part of the proposed development to supply heat. This will reduce reliance on fossil fuels. Traffic related emissions to air are considered negligible. With regards climate change, there is the potential for both direct and indirect emissions of greenhouse gases as a result of building design, heating systems and transportation modes. Measures to comply with Part L of the Building Regulations will be incorporated into the proposed development. Proposal will not result in any microclimatic changes and will not lead to adverse impacts of overshadowing or wind tunnelling due to separation distances involved.

10.11 Section 5, **Part 5.6** of the EIS relates to *Noise and Vibration*. A survey of the existing ambient noise levels at the proposed site was conducted and the results show that the ambient noise environment in the Curracloe area to be typical of a rural location with noise levels varying depending on distance from R742 and R743. Noise levels arising from site development and construction have been estimated in accordance with relevant Code of Practice. Compared with the existing ambient

noise environment measures, the construction phase could without further mitigation potentially represent a substantial adverse temporary or short-term impact at the nearest receptors. However, use of standard mitigation measures will be implemented to minimise noise impacts. Therefore construction noise impact is expected to reduce to slight/moderate short term/temporary impacts. Blasting or piling will not be carried out as part of the development and therefore vibrational effects are not anticipated. With regards to the operational phase, the long-term impact with mitigation in place is predicted to be negligible. With regards to long-term traffic related noise, the predicted traffic flows on the surrounding road network are not expected to double as a result of the proposed development. Furthermore, the nature of the development is such that there will not be a peak hour flow pattern associated with the proposal. The impact in terms of traffic related noise is expected to be long-term neutral.

10.12 Section 5, **Part 5.7** of the EIS relates to *Landscape and Visual*. The landscape character of the site can be described as undulating lowland agricultural landscape with woodland. The site rises from east to west in a gently rolling landscape with higher ground in general towards the more north-westerly part of the site. Kilmacoe Lodge, the original house which stood on the site has been demolished with the front roadside walls, entrance pillars and gates remaining. There is a caravan/mobile home park in the southeast portion of the site. It is anticipated that the proposed development, prior to the consideration of mitigation, will have a significant short term negative landscape and visual impact during the construction phase due to general site disruption and a moderate short-term negative landscape and visual impact upon completion of construction work including seeding and planting. Mitigation measures are however proposed to address these adverse impacts including the retention of the majority of trees and hedgerow, sensitive ground contouring and additional landscaping. The impacts will further improve to a positive landscape visual impact in the medium to long-term as new buildings weather, the existing trees

and woodland are responsibly managed and the additional planting becomes established and matures.

10.13 Section 5, **Part 5.8** of the EIS relates to *Cultural Heritage*. A desktop study was undertaken, a review undertaken of a previous archaeological and cultural heritage assessment undertaken in 1998 and site inspection as carried out in September 2009. There are no known or recorded archaeological monuments on the site. However given the site's location close to the seashore in a glacial landscape, the occurrence of buried material of archaeological importance is considered likely. The occurrence of prehistoric settlements is a possibility and elements of the proposed development are likely to have a significant impact on buried archaeological materials if such exists. Consequently an archaeologist will monitor all ground works associated with the proposed development. The site was originally part of the Kilmacoe Lodge and Demesne. No standing remnants of the house or buildings survive but the layout of the demesne landscape is largely unchanged. The impact on the demesne landscape is likely to be positive in general and the use of the site for a hotel and golf course is broadly compatible with existing remnants of the demesne landscape. A pre-construction survey of the remnants of Kilmacoe Lodge and farm buildings will be undertaken and boundary walls will be retained as far as possible. The adoption of a maintenance regime is critical for the long term survival of the parkland and will be prepared.

10.14 Section 5, **Part 5.9** of the EIS relates to *Material Assets*. There is no water supply on site, but water mains run along the R743 and R742 adjacent to the site. The general area is serviced by the Sow Regional Water Supply Scheme. It is not envisaged that there will be any significant additional pressure on existing water mains system as there is adequate supply according to the planning authority. There is currently no sewerage system serving the site and Curracloe is within an area classified as structurally weak within the Development Plan. The proposed development will incorporate two pumping stations to

maximise the possibility of serving existing developments thus representing a planning gain to Curracloe. The effluent from the development will eventually be disposed of in the WWTP serving Wexford town, which has adequate capacity. With regards to waste infrastructure, it is envisaged that cut and fill will be balanced and that consequently there will be no off-site disposal or import of spoil. During the operational phase, solid waste will be appropriately segregated and collected by a licenced contractor. Facilities for waste management and segregation will be provided in order to comply with the various waste management regulations relating to packaging and food waste. An overall Waste management Plan will be developed. Therefore, the impact on existing waste disposal sites will be negligible during the long-term operational phase of the proposed development.

