

An
Bord
Pleanála

Board Order ABP-318917-24

Planning and Development Acts 2000 to 2022

Planning Authority: Wexford County Council

Planning Register Reference Number: 2023/0567

Appeal by John Mullins and others care of Old Meadows, Coolballow, County Wexford and by Ard Uisce Management Company of PO Box 47, Gorey, County Wexford against the decision made on the 20th day of December, 2023 by Wexford County Council to grant subject to conditions a permission to John Devereux care of Hughes Planning and Development Consultants of 85 Merrion Square, Dublin.

Proposed Development: Development of 82 number fully serviced dwelling units, consisting of 56 number dwellinghouses, comprised of 12 number House Type A (two-bedroom, two-storey adaptable lifetime homes dwellinghouses), six number House Type B (two-bedroom, accessible bungalow dwellinghouses), 18 number House Type C (three-bedroom, two-storey dwellinghouses), 19 number House Type D (four-bedroom, three-storey dwellinghouses) and one number House Type E (four-bedroom, three-storey dwellinghouse) and 26 number apartments consisting of 13 number one-bedroom apartments and 13 number two-bedroom apartments and an associated creche facility together with access road, footpaths, all associated site works, and ancillary services on site, all at Starvehall/Coolballow, Drinagh, Wexford, County Wexford.

Decision

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

Reasons and Considerations

1. The site is not currently zoned for residential use under the Wexford County Development Plan 2022-2028 and, noting that in preparing local area plans the planning authority will ensure a tiered approach to zoning so that land is developed in a phased and sequential manner in accordance with the availability of infrastructure, it is considered that the proposed development would be premature pending the adoption of the forthcoming Wexford Town Local Area Plan and the land use zoning provisions contained therein. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The Board is not satisfied that the applicant in this instance has demonstrated that sufficient legal interest exists to allow for a vehicular pedestrian and cycle access into the adjoining Ard Uisce Estate as indicated on the drawings submitted with the planning application. It is considered that to permit the proposed development to proceed in the absence of such an access link would result in the development being solely reliant on the Starvehall Road for access to and from the site. Starvehall Road is considered to be deficient in terms of public footpaths, lighting and general alignment to cater for the pedestrian, vehicular, and cycle traffic that would be generated by the proposed development and reliance on this road for entry and exit to the proposed development would result in an inconvenient and circuitous route for residents of the proposed development to access services associated with Wexford Town. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

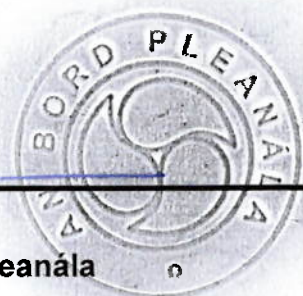
In deciding not to accept the Inspector's recommendation to grant permission, the Board had concerns that currently, there are no land use zoning provisions associated with the site, and that the granting of planning permission could potentially compromise any zoning land use strategy associated with the forthcoming Wexford Town Local Area Plan. On this basis, it was considered that the proposed development is premature pending the adoption of the local area plan for the town. Furthermore, in relation to the second reason for refusal, the Board noted the contents of the applicant's response to the grounds of appeal which clearly indicated that areas of roadway in the adjacent housing estate (Ard Uisce) which had been taken in charge by Wexford County Council. It indicated that the small green area contiguous to the red-line boundary of the applicant's site had not been taken in charge by the planning authority, and this could potentially jeopardise the delivery of a link road (and associated cycle and pedestrian links) between the two housing estates. Such a link road between the proposed development and the adjoining Ard Uisce housing estate is considered to be a critical element in terms of providing more permeability between the schemes and providing more direct access to the services and facilities associated with Wexford Town.



Paul Caprani

Member of An Bord Pleanála

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



Dated this *11th* day of *February* 2025.