



An
Bord
Pleanála

Board Order PL 26.248159

Planning and Development Acts 2000 to 2016

Planning Authority: Wexford County Council

Planning Register Reference Number: 20160623

Appeal by Charles Somers of Hazeldell, Kilnahue, Gorey, County Wexford and by others against the decision made on the 20th day of February, 2017 by Wexford County Council to grant subject to conditions a permission to Gerard Gannon Properties care of Michael Connolly of 15 Yachtsman's Point, Dunbur, Wicklow Town.

Proposed Development: 10-year planning permission for a residential development consisting of the following. 219 number dwelling units, (10 number two bedroom semi-detached units, 64 number three bed room semi-detached units, 20 number three bedroom detached units, 90 four bedroom semi-detached units and 35 number four bedroom detached units), a crèche building circa 523 square metres and associated play areas, a new vehicular access/exit onto R725 Carnew Road, the upgrade/improvement of a portion of the existing Kilnahue Lane including the provision of two number vehicular access/exits, together with a playground area, a new connection to existing foul and storm water services, underground attenuation tanks, the removal of an existing dilapidated structure and all associated site works on a site of 15.3 hectares (37.8 acres) at Kilnahue and Gorey Hill, Gorey Rural, County Wexford.

Decision

REFUSE permission for the above proposed development in accordance with 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. The site of the proposed development is located within the development boundary of Gorey Town and Environs Local Area Plan 2017-2023 on lands partly zoned 'Residential' and on lands partly zoned 'Open Space and Amenity' with the objective "to protect and provide for recreation, open space and amenity area". Having regard to the siting of a significant component of the residential development on lands zoned for open space and amenity, it is considered that the proposed development would materially contravene the development objective indicated in the Local Area Plan for the zoning of part of the site for open space and amenity purposes and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The site of the proposed development is on serviceable lands, within the development boundary of Gorey Town, in close proximity to social and community services. It is a requirement, under Section 2.3.8 of the Gorey Town and Environs Local Area Plan 2017-2023, that the Council has regard to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, issued by the Department of the Environment, Heritage and Local Government in May, 2009, and accompanying Design Manual when considering the appropriate density for residential schemes. In addition, it is an objective of the planning authority (Objective HP08), as set out in Wexford County Development Plan 2013-2019, to ensure the density of residential developments is appropriate to the location of the proposed development to ensure that land is efficiently used.

Having regard to the proposed density of the development, at 5.7 dwelling units per acre, it is considered that the proposed development would not be developed at a sufficiently high density to provide for an acceptable efficiency in serviceable land usage given the proximity of the site to the built-up area of Gorey Town and to established social and community services in the immediate vicinity. Furthermore, it is considered that such a low density would be contrary to these Ministerial Guidelines, which indicate that net densities less than 30 dwellings per hectare should generally be discouraged in the interest of land efficiency. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. The site of the proposed development is located on lands within the Creagh Neighbourhood Framework Plan, as set out in the Gorey Town and Environs Local Area Plan 2017–2023. It is considered that the siting of residential development on lands zoned for open space and amenity contravenes the provisions of the Framework Plan. It is also considered that the form, scale, layout and density of development proposed for the overall site would fail to establish a sense of place and would not give priority to the needs of pedestrians and other vulnerable road users, over that of vehicular traffic, contrary to the provisions of the Design Manual for Urban Roads and Streets, issued by the Department of the Environment, Community and Local Government in 2013, and would be incompatible with the provisions of the Creagh Neighbourhood Framework Plan, which seeks to facilitate the design of new development areas using robust urban block structures, with a presumption in favour of a perimeter block typology, and to encourage a variety of building types which reflect the function and hierarchy of routes and spaces in the area. Furthermore, by reason of the layout of the proposed development, which would remove the bulk of the existing site features, including hedgerows and the relict laneway, the proposed development would fail to reflect the provisions of the Creagh Neighbourhood Framework Plan, which requires that such features be respected and enhanced as part of an improved and integrated green infrastructure network. The proposed development would, therefore, undermine the provisions of the Creagh Neighbourhood Framework Plan, would contravene the provisions of the Local Area Plan and would, therefore, be contrary to the proper planning and sustainable development of the area.