10.15 Having examined the information before me, I am generally satisfied with the scope and detail included in the submitted EIS and consider it to be sufficient to assess the environmental impact of the proposed development.

11.0 ASSESSMENT

11.0.1 This application is assessed in terms of Development Plan policy and all other relevant Government Guidelines. Having examined the file and having visited the site and its environs I consider that the main issues are as follows:

1. Principle of proposed development
2. Impacts on visual and residential amenity
3. Appropriate Assessment-Screening
4. Drainage issues
5. Roads and Traffic Issues
6. Other issues

11.0.2 I note the site history which pertains to these lands and have examined some of the more recent files relating to same. In particular, I note the most recent appeal to An Bord Pleanála on these lands, namely PL26.214799, which was refused permission. While I note the description of development is quite similar to the previous appeal, the current proposal differs from that previously refused in terms of location, scale and extent of development. While regard is had to this and other applications, both on these lands and in the vicinity, I am intending to assess this appeal de novo.

11.1 PRINCIPLE OF PROPOSED DEVELOPMENT

11.1.1 The subject site is located outside of the village of Curracloe on agricultural lands, approximately 10km north of Wexford town. The area to the north of the R742 is within Landscape Characterisation Area 2-Lowlands while the remainder of the site is within Area 3-Coastal, as designated in the operative County Development Plan. The site is generally under grass and undeveloped, with the exception of the existing caravan park. Curracloe is designated as a Local Growth Area, under Section 2.3.5 of the operative County Development Plan, which seeks that these centres provide a lower range of services and facilities for the population of the immediate surrounding areas. Such Local Growth Areas act as the focus for social interaction and provide for linkages to the smaller settlements in their areas.

11.1.2 To recap, the proposal provides for a tourism development comprising a 4* hotel, 18 hole golf course, 66 golf lodges, caretaker cottage and all ancillary maintenance sheds, landscaping, underpass and road upgrades. The hotel element of the proposed development, together with part of the golf course, is to be developed within Area 2 while the remainder of the golf course and the residential element are to be developed within Area 3. The residential element will however be constructed on the site of an existing mobile home park.

11.1.3 The Curracloe LAP was adopted in December 2004 and expired in 2010, and to date would appear not to have been replaced/updated by the planning authority. I note also that the Village Design Statement for the Curracloe Area, as outlined in Objective SG2 of the operative County Development Plan, would also appear to be not yet completed. While it would be obviously preferable to have such plans in place, I consider that it would be somewhat unfair at this stage to penalise the applicant in relation to the issue of prematurity of development, considering that the making of such LAPs and Village Plans are outside his remit, with the onus being on the Planning Authority to prepare them as set out in the legislation.

11.1.4 I note that the most recent LAP had a Specific Objective TO6 for an integrated tourism facility on the majority of the appeal site. I note general Development Plan policy relating to tourism development, primarily Section 8.1 which seeks to encourage and assist in the provision of adequate recreational and tourism infrastructure and to further develop tourist orientated facilities in the county. In addition, Policy TR11 aims to encourage the development of 'Destination Tourism facilities' and appropriate associated residential development in suitable locations subject to satisfying applicable planning, environmental and engineering criteria. However, as has been stated above, part of the subject site lies within the Coastal zone where there is a presumption against further intensive development because of the adverse environmental impacts resulting from a proposed development or its secondary and/or ancillary development, including roads and service infrastructure or supporting land uses. Small-scale, sustainable land uses may be considered as set out in Section 8.1.2 of the operative County Development Plan.

11.1.5 I note the report of the Planning Inspector in the previous appeal relating to this site, PL26.241799 and I refer the Bord to same. While

the proposal is somewhat different in terms of its location on the landholding, much of the development description remains the same. At that time, the principle of an integrated holiday complex was considered acceptable, although I do note that the Curraclloe LAP, with its associated objective TO6 was in place at that time.

