



Planning and Development Acts 2000 to 2022

Planning Authority: Wexford County Council

Planning Register Reference Number: 20221130

APPEAL by Sustainability 2050 care of John Callaghan of 10 The Cloisters, Oldcastle Road, Kells, County Meath against the decision made on the 18th day of November, 2022 by Wexford County Council to grant, subject to conditions, a permission to O'Leary International Unlimited Company care of Capital Surveys of Castlehayestown, Taghmon, County Wexford in accordance with the plans and particulars submitted to the said Council:

Proposed Development: Permission for to fill 1.21 hectares of land (part of the existing site) with a clean stone and place a concrete finish thereon, erection of a palisade fence with onsite associated drainage, with all associated site works at Marshmeadows and Comlin, New Ross, County Wexford.

Decision

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

Reasons and Considerations

1. Having regard to the Wexford County Development Plan 2022-2028, and to the location, nature and scale of the proposed development, the Board was not satisfied that there was (i) sufficiency of legal interest demonstrated in relation to the proposed development site encompassed in the red line boundary; (ii) clear justification presented for the proposed development at this particular location on the most easterly end of the site on a floodplain; (iii) no traffic and transport assessment provided; (iv) no engineering assessment concerning the structural stability of the site for the proposed use; or (v) sufficient clarity concerning key details of the proposed development including inter alia its drainage management. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the location of the site, within 20 metres of the River Barrow and River Nore Special Area of Conservation (site code 002612), the Board is not satisfied, on the basis of the submissions made in connection with the planning application and appeal, that the proposed development, either individually, or in combination with development on the adjoining land to the east, would not be likely to have a significant effect on the River Barrow and River Nore Special Area of Conservation (site code 002612). The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Eamonn James Kelly

Eamonn James Kelly

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this *16th* day of *July*, 2024.