



The submissions on this file and the Inspector's report were considered at a meeting held on 08 September 2026.

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

Reasons and Considerations

Having regard to the relevant provisions of the Wexford County Development Plan 2022-2028 including the residential zoning objective, to the planning history and established and ongoing development on the immediately adjoining and linked lands, in the ownership of the applicant and shown in blue within the application documentation, which incorporates residential development, road/access infrastructure, public open space and extant permissions which provide for inter alia, childcare facility building, attenuation pond, medical centre, pharmacy, offices and related works including the vehicular access off the R744 to which the current development will link, (permission Register Reference 20180945) and nursing home, childcare facility building, attenuation pond, BMX track and related works, (permission Register Reference 20220757) and to the siting, scale and design of the proposed development, the disposition of the residential units, and boundary treatments at the site, it is considered that, subject to compliance with the conditions set out below, the development would not seriously injure

the residential or visual amenities of the area or of property in the vicinity, would not adversely affect the character of the area, would be acceptable in terms of pedestrian and traffic safety, would not have a significant impact on ecology or on European sites in the vicinity, would provide an acceptable form and layout of residential development on this zoned serviced site, aligned with the overall design and layout of the wider overall development on adjoining lands within the control of the applicant and as envisaged in the planning and design report as submitted with extant permission Register Reference 20180945 and in accordance with national, regional and development plan policy in support of increased housing supply. The proposed development would therefore, be in accordance with the proper planning and sustainable development of the area.

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 information and particulars received by the planning authority on the 27th day of March 2026, 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.

No dwelling hereby permitted shall be made available by the developer for occupation in advance of receipt of written confirmation from the planning authority, of the completion of the attenuation area, permitted under either Register Reference 20180945 or Register Reference 20220757 and which it is proposed to discharge surface water to such that the attenuation area is in place and fully operational. Any such written confirmation from the planning authority shall be placed on the public file.

Reason: In the interest of environmental protection.

3.

No dwelling hereby permitted shall be made available by the developer for occupation, in advance of receipt of written confirmation from the planning authority, of the completion and making available for occupation, of the childcare facility building and BMX track, permitted under either Register Reference 20180945 or Register Reference 20220757. Any such written confirmation from the planning authority shall be placed on the public file.

Reason: In the interest of orderly development.

4.

Boundary treatments shall be carried out and installed in accordance with the details as submitted to the planning authority by date 27th March 2026, with the exception of;

(a)

all inner rear garden boundaries to proposed houses within the development which shall be bounded by block walls, 1.8 metres in height, capped and rendered on both sides;

(b)

the proposed Boundary Type B concrete block wall to the eastern site boundary shall be to a height of 2 metres.

Details of the final extent of the 2 metre block wall (Boundary Type B) and the existing post and wire fence and evergreen hedge (Boundary Type C), treatments along the eastern site boundary, shall be submitted to and agreed in writing with the planning authority prior to commencement of development. Where the final proposed treatment is to be existing post and wire fence and evergreen hedge, the applicant shall provide clear detail of the health of the existing hedge at that location, and/or include any proposed additional planting to ensure a durable boundary and this shall be subject to the written agreement of the planning authority. In the absence of such written agreement from the planning authority, the boundary treatment at those locations shall be a 2 metre block wall Boundary Type B

Reason: In the interest of clarity and to ensure the provision of durable boundaries.

5.

The controls and measures contained in the Construction, Environmental Management Plan (CEMP) shall be implemented in full.

Reason: In the interest of environmental protection and nature conservation.

6.

(a) The developer shall engage a suitably qualified (licensed eligible) archaeologist to monitor (licensed under the National Monuments Acts) all site clearance works, topsoil stripping and groundworks associated with the development.

(b) Prior to the commencement of such works the archaeologist shall consult with and forward to the Local Authority archaeologist or the NMS as appropriate a method statement for written agreement. The use of appropriate tools and/or machinery to

ensure the preservation and recording of any surviving archaeological remains shall be necessary.

(c) Should archaeological remains be identified during the course of archaeological monitoring, all works shall cease in the area of archaeological interest pending a decision of the planning authority, in consultation with the National Monuments Service, regarding appropriate mitigation, preservation in-situ/excavation.

(d) The developer shall facilitate the archaeologist in recording any remains identified. Any further archaeological mitigation requirements specified by the planning authority, following consultation with the National Monuments Service, shall be complied with by the developer.

(e) Following the completion of all archaeological work on site and any necessary post-excavation specialist analysis, the planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of the monitoring and any subsequent required archaeological investigative work/excavation required. 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.

7.