11.1.6 For ease of clarity, I shall divide the proposal into three main parts for this element of the assessment- (i) the hotel (ii) the holiday lodges and (iii) the golf course. In relation to the hotel element of the proposal, I note the historical significance of the northern element of the site, namely that it was the site of Kilmacoe Lodge and demesne and while the historic house does not exist to the present time, the site retains much of the character of demesne lands with an undulating landscape, parkland features, stone wall to roadside and mature belts of trees. The area is currently in use for agricultural purposes and I note its location outside of the 50km/hr speed limit on a rural road. I do consider however, that subject to a high quality design and integration into the landscape, that the location of the proposed hotel is acceptable in principle on the landward side of the R742 roadway. I do have some concerns regarding its height and design as proposed but these shall be dealt with below. I consider that a building of appropriate height and design would integrate well at this location and having regard to the existing and proposed landscaping would not be unduly visible on the landscape at this location.

11.1.7 The second element of the proposal relates to the holiday lodges. In total, 66 are proposed varying in height from single storey to two-storey, either two or three bedroom units. The lodges are proposed to be located on the grounds of an existing mobile home park, on which it is stated that there are 63 mobile homes, accessing onto the R743. I have major concerns relating to this element of the proposal in terms of actual numbers proposed and impacts on Curraclloe village and surrounding area. I note the previous appeal to the Bord, under Reg.

Ref. PL26.214799, had 19 lodges and the Inspector at that time accepted that limited holiday homes within such an overall development may be acceptable. In a previous application, which was subsequently refused, 44 homes had been proposed and this reduction was welcomed by the Inspector in her report. I also note Objective TO6 of the Curracloe LAP 2004, now expired, which stated that the planning authority may consider a limited number of individual holiday units but these units must be clearly ancillary to the main development as their purpose is merely to provide a choice of accommodation to extend the tourism product. Having regard to the scale of the proposed holiday units element, (66 no. lodges) relative to the size of the proposed hotel element (59 rooms and 6 suites), I consider that the proposed residential element could not be described as being ancillary to the main development.

11.1.8 The layout of the proposed holiday home development seeks to reflect that currently existing with properties gathered around a courtyard setting, all located within the existing field boundaries. I welcome the development on an existing brownfield site and note Policy TR9 of the operative County Development Plan which states that 'The Council shall promote and facilitate the development of holiday homes on existing caravan parks'. While the principle of this may be acceptable, I consider that the density of development and number of lodges proposed is totally inappropriate at this location. It cannot be deemed reasonable to consider that the replacement of 63 single storey, low rise mobile homes can equate to the provision of 66 dwellings, some of which are three-bed, two-storey properties. This element is not linked visually to the hotel element of the complex, except for a cross-country link road, which in itself I have difficulty, and instead reads as a suburban housing estate outside of the 50km/hr speed limit. The number of dwellings, if permitted could swamp the small village of Curracloe where the prevailing pattern of development is low density, small-scale development. While I do not have issue with the re-

development of the existing caravan/mobile home park, in accordance with TR9 of the operative County Development Plan, I consider that this element of the proposed development could only be considered acceptable if it were substantially reduced in numbers.

11.1.9 The final element of the proposed development is the golf course element. This is located both on the landward and seaward side of the R742. Having regard to the nature of the development, together with the policies and objectives in the operative County Development Plan, I consider that the principle of a golf course is acceptable on these lands.

11.1.9 Having regard to information before me, I therefore consider the proposed holiday complex development to be acceptable in principle at this location and generally in accordance with Section 8.1 of the operative County Development Plan. However, the scale of the proposed holiday home development is considered unacceptable and inappropriate at this location, as discussed above.

11.2 IMPACTS ON VISUAL AND RESIDENTIAL AMENITY

11.2.1 In the main, the proposed development is to be located on undeveloped lands, which are currently in agricultural use. This is a highly scenic, sensitive area- a rural area where any development will be highly visible on the landscape, in an area where tourism is a major contributor. Having regard to its location, together with existing screening, I would consider that the northern element of the site, on the landward side of the R742 is less sensitive than the remainder of the site. The EIS states that there are over 400 mature trees on site, with 20 groups/woodland stands of mature trees comprising of at least an additional 250 mature trees. I note the landscaping proposals submitted with the proposal and consider these to be generally acceptable. It is stated that the development will require the removal of

47 trees but that for every tree removed for the development, over 8 large trees will be planted. I consider this to be acceptable.

