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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Wexford County Council**

**Planning Register Reference Number: 20201555**

**APPEAL** by David Cullen care of Brock McClure Planning and Development Consultants of 63 York Road, Dún Laoghaire, County Dublin against the decision made on the 12<sup>th</sup> day of February, 2021 by Wexford County Council to refuse permission for the proposed development.

**Proposed Development:** Permission for development on a site circa 4 hectares which will consist of (a) the construction of 85 number dwelling units as follows: 14 number two-storey two bed terraced units (circa 88 square metres), 53 number two-storey three bedroom terraced units (circa 128 square metres), four number two-storey four bedroom detached units (circa 154 square metres), 14 number two-storey four bedroom semi-detached units (circa 154 square metres), (b) connections to existing public services and connection to existing foul water treatment plant, (c) all associated landscaping, attenuation, boundary treatment and site development works, (d) the provision of a new vehicular and pedestrian access to Ballymoney Road including works to carriageway and existing public footpath and provision of 146 number on street car parking spaces and (e) the provision of new vehicular and pedestrian access linking the development to Hillview Drive, Seafield, Ballymoney, all at Ballymoney Lower, Seafield and Courtown, Courtown, County Wexford.

## **Decision**

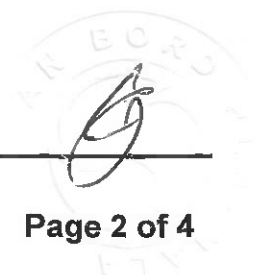
**REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.**

## **Matters Considered**

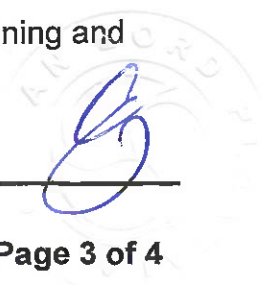
In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## **Reasons and Considerations**

1. Having regard to the designation of Ballymoney as a 'Smaller Village' in the core strategy of the current Wexford County Development Plan 2013-2019, to the scale of development proposed, and to the provisions of the 'Sustainable Residential Development in Urban Areas (Cities, Towns & Villages) - Guidelines for Planning Authorities' issued by the Department of the Environment, Heritage and Local Government in May, 2009, it is considered that the proposed development would constitute an excessive level of development which would be out of character with the existing pattern of development and would compromise and detract from the rural character of the coastal village of Ballymoney. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



2. It is considered that the proposed development, by reason of its excessive scale, form and suburban layout, would detract from the distinct rural character of the village of Ballymoney, would result in an inappropriate form of extension to this small village, and would conflict with the policies and objectives of the current Development Plan for the area. The proposed development would, therefore, seriously injure the amenities of the area and would be contrary to the proper planning and sustainable development of the area.
  
3. Having regard to the documentation submitted with the planning application and the appeal, the exclusion of a suitable wastewater treatment system from the development site, and the proposal to connect to and rely on a commercial establishment, the operation of which is the subject of enforcement proceedings, the Board is not satisfied that suitable wastewater treatment facilities will be available to, and under the control of, future owners/occupiers of the proposed dwellings at all times. In this regard, it is considered that the proposed development would be piecemeal, would be contrary to Objective WW05 of the Wexford County Development Plan 2013-2019 and would be prejudicial to public health. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
  
4. Having regard to the Board's concerns in relation to the unavailability of suitable wastewater facilities and the associated impact on groundwater, and to the proposal to supply water to the proposed development from an existing groundwater supply serving the Seafield complex, the Board is not satisfied that the proposed development can be adequately serviced with a clean supply of drinking water. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



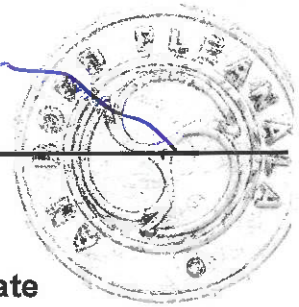
5. The proposed development does not comply with national policy on Childcare Facilities as set out in the Guidelines for Planning Authorities issued by the Department of the Environment and Local Government in June, 2001, would be detrimental to the amenities of future residents and, thereby, would be contrary to the proper planning and sustainable development of the area.



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**John Connolly**

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



Dated this **23<sup>RD</sup>** day of **DECEMBER** 2021.