The internal road network, including turning bays, junctions, parking areas, footpaths, kerbs, signage and road markings, shall be in accordance with the detailed construction standards of the planning authority for such works, and design standards outlined in Design Manual for Urban Roads and Streets (DMURS). These

details shall be agreed in writing with the planning authority prior to commencement of development.

Reason: In the interests of proper planning and sustainable development.

8.

(a) The areas of public open space shown on the lodged plans shall be reserved for such use and shall be levelled and/or contoured, as applicable, soiled, seeded, and landscaped in accordance with the landscape plans and report submitted to the planning authority with the application, unless otherwise agreed in writing with the planning authority. The public open space shall be made available before any of the dwellings are made available for occupation, and shall be maintained as public open space by the developer until taken in charge by the Local Authority.

(b) Any plants which die, are removed, or become seriously damaged or diseased, within a period of five years from the completion of the development, or until the development is taken in charge by the Local Authority, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In order to ensure the satisfactory development of the public open space areas, and their continued use for this purpose, and in the interest of visual amenity.

9.

Details of the materials, colours and textures of all the external finishes to the proposed buildings, structures and boundary walls shall be submitted to, and agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.

10.

Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the detailed requirements of the Planning Authority for such works and services.

Reason: In the interest of public health.

11.

The applicant shall make provision for a roadside drainage connection on the L-6058-2. Prior to commencement of development the applicant shall agree details of this connection in writing with the planning authority.

Reason: In the interest of public health.

12.

Prior to commencement of development, the developer shall enter into water and waste water connection agreements with Uisce Éireann.

Reason: In the interest of public health.

15. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:

- (a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;
- (b) Location of areas for construction site offices, staff car parking, and staff facilities;
- (c) Details of site security fencing and hoardings;

- (d) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;
- (e) Measures to obviate queuing of construction traffic on the adjoining road network;
- (f) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
- (g) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;
- (h) Details of appropriate mitigation measures for noise, dust, lighting and vibration, and monitoring of such levels;
- (i) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;
- (j) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;
- (k) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.

A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority. The developer shall provide contact details for the public to make complaints during construction and provide a record of any such complaints and its response to them, which may also be inspected by the planning authority.

Reason: In the interest of amenities, public health and safety.

17.

Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best practice guidelines for the preparation of resource and waste management plans for construction & demolition projects”, published by the Environmental Protection Agency, 2021. The plan shall include details of waste to be generated during site clearance and construction phases, including potential contaminated soil, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

Reason: In the interest of sustainable waste management.

18.

Proposals for naming and numbering of the proposed scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The proposed name(s) shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).

Reason: In the interest of urban legibility.

19. All in-curtilage car parking spaces serving residential units shall be provided with electric connections to the exterior of the houses to allow for the provision of future electric vehicle charging points. Details of how it is proposed to comply with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of sustainable transportation.

20. Public lighting shall be provided in accordance with a scheme which shall be submitted to and agreed in writing with the planning authority prior to commencement of development. Such lighting shall be provided prior to the making available for occupation of any unit.

Reason: In the interests of amenity and public safety.

21.

Site development and building works shall be carried out only between the hours of 0800 to 1900 Monday to Friday inclusive, between 0700 to 1400 hours on Saturday, and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the amenities of property in the vicinity.

22.

All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity.

23.

The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company, or by the Local Authority in the event of the development being taken in charge. Detailed proposals in this regard shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. All areas not intended to be taken in charge by the Local Authority, shall be maintained by a legally constituted management company.

Reason: To ensure the satisfactory completion and maintenance of this development.

24.

(a) Prior to the commencement of any house or duplex unit in the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority pursuant to Section 47 of the Planning and Development Act 2000, that restricts any such residential units permitted (the number and location of each housing unit being specified in such agreement), pursuant to Section 47 of the Planning and Development Act 2000, that restricts all houses and duplex units permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.

(b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to the satisfaction of the Planning Authority that it has not been possible to transact each specified house or duplex unit for use by individual purchasers and/or to those

eligible for the occupation of social and/or affordable housing, including cost rental housing.

(c) The determination of the Planning Authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified housing units, in which case the planning authority shall confirm in writing to the applicant or any person with an interest in the land that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit.

Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.

25.

Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the Planning Authority in relation to the provision of housing in accordance with the requirements of Section 94(4) and Section 96(2) and (3) (Part V) of the Planning and Development Act, 2000, as amended, unless an exemption certificate shall have been applied for and been granted under Section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which Section 96(7) applies) may be referred by the Planning Authority or any other prospective party to the agreement to An Coimisiún Pleanála for determination.

Reason: To comply with the requirements of Part V of the Planning and Development Act, 2000, as amended, and of the housing strategy in the development plan of the area.

26.