11.2.2 While the principle of the proposed hotel is considered acceptable at this location, I do have serious concerns relating to the design of the proposed structure and its impact on the landscape into which it is to be located. It is four storeys in height and comprises a number of elements, roof types and materials. I consider that having regard to the historic importance of the site, located on demesne lands, that any structure should be of a very high quality design in terms of elevational treatment, materials, and style. I consider that the proposal as submitted does not achieve this. The elevations are repetitive, generic and un-interesting and this is exacerbated by the over length of the proposed structure, in excess of 79 metres. I consider that the structure in no way relates to the subject site and could be a hotel development in any area of the country. This is especially true, with regards the elevation viewed from the public roadway. Substantial infilling and cut-out will be required to accommodate the proposed development and it is my opinion that the proposal if permitted would detract from the visual amenity of this rural, scenic area. A revised design solution would address many of these issues without detriment to the landscape in which it is to be located.

11.2.3 I also have serious reservations regarding the proposed link road which is to link the holiday lodge element of the proposal with the hotel and golf course. This is an internal roadway for guests of the complex. While screening of this roadway is proposed, I have reservations about successful this will be, in particular in the short to medium term. Having regard to its length, traversing across the landscape at this highly scenic and sensitive location, I consider that the link road would be unduly visible at this location; would detract from the visual amenities of this area and would be an incongruous scar on the landscape.

11.2.4 My concerns relating to the proposed holiday home element of the proposal have been dealt with somewhat above. As I have stated, I have no issue in principle with the re-development of the existing caravan/mobile home park but I do have concerns with the density of development. I consider that replacing 63 mobile homes with 66 holiday lodges is not an equitable exchange and that the proposal is out of scale with existing development in the vicinity. The existing caravan park is well established, is low rise and does not excessively detract from the visual amenities of the area. It is visible however from areas to the north of the site, in the long distance. I consider that its replacement with the holiday lodge development proposed would detract significantly from the amenities of the area. It would read as a suburban style housing estate on the outskirts of the village and would not read as part of the overall holiday complex scheme.

11.2.5 I note Policy CZ1 of the operative County Development Plan in this regard which states that 'The Council shall protect and retain remaining undeveloped coastal areas and areas which are vulnerable and sensitive to inappropriate development from intensive, haphazard, unnecessary housing, tourism and recreation development. In this instance, I consider that the subject site is located in a sensitive, vulnerable location and that the proposed development of 66 residential units at this location could be described as being intensive and unnecessary. I consider that the increase in density of the development is such that it is unacceptable at this scenic location. The proposal if permitted would detract significantly from the amenities of the area and would be inappropriate at this location.

11.2.6 In terms of impacts on residential amenity, I note the nearest residential properties. I consider that impacts on adjoining residential properties would not be so great as to warrant a refusal of permission. Overlooking, overshadowing or loss of privacy is not considered to be issues in this instance.

11.3 APROPRIATE ASSESSMENT- SCREENING

11.3.1 I refer to Circular Letter PD 2/07 of the Department of the Environment, Heritage and Local Government. The circular notes the obligation on planning authorities to ensure that a proposal likely to have a significant effect on a Special Area of Conservation or Special Protection Area should be authorised only to the extent that the authority is satisfied that it will not adversely affect the integrity of the area and, where it would be likely to have adverse effects on the integrity of a site of international importance, that the proposal be granted only in the absence of an alternative solution and on the basis of imperative reasons of overriding public interest. The circular further emphasises that the planning authority must have before it adequate information on the potential effects of the proposed development, including any proposed mitigation measures, when taking its decision. The obligation to undertake appropriate assessment derives from Article 6(3) and 6(4) of the Habitats Directive. Essentially it involves a case by case examination for Natura 2000 sites and its conservation objectives.

11.3.2 An appropriate assessment screening exercise is required to determine, on the basis of a preliminary assessment and objective criteria, whether a project, could have a significant effect on a Natura 2000 site in view of the site's conservation's objectives. In this instance, a Screening Statement for Appropriate Assessment, prepared with Malone O'Regan, was submitted with the original application. On foot of a Further Information request, a revised Statement was submitted and it is the updated, revised Statement with which I am focussing my attention. The aim of the statement is to determine the likelihood of significant impacts on Natura 2000 sites arising from the proposed development. The submitted statement outlines the characteristics of Screen Hills SAC; identifies potential impacts, in-combination effects and concludes that in terms of significance with regards to impacts on Natura 2000 sites, the

proposed works will not result in likely significant direct or indirect impacts, either alone or in combination, on the structure, function and conservation objectives for the Natura 2000 sites within a 10km radius.

