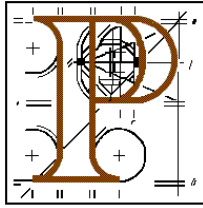


# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

## Wexford County

**Planning Register Reference Number: 20150916**

An Bord Pleanála Reference Number: PL 26.245835

**APPEAL** by Patrick Byrne trading as Byrne's Motors care of Philip Byrne of 33 Castle Oaks, Rockshire Road, Ferrybank, County Waterford against the decision made on the 6<sup>th</sup> day of November, 2015 by Wexford County Council to refuse permission.

**PROPOSED DEVELOPMENT:** Change of use of lands to dry car storage area of one hectare, with associated site works at Ballywilliam, Enniscorthy, County Wexford. This application is accompanied by a Natura Impact Statement.

## DECISION

**REFUSE** permission for the above proposed development based on the reasons and considerations set out below.

## MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## **REASONS AND CONSIDERATIONS**

1. Having regard to the nature and excessive scale of the proposed development, to its location on a site subject to significant flood risk and also located within the drainage catchment of an adjoining environmentally sensitive watercourse that drains over a short distance into a designated Natura 2000 site (River Barrow and River Nore Special Area of Conservation), as well as being located a short distance upstream of the intake for the New Ross water supply (Polymounty), it is considered that the proposed development would pose a significant risk to the water quality of the adjoining watercourse. The proposed development would represent an inappropriate location for the proposed development, would constitute an unacceptable environmental risk and would be prejudicial to public health. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the nature, excessive scale and characteristics of the proposed development, to the proximity of the facility to an adjoining watercourse (Aughnacrew River) which forms part of the River Barrow and River Nore Special Area of Conservation (Site code: 002162), it is considered that the proposed development would pose an unacceptable risk of contamination of the adjoining watercourse and subsequently a deterioration of water quality and conservation status in the designated Special Area of Conservation. It is reasonable to conclude, on the basis of the information available, that the proposed development, both individually and in combination with other plans and/or projects would adversely affect the integrity of the River Barrow and River Nore Special Area of Conservation (Site code: 002162).
3. Having regard to the nature, excessive scale and location of the proposed development on the edge of a small rural settlement, it is considered that the proposed development would represent an excessive scale of development, would be detrimental to the rural

character of the area and would have a disproportionate and obtrusive impact on the visual amenities of the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2016.**