

An
Bord
Pleanála

Board Direction
BD-019648-25
ABP-321762-25

The submissions on this file and the Inspector's report were considered at a Board meeting held on 08/05/2025.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the location and character of the site and surrounding area in a serviced urban area together with the provisions of the Wexford Development Plan 2022-2028 including Objectives TM12 and TM48, relating to tourism development, as well as the provisions of The Planning System and Flood Risk Management, Guidelines for Planning Authorities 2009, it is considered that, subject to compliance with the conditions set out below, the scale and nature of the development is acceptable. The proposed development would not seriously injure the visual or residential amenity of the area, create any additional flood risk or impact the integrity of the adjacent Special Area of Conservation. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment: Stage 1:

The Board considered the Natura Impact Statement submitted with further information, and all the other relevant submissions on file, and carried out an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on relevant European Sites. The Board agreed with the screening assessment and conclusion carried out in the Inspector's Report that the Slaney River Valley Special Area of Conservation (Site Code 000781) and Wexford Harbour and Slobbs Special Protection Area (Site Code 004076) are the only European Sites in respect of which the proposed development has the potential to have a significant effect in view of the Conservation Objectives for the site and that Stage 2 Appropriate Assessment is, therefore, required.

Appropriate Assessment: Stage 2:

The Board considered the Natura Impact Statement, and all the other relevant submissions on file, and carried out an Appropriate Assessment of the implications of the proposed development on Slaney River Valley Special Area of Conservation (Site Code 000781) and Wexford Harbour and Slobbs Special Protection Area (Site Code 004076) in view of the sites Conservation Objectives. The Board considered that the information before it was sufficient to undertake a complete assessment of all aspects of the proposed development in relation to the sites' Conservation Objectives using the best scientific knowledge in the field. In completing the assessment, the Board considered, in particular, the following:

- (i) the site specific Conservation Objectives for the European Site,
- (ii) the likely direct and indirect impacts arising from the proposed development, both individually or in combination with other plans or projects, and
- (iii) mitigation measures which are included as part of the current proposal.

In completing the Appropriate Assessment, the Board accepted and adopted the Appropriate Assessment carried out in the Inspector's Report in respect of the

potential effects of the proposed development on the aforementioned European Sites.

In overall conclusion, the Board was satisfied that the proposed development would not adversely affect the integrity of the European Sites in view of the sites' Conservation Objectives and that there is no reasonable scientific doubt as to the absence of such effects.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 30th day of October 2024, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The mitigation measures contained in the submitted Natura Impact Statement (NIS), shall be implemented.

Reason: To protect the integrity of European Sites.

3. Prior to the commencement of works, the developer shall submit to, and agree in writing with the planning authority,
 - (a) Revised drawings changing the shape of the proposed fourth floor roof from a pitched roof to a flat roof.
 - (b) Proposals to relocate plant to the roof top shall also be omitted and revised proposals for an alternative location to relocate plant shall be submitted accordingly.

Reason: In the interest of architectural and visual amenity.

4. Prior to the commencement of works, the developer shall submit to, and agree in writing with the planning authority, revised drawings for the western elevation of the proposed extension which reduce the extent of nap render proposed and which introduces slate cladding, similar to that currently in place on the northern portion of the west elevation.

Reason: In the interest of architectural and visual amenity.

5. The developer shall engage a suitably qualified licence eligible archaeologist (licensed under the National Monuments Acts) to carry out pre-development archaeological testing in areas of proposed ground disturbance and to submit an archaeological impact assessment report for the written agreement of the planning authority, following consultation with the National Monuments Service, in advance of any site preparation works or groundworks, including site investigation works/topsoil stripping/site clearance/ dredging/ underwater works and/or construction works. The report shall include an archaeological impact statement and mitigation strategy. Where archaeological material is shown to be present, avoidance, preservation in-situ, preservation by record [archaeological excavation] and/or monitoring may be required. Any further archaeological mitigation requirements specified by the planning authority, following consultation with the National Monuments Service, shall be complied with by the developer. No site preparation and/or construction works shall be carried out on site until the archaeologist's report has been submitted to and approval to proceed is agreed in writing with the planning authority. The planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of any subsequent archaeological investigative works and/or monitoring following the completion of all archaeological work on site and the completion of any necessary post-excavation work. All resulting and associated archaeological costs shall be borne by the developer.

Reason: To ensure the continued preservation, either in situ or by record, of places, caves, sites, features or other objects of archaeological interest.

6. Prior to the commencement of development the developer shall enter into a Connection Agreement(s) with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply and/or wastewater collection network. (b) The Applicant shall obtain a written Confirmation of Feasibility from Uisce Éireann's Diversions Team to build over the existing sewer within the southwest corner of the site prior to any works commencing.

Reason: In the interest of public health and to ensure adequate water and wastewater facilities.

7. Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a final Construction Management Plan, which shall be adhered to during construction. This plan shall provide protection measures to maintain the integrity of the existing western boundary wall with Saw Mill Lane as well as details of intended construction practice for the development, including hours of working, noise and dust management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and amenity.

8. All signage and advertising shall be agreed with the planning authority prior to the commencement of development.

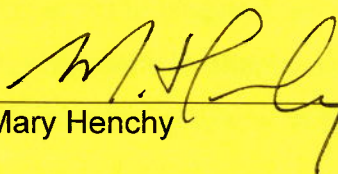
Reason: In the interest of architectural and visual amenity.

9. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation

provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Board Member


Mary Henchy

Date: 12/05/2025