11.3.3 As has been stated above, the proposed development provides for an 18 hole Par 4 golf course, a four star hotel comprising 59 rooms and 6 suites, leisure facilities, 66 unit holiday village and golf maintenance buildings on an overall site area of approximately 78 hectares. Foul effluent will be piped to the public mains while mains water will be used to service the development.

11.3.4 There are five Natura 200 sites falling within 10km of the proposed site.

These include

- Slaney River Valley SAC (Ref. 000781)- approx. 5km from site
- Wexford Harbour and Slobs SPA (Ref. 004076)- 1.6km
- Raven Point Nature Reserve SAC (ref. 000710)- 1km
- The Raven SPA (Ref. 004019)- 0.8km
- Screen Hills SAC (Ref.00708)- overlaps with NW boundary of site

11.3.5 The proposed development site itself contains part of the Screen Hills cSAC designated under the EC Habitats Directive (Council Directive 92/42/EEC) and Wexford Harbour and Slobs pNHA, proposed for designation under the Wildlife Acts 1976-2010. Both of these sites contain wetland habitats and in addition Screen Hills contains plants protected under the Wildlife Acts. The Screen Hills SAC (Ref. 000708) bounds the north-eastern portion of the site and the Wexford Harbour and Slobs pNHA, Curraclloe Marshes (ref. 000712) is located along its southern boundary. The pNHA is not a Natura 2000 site although the Curraclloe marshes eventually drain into the Wexford Harbour SPA via a canal that exists at Ardcavan. It is stated within the EIS that the pNHA will not be developed as part of the golf course. The land immediately to the north, northeast and west of the pNHA will be

developed as part of the golf course lands with out-of-play roughs bordering the pNHA. Drainage from the new golf course will generally discharge to ground as is currently the case. Additionally, a small volume of run-off from the course will be directed to the new ponds proposed primarily for storm water run-off from hardstand areas and storage of irrigation waters for the golf course. Arising from these factors, it is not considered that the hydrogeological inputs to the Curracloe marshes will change. With regards to possible adverse changes to quality of groundwater, it is noted that lands adjoining pNHA are currently in tillage and chemicals are used as part of that current regime. Much reduced rates will result once the golf course is established.

11.3.6 The area encompassing the Screen Hills SAC will also be an out-of-play area, managed with minimal intervention. Heath vegetation will be developed in the fields bordering the SAC; there will be no disposal of cuttings or application of fertiliser, pesticides or herbicides beyond the northern ridgeline to the west of Holes 12 and 13. A fence and hedge will be planted to ensure that no inadvertent dumping of grass into the SAC could occur. The Site Synopsis for the Screen Hills SAC (Ref. 000708) states that the site contains two habitats listed on Annex I of the EU Habitats Directive, namely oligotrophic lakes and dry heath formations. The many lake basins mark the positions of former ice blocks in acidic, sandy moraines. The lakes vary in size, most being pond sized, and have widely different plant and animal communities. Many plant species which are rare in south-east Ireland are currently found in these lakes. Dry heath at the site is extensive and species rich. It differs from most heaths elsewhere in the virtual absence of heather and in the presence of a diverse range of annual species. Substantial populations of RED Data Book species have been found at this site including Slender Cudweed, Heath Cudweed, Hairy Bird's-foot-trefoil and Bird Foot. The site is under threat because of reclamation for intensive agriculture. Some fields have been re-seeded with rye grass while others have been brought into crop production. The

Screen Hills contain important examples of two habitats listed in Annex I of the EU Habitats Directive. The presence of several Red Data Book plant species adds further importance to this site. Draft generic conservation objectives have been set for the site which aim to maintain the Annex I habitats at favourable conservation status: lowland oligotrophic lakes and dry heath.

11.3.7 As has been stated above, the Curraclloe marshes eventually drain into the Wexford Harbour SPA (Ref.004076) via a canal that exists at Ardavan. The site, which is of international importance, is a Special Protection Area under the E.U. Birds Directive, of special conservation interest for 31 species and is one of the most important ornithological sites in the country. The site is also of special conservation interest for holding an assemblage of over 20,000 wintering waterbirds. Wexford Harbour and Slob is one of the top three sites in the country for numbers and diversity of wintering birds. Of particular importance is that it is one of the two most important sites in the world for Greenland White-Fronted Goose. There are no imminent significant threats to the wintering bird population. In the long-term however, projected increases in sea level could cause problems in maintaining the Slob as farmland. Generic conservation objectives have been set for the site which aims to maintain the favourable conservation status.

