



Planning and Development Act 2000, as amended

Planning Authority: Wexford County Council

Planning Register Reference Number: 2024/0844

Appeal by James Carberry and others care of Ian Doyle of Woodleigh, Cornwall, Killurin, Enniscorthy, County Wexford against the decision made on the 6th day of September, 2024 by Wexford County Council to grant subject to conditions a permission to Dale Park Adventures Limited care of Ciaran Kelly Architectural Services of The Cottage, Castlegannon, Mullinavat, County Kilkenny.

Proposed Development: Retention of a temporary motocross club training facility, five-year permission for the temporary motocross club training facility, permission to convert existing container into a temporary site office/storage, and associated site works and services, all at Ballynabarney, Wingfield, Gorey, County Wexford.

Decision

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

Reasons and Considerations

1. Having regard to the threshold set out in Class 11 (a) of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended, which refers to 'all permanent racing and test tracks for motorised vehicles', the nature, scale and intensity of the development proposed to be retained, which has already been in place in excess of five years, and the likely timeframe for implementation of the applicant's proposed mitigation measures referenced in the Noise Impact Assessment Report submitted with the planning application, the Commission, having considered the totality of the information on file, is not satisfied that the development proposed to be retained can be considered to be temporary in nature or that the applicant has suitably demonstrated that the development proposed to be retained is not subject to a mandatory Environmental Impact Assessment (EIA). The applicant did not submit an Environmental Impact Assessment Screening Report, which would have assisted the Commission in determining the requirement for an Environmental Impact Assessment (EIA). In the absence of such information, the Commission is not satisfied that the development proposed to be retained would be in accordance with the proper planning and sustainable development of the area.

2. The Commission considered the Noise Impact Assessment Report, submitted as part of the planning application, to be outdated, not reflective of the current pattern of development in the area and incomplete, having omitted relevant nearby noise sensitive receptors. In addition, the Noise Impact Assessment failed to demonstrate regard to the sensitivity of the subject site in terms of its proximity to Annagh Hill which, as per the Wexford County Council Noise Action Plan, 2019 to 2023, was identified as a Potential Quiet Area in Open Country. It is considered that the development proposed to be retained, as presented, would conflict with Objective N03 of the Wexford County Development Plan 2022-2028 which seeks 'to have regard to the Wexford County Council Noise Action Plan 2019-2023, in particular Appendix B Roadways Qualified for Noise Mapping, Appendix C Strategic Noise Maps and Appendix D Potential Noise Hotspots, in the preparation of future local area plans and to ensure that planning applications comply with the provisions and requirements of that plan, and any future revisions/update to it', and would also conflict with Objective N04 of the development plan which seeks 'to incorporate the aims of the present and future noise action plans into local area plans and in the assessment of planning applications to protect larger areas from road noise.' The development proposed to be retained would, therefore, be contrary to the proper planning and sustainable development of the area.

3. Having regard to Objective NH09 of the Wexford County Development Plan 2022-2028 which seeks 'to ensure the protection of areas, sites and species and ecological networks/corridors of local biodiversity value outside the designated sites throughout the county and to require an ecological assessment to accompany development proposals likely to impact on such areas or species', and having regard to the size, scale and nature of the development proposed to be retained, and the potential for ecological impacts to arise, it is considered that, by reason of the absence of a suitably scoped Ecological Impact Assessment Report, including an appraisal of potential invasive species and observation of appropriately sized riparian zones throughout, the development proposed to be retained would conflict with Objective NH09. The proposed development, as presented, did not include an Ecological Impact Assessment Report which would have assisted the Commission in determining the ecological baseline and the overall ecological impact of the proposal. The development proposed to be retained would, therefore, be contrary to the proper planning and sustainable development of the area.



Mary Rose McGovern

Planning Commissioner of An Coimisiún

**Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this *9th* day of *January* 2026.

