



Planning and Development Act 2000, as amended

Planning Authority: Wexford County Council

Planning Register Reference Number: 20251082W

APPEAL by Nicola and Philip Doyle and Others against the decision made on the 2nd day of January, 2026 by Wexford County Council to grant subject to conditions a permission to Ben and Shane Kavanagh.

Proposed Development: Permission for the construction of four number two-storey detached dwellings with detached domestic garages/stores, independent on-site wastewater treatment systems and all associated site works, at Kilcavan Lower (E.D. Kilgorman), Gorey, County Wexford.

Decision

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

Reasons and Considerations

Having regard to

- (a) the provisions of the Wexford County Development Plan 2022-2028, in particular Chapter 3 Core Strategy Section 3.6.7 Rural Nodes and Chapter 4 Sustainable Housing, Section 4.7.2.1 Density of Residential Developments – Level 6 Rural Nodes,
- (b) Development Plan Objective CS24 in relation to the control of growth within Rural Nodes,
- (c) the requirement for new development to align with the character of the settlement and to ensure infrastructural capacity to accommodate additional development.

and having regard to the unserviced nature of the lands and the requirement for individual wastewater treatment systems and individual private bore wells to serve each proposed dwelling unit, together with the multiplicity of extant individual wastewater treatment systems and individual private bore wells in the surrounding area, and the design and scale of the proposed units, it is considered that the proposal would contravene the provisions of the Wexford County Development Plan 2022-2028 with respect to Rural Nodes where it is adopted policy that the level of development in such settlements be strictly controlled to ensure it is in keeping with the character of the settlement, and that the settlement has the infrastructural capacity to accommodate the additional development. Furthermore, having regard to the number of additional dwelling units permitted since the adoption of the Development Plan, the proposal would not be commensurate with the scale of the Rural Node, where no more than 5-8 houses will be permitted in a node during the period of the Plan, except in exceptional cases. It is considered that the proposed development would be contrary to Objective CS24 requiring such settlements to be considered suitable for only very limited growth, appropriate to their character. Furthermore, the Commission is not satisfied that the scheme, necessitating individual water supply and individual wastewater treatment systems for each dwelling, would, given the proliferation of such infrastructure

locally, provide for a sustainable pattern of development aligned with the infrastructure capacity of the settlement, as required by the Development Plan. Accordingly, the development as proposed would be contrary to the provisions of the adopted Wexford County Development Plan 2022-2028 and would, therefore, be contrary to proper planning and sustainable development of the area.



MaryRose McGovern

Planning Commissioner of An Coimisiún

Pleanála duly authorised to authenticate

the seal of the Commission.



Dated this *14th* day of *May* 2026