11.3.8 The Raven SPA (Ref. 004019) is located approximately 0.8km from the subject site and incorporates the dynamic sand dune system of Raven Point and the coastal strip running north to Blackwater Head. The Raven sand dune system comprises a suite of coastal habitats listed in Annex I of the EU Habitats Directive. The Raven also has important bird interests, being part of the Wexford Slob and Harbour complex. The site is of international ornithological importance as it provides crucial roosting habitat for the Wexford Harbour flock of Greenland White-Fronted Geese and also provides a habitat for a range of other species, including six which have populations of National Importance; it is probably the most regular site in the country for Slavonian Grebe. Of

particular importance is that six of the wintering species listed in Annex I of the EU Birds Directive. Owing to the recognised importance of the area, Raven Point is a statutory Nature Reserve and Ramsar site. Generic conservation objectives have been set for the site which aims to maintain the favourable conservation status.

11.3.9 The Raven Nature Reserve SAC (Ref. 000710), located 1km from the subject site, is situated on the north side of Wexford Harbour, incorporating the dynamic sand system of Raven Point and the coast running north to Curracloe House. The site is designated as a National Nature Reserve. The site incorporates a large sand dune system comprising a suite of coastal habitats listed on Annex I of the EU Habitats Directive. The dynamic nature of the system is best seen at the southern end of the site where sand flats, lagoons, drift lines and small dune slacks develop and are being continuously transformed by the activity of the sea and the wind. A number of rare and protected plants have also been recorded from this dune system. Apart from the planted areas, the site supports a wide range of vegetation communities, the main ones of which may be simply grouped into mobile dune, fixed dune, dune slack and salt marsh communities. The site is particularly important for six dune and drift line habitats that are listed on Annex I of the EU Habitats Directive. Curracloe is a popular summer resort and parts of the Raven receive high recreational pressure. In particular, pony trekking has caused erosion of the embryonic dunes in some places. It is planned to gradually remove all the conifers from the sand dune system. Generic conservation objectives have been set for the site which aims to maintain the favourable conservation status.

11.3.10 The initial report of the Department of Heritage, Arts and the Gaeltacht (dated March 2012) outlined deficiencies in both the EIS and the AA Screening reports. Further Information was requested. The subsequent report on foot of the Further Information response stated that this Further Information had addressed many of the concerns of

the Department. They highlight that several licences may be required under the Wildlife Acts of 1976 and 2000 prior to the proposed development commencing as detailed. Unfortunately, there is no report on file from the NPWS but the Department of Arts, Heritage and the Gaeltacht refer to meeting with staff of NPWS held to advise on the legally protected plant, hairy birds foot trefoil, which is present on the site. They advised that a licence under the Wildlife Acts will be necessary for proposed development because it is the habitat of this protected plant. The exact location of the species would appear to be unknown at the present time and this location of species will need to be mapped. The applicants were advised to carry out a survey immediately to identify its location. However the applicant's consultant expressed the view that the applicant was unlikely to carry out any further surveys at this stage. This is considered reasonable. The report recommends that in any permission granted for this proposed development that it is a condition that prior to construction, or any site works commencing, that licences under the Wildlife Acts must be first obtained from NPWS with regards to protected plant and also if applicable, for other species such as newts, frogs, bats and nesting birds. The applicant should be made aware that there is a possibility that such licences may not be granted or may result in redesign or other works. The report also recommends that all mitigation measures in the Further Information EIS and AA Screening be a condition of any planning permission. This is considered reasonable.

11.3.11As I have stated above, the Screening Report concludes that the proposed works will not result in likely significant direct or indirect impacts, either alone or in combination, on the structure, function and conservation objectives for the Natura 2000 sites within a 10km radius. Having examined all of the documentation and based on the information before me, I am of the opinion that the conservation objectives are unlikely to be significantly affected by the proposed development. It is reasonable to conclude that on the basis of the information available, which I considered adequate in order to issue a

screening determination, that the proposed development, individually and in combination with other plans or projects would not be likely to have a significant effect on any European site and in particular specific site No.s 000708, 004076, 004019 and 000710 in view of the site's conservation objectives and an appropriate assessment and submission of a NIS is not therefore required.

