



An
Bord
Pleanála

Board Order
ABP-318551-23

Planning and Development Acts 2000 to 2022

Planning Authority: Wexford County Council

Planning Register Reference Number: 20230757

APPEAL by Gerard and Margaret Doyle care of BPS Planning and Development Consultants Limited of P.O. Box 13658, Dublin against the decision made on the 1st day of November, 2023 by Wexford County Council to refuse permission.

Proposed Development: Construction of four number two-storey detached dwellinghouses together with all associated site works and ancillary services, all at Walsheslough, Rosslare, County Wexford.

Decision

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

Reasons and Considerations

It has not been demonstrated to the satisfaction of the Board that the proposed development would not cause overloading at the wastewater treatment plant, potentially impacting on receiving waters. It is considered that the proposed development would be prejudicial to public health and would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board considered the totality of the file. The Board did not concur with the Inspector's conclusion regarding access to services.

The Board considered the proposal to construct four houses is premature, from the information available to the Board it is evident that the proposed development is in an area served by a constrained wastewater treatment plant, certainty of availability of capacity to facilitate a future connection has not been provided.

The appeal includes correspondence from Uisce Éireann received by the planning authority on the 7th day of September 2023 that states, "Rosslare Strand WWTP has 'amber' status, as it does not consistently meet the requirements of the EPA Wastewater Discharge Licence, therefore under Regulation 43 of the Wastewater Discharge Authorisation Act the Planning Authority must complete a Combined Approach Assessment for this application. Given this assessment has yet not begun, it may be prudent to refuse planning accordingly". The report on file from the planning authority refers to the fact that no assessment of the Combined Approach Assessment has been conducted. Therefore, the Board concurred with the planning authority that the scheme as proposed may be prejudicial to public health.



Mary Henchy

Member of An Bord Pleanála

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

Dated this 18th day of July 2024