Prior to commencement of development, the developer shall lodge with the Planning Authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion of roads, footpaths, watermains, drains, open space and other services required in connection with the development, coupled with an agreement empowering the Local Authority to apply such security or part thereof to the satisfactory completion of any part of the development. The form and amount of the security shall be as agreed between the Planning Authority and the developer or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.

Reason: To ensure the satisfactory completion of the development.

27.

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 Coimisiún 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.

Note:

The Commission noted the recommendation of the inspector to apply a 2 metre high block wall boundary treatment to the eastern boundary from the rear garden of unit 386 to the proposed footpath east of unit 236. The Commission shared the opinion of the inspector regarding the principle of ensuring that a durable boundary be provided along the eastern site boundary. However, having considered the totality of the documentation on file, including the Further Information submitted from the applicant, it was considered that keeping any existing hedge treatment with post and wire fencing, would be appropriate as it would protect the biodiversity of those locations. This should be subject to final agreed detail with the planning authority confirming the efficacy of the hedging at those locations, with the contingency that if this cannot be shown to be provided for by itself or with additional planting, that a 2 metre block wall should be provided

instead. The Commission agreed with the inspector that where a block wall boundary is proposed, that 2 metres would be an appropriate height.

The Commission noted the commentary regarding the separately permitted creche (childcare facility building) and BMX track. The inspector noted that permission 20180945 has been commenced and considered that any potential non-compliance with the requirements/parts of a previously permitted and commenced development are a matter for the PA to address through the enforcement process. On that basis he recommended that it is not considered appropriate or necessary to include a planning condition in respect of this development requiring that the previously permitted creche and BMX track be in place prior to the occupation of any house.

The Commission considered the totality of the documentation on file, including the request of the applicant for such a condition to be attached and the wording of condition 2(b) of the planning authority. Furthermore, the Commission considered the planning history of the site and immediately adjoining lands which are in the ownership of the applicant and which are shown in blue on the application documentation. Specifically the Commission noted permission 20180945 which remains extant provides for the roadway off the R744 which the current proposed scheme will rely on for access to the public network. The adjoining permissions and part completed developments also include elements such as services, the attenuation pond which is referenced by the inspector and open spaces etc. which the Commission is satisfied show in effect a clearly integrated and interwoven single overall project. In this context the Commission decided that a condition requiring that no dwelling shall be made available by the developer for occupation in advance of receipt of written confirmation from the planning authority of the completion and making available by the developer for occupation,

of the childcare facility building and BMX track, permitted under either Register Reference 20180945 or Register Reference 20220757 (which alters the position of the childcare facility building and BMX track and attenuation pond) would be appropriate in this instance.

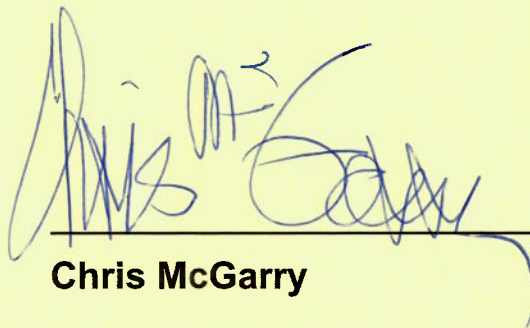
Noting the detail submitted with extant permission 20180945, including the Planning and Design Report therein, which confirms for example that the childcare facility building has been sized and will provide for a scheme of some 410 dwellings overall, the Commission determined that the attachment of condition 3 above would be appropriate and expedient for the purposes of the permitted dwellings under the current application.

The Commission noted the reference by the inspector to a material contravention of development plan objectives TV 16 (requirement for a design statement) and TV17 (requirement for a public realm plan and statement). The inspector also concluded that any such material contravention would nevertheless be warranted on the facts of the case and that a grant of permission would be in accordance with the proper planning and sustainable development of the area, having regard to the form, design and layout of the proposed development.

The Commission considered the full facts of the case and the associated planning history of the interlinked planning permissions on the adjoining blue lands. This includes a detailed 'Planning and Design Report' which accompanied application 20180945 and which the Commission considered is reasonable to read as providing the substance of what the subsequent development plan objectives TV16 and TV17 would ordinarily envisage. The Commission considered that the spirit and purpose of these objectives is broadly met in the final form and layout of the current application which is a clear derivative from a broader design strategy for these and adjoining lands, as envisaged since 2018. In this regard

and considering the overall conclusion of the inspector and the planning authority that the current proposed development would accord with the proper planning and sustainable development of the area, the Commission determined that while the application as submitted would contravene objectives TV16 and TV17, nevertheless on a reasonable review of the overall site and adjoining lands context including associated planning permissions, that it would not constitute a material contravention.

Planning Commissioner:



Chris McGarry

Date:

8th day of September 2026