11.4 DRAINAGE ISSUES

11.4.1 A substantial content of the submission received relates to drainage issues. Details of proposed drainage and water supply have been outlined above. In summary, it is proposed to connect into the mains water supply for the hotel and holiday village complex, with approximately 85.5m³/day required. A new foul drainage system and two waste water pump stations will be installed as part of the development. Pump Station No. 1 will maximise the possibility of servicing existing developments to the south and east of the applicant's land, should that be deemed advisable. This pump station will then discharge to Pump Station No. 2, which is to be located to the south and east of the Curraclloe primary school. This will be the main pump station and will pump the sewage from both the public sewer connections and from the proposed development to the Wexford town sewerage system. A public gravity sewer is to be laid from the public road to Pump Station No. 2 as part of these proposals. The estimated waste water generated is 85.5m³ per day, equivalent to 475 people at 180 litres per person per day. A new surface water drainage system will be installed serving the hard standing areas of the proposed development, with a separate system being installed to serve the golf course.

11.4.2 I note the internal reports of the Senior Scientist and Water Services Department of the planning authority, both of which have no objection to the proposed works subject to conditions. I also note Condition No.

4 of the decision to grant permission, which issued from the planning authority which relates to the proposed pumping stations and Section 47 of the Planning and Development Act 2000, as amended. I consider that the wording of this condition is appropriate; is not ultra vires and is relatively standard in relation to the type of work to be carried out by the applicant. I consider that the provision of the said pumping station, if permitted would lead to a planning gain for the population of Curraclloe and the surrounding area and is to be welcomed.

11.4.3 I also note Condition No. 11 in relation to the provision of groundwater monitoring wells and I recommend that if the Bord is disposed towards a grant of permission, that a similarly worded condition be attached to any such grant.

11.4.4 I consider that issues raised in relation to transfer of legal title are a legal matter, outside the remit of this planning appeal.

11.4.5 Having regard to all of the information before me, I have no information before to believe that, subject to appropriate conditions, the proposed development would be prejudicial to public health. I consider the proposal in this regard to be acceptable.

11.5 ROADS AND ACCESS ISSUES

11.5.1 I note the issues raised within the submissions received relating to roads and access issues. As has been described above, the proposed works include for the widening of the R742 and R743 to facilitate access; construction of access junctions; parking; together with excavation and construction of a tunnel under the R742 to facilitate access between the hotel element of the site and the remaining portion of the development on the opposite side. In addition, an internal road from the holiday village will run north under the R742 to the hotel entrance, which will serve holiday village traffic wishing to access the main routes towards Dublin and Wexford. I consider that the issue of

parking and access has been somewhat inadequately dealt with within the EIS and within the application in general, with detailed information lacking. With regards parking provision, exact numbers of spaces have not been quantified; with it stated instead that parking provision will comply with Development Plan standards. Notwithstanding this, I note the nature and extent of development proposed, together with the overall site size, and I am not unduly concerned in this regard.

11.5.2 Both the R742 and R743 are rural roads, where speeds are relatively high and visibility is often inferior. This is truer of the R743 where visibility around the junction of the existing caravan park is quite poor; the road is relatively narrow and where bends are evident. I note Condition No. 5 of the decision to grant permission which issued from the planning authority. This ensures the (a) provision of a public footpath inside the line of mature trees to the west of the R742, possibly on the southern side of the proposed internal site access; (b) the provision of the realignment of the R743 along the entire frontage with the provision for a 7.0 metre carriageway and 2 metre concrete footpath and (c) the provision of the underpass on the R742 constructed to the standards contained in the NRA's DMRB and a method statement for the construction of this underpass taking into account that it will not be possible to close the R742 during construction. I consider this condition to be acceptable and reasonable.

11.5.3 While I note the deficiencies in the road network at this location, together with the lack of information contained within the EIS in this regard, I consider that taking into account the above Condition No. 5, that these deficiencies would not be so great as to warrant a refusal of permission. This is due to the nature and scale of development proposed, together with the fact that with such uses, traffic levels would be expected to be more constant throughout the day as opposed to there being peak AM and PM levels. I consider the R743 to be more substandard than the R742 but note that much of the traffic from this

end of the site would travel via the internal link road and access onto the R742 as opposed to using the public road network.

11.5.4 Policy TP5 has been raised in this regard. However from an examination of the operative County Development Plan, this policy does not pertain to this specific stretch of roadways.

