



An
Bord
Pleanála

Board Order ABP-317075-23

Planning and Development Acts 2000 to 2022

Planning Authority: Wexford County Council

Planning Register Reference Number: 2023/0153

Appeal by Cathy and David Knobler care of O'Driscoll Lynn Architects of Knockenhoy Business Park, Sinnottstown Lane, Wexford against the decision made on the 12th day of April, 2023 by Wexford County Council to refuse permission.

Proposed Development: Extension and alterations to existing dwellinghouse and new treatment system together with all associated site works, all at Sandhill House, Seaview, Kilmore, County Wexford.

Decision

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

Reasons and Considerations

1. The Board had regard to the Wexford County Development Plan 2022-2028, including, inter alia, policy objective CZM 27 to consider the findings of the Irish Coastal Protection Strategy Studies in the assessment of planning applications, and policy objective CZM 30 to carefully consider development proposals in areas identified as at risk of coastal erosion, such as Tacumshin to Kilmore Quay. In considering the report of the planning authority coastal engineer that this section of coastline is subject to severe erosion and the property itself and the access road is at high risk of erosion, the rate of which is increasing in recent years, together with the absence of a coastal protection scheme at this location, the Board was satisfied that the proposed development, consisting of an extension and alterations to a dwellinghouse and the installation of a new wastewater treatment system, is at risk of coastal erosion and decided to refuse permission for the proposed development.
2. On the basis of the information provided with the planning application and the appeal, and in the absence of a Natura Impact Statement, the Board cannot be satisfied that the proposed development, individually or in combination with other plans or projects, would not result in adverse effects on the integrity of the Saltee Islands Special Area of Conservation (Site Code: 000707) in view of the site's Conservation Objectives. The Board considered that access to undertake the proposed development is dependent on a road that is itself at high risk of erosion necessitating emergency coastal protection works in or immediately adjacent to the Special Area of Conservation. The Board considered that coastal protection works for the access road to the proposed development have not been assessed in combination with, or as part of, the proposed development. In such circumstances the Board is precluded from granting permission for the proposed development.

In deciding not to accept the Inspector's recommendation to grant permission, the Board was not satisfied that the proposed development would accord with the provisions of the development plan in relation to coastal protection in the absence of a comprehensive and sustainable approach to coastal protection in this area. In addition, the Board noted that the appropriate assessment screening undertaken by the Inspector did not consider in the screening exercise the required coastal protection works to protect the access road to the proposed development site. In the absence of satisfactory screening for appropriate assessment, works may not be considered exempted development and it was therefore not sufficiently reasoned to rely on the possibility that such works could be carried out.

Eamonn James Kelly

Eamonn James Kelly

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**



Dated this *7th* day of *March*, 2024.