11.5.5 Having regard to all of the information before me, I have no information before me to believe that the proposal, if permitted would lead to the creation of a traffic hazard in the vicinity or obstruction of road users.

11.6 OTHER ISSUES

11.6.1 The submissions received raise the issue of the need for the proposed development. Such concerns are noted. The attention of the Bord is drawn to the fact that Section Two of the submitted EIS deals with the Planning Context and Need for the Development.

11.6.2 The appellants raise the issue that there is no report of file from the Conservation Officer of the planning authority. I consider that there are adequate reports on file from the planning authority in which to adequately assess the proposal. In any instance, the role of the Conservation Officer attached to the planning authority often relates more to the built heritage and Protected Structures as opposed to the natural landscape. There are no Protected Structures located on the subject site.

11.6.3 I consider that the issue of 'Material Assets' has been adequately dealt with within the submitted EIS.

11.6.4 I note that the application is for a period of 10 years and note the concerns expressed by the observer in this regard. While such concerns can be warranted in some instance, I consider a 10-year

permission acceptable in this instance due to the nature and scale of development proposed, together with the current economic climate.

12.0 CONCLUSION

- 12.1 In summary, the proposal comprises an integrated tourism facility comprising a hotel, golf course, 66 holiday lodges and ancillary site works. I consider the general principle of the proposed development to be acceptable at this location, however I do have some serious reservations.
- 12.2 It is reasonable to conclude that on the basis of the information available, which I considered adequate in order to issue a screening determination, that the proposed development, individually and in combination with other plans or projects would not be likely to have a significant effect on any European site and in particular specific site No.s 000708, 004076, 000710 and 004019 in view of the site's conservation objectives and an appropriate assessment and submission of a NIS is not therefore required.
- 12.3 Based on the information before, I do not have undue concerns in relation to public health and consider that the proposed pumping stations will give a planning gain to the village of Curracloe and surrounds. I also have no information before me to believe that the proposal if permitted would give rise to the creation of a traffic hazard or obstruction of road users.
- 12.4 Notwithstanding the above, I have serious concerns with regards the scale and density of the proposed holiday lodge element of the proposal and consider that as proposed, it is not ancillary to the main use of the development. I consider it to be excessive in numbers; reads as a suburban housing estate on the outskirts of a small village that it visually unlinked to the overall hotel element of the proposal. While I welcome the redevelopment of the mobile home park, I

consider that any holiday lodges on this site should be substantially reduced in numbers.

12.5 My second concern relates to the design of the proposed hotel element of the proposal and its impacts, if permitted, on the visual amenity of this scenic, rural area. I consider that any hotel on such demesne lands should be of high quality design and materials and integrated into the landscape. I consider that the hotel as proposed, in particular the elevations fronting onto the public roadway are unacceptable at this location and if permitted would detract significantly from the visual amenity of the area; would be incongruous on the landscape at this location and would be inconsistent with the proper planning and sustainable development of the area. I also have serious concerns regarding the impact of the proposed link road on the landscape and raise concerns that irrespective of proposed screening details, this proposed road which cuts through this highly visible landscape for such a considerable distance would result in an unnecessary scar on this scenic landscape and would detract from the visual amenities of the area.

12.6 Having regard to all of the above, the proposed development is considered unacceptable and inconsistent with the proper planning and sustainable development of the area.

13.0 RECOMMENDATION

In light of the above assessment, I recommend that the decision of the planning authority be substantially OVERTURNED and that permission be REFUSED for the following reasons and considerations.

REASONS AND CONSIDERATIONS

1. It is considered that the holiday lodge element of the proposed development is excessive in scale and density at this location; is not ancillary to the main development on site and if permitted as proposed would read as a suburban style residential estate on the outskirts of the village of Curracloe, isolated from the main bulk of the development fronting onto the R742. The number and scale of the proposed lodges is considered to be overdevelopment of the site and inappropriate at this location. The proposed development is therefore considered to be unacceptable and inconsistent with the proper planning and sustainable development of the area.
2. It is considered that the hotel element of the proposed development, in terms of design, bulk, elevational treatment, varying roof profiles and significant cutting of the landscape, together with the extent of the proposed link road, would seriously detract to an undue degree from the visual amenities and rural character of this scenic area; would result in scarring of the landscape and would be incongruous at this rural location. The proposed development would therefore be inconsistent with the proper planning and sustainable development of the area.

L. Dockery

Planning Inspector

28th February 2013

