



An
Bord
Pleanála

Inspector's Report PL 26.249001

Development	59 houses, 2 car showrooms and 5 commercial/light industrial units with all associated site works.
Location	Crosstown, Ardcahan, Wexford
Planning Authority	Wexford County Council
Planning Authority Reg. Ref.	2016426
Applicant(s)	Michael Hayes
Type of Application	Permission
Planning Authority Decision	To Grant Permission subject to conditions
Type of Appeal	Third Party
Appellant(s)	John Molloy
Observer(s)	No observers
Date of Site Inspection	13 th October 2017
Inspector	Erika Casey

1.0 Site Location and Description

- 1.1. The subject site is located at Crosstown, Ardavan, to the north of Wexford Town. It is located approximately 3 km from the town centre. The site comprises greenfield lands and is located immediately adjacent to an existing Petrol Station with associated convenience store. The overall site area is 7.4 hectares.
- 1.2. Development in the vicinity of the site is primarily commercial in nature with some limited small scale residential. To the east of the site, on the opposite side of the R741, is the Ardavan Business Park. This accommodates a range of commercial and office uses. Further to the south of this development, is a small scale residential development comprising a cluster of residential dwellings known as Orchard Lane/Close.
- 1.3. To the immediate south of the site, is an existing car dealership. There are a number of other car dealerships and commercial properties located on the R741. To the north, along the R741 are further detached dwellings and further commercial premises including a petrol filling station, car showrooms etc.

2.0 Proposed Development

- 2.1. The proposed development comprises a mixed use development comprising residential, 2 no. car dealership showrooms and 5 no. commercial/light industrial units.
- 2.2. The residential component is located to the north of the site and will consist of 59 dwellings comprising 36 no. 3 bedroom, 15 no. 4 bedroom and 2 no. 5 bedroom houses. A variety of house types with a contemporary design are proposed including single, two and three storey units. The dwellings range in size from 90 sq. metres to 179 sq. metres and the total area of residential development is 7,667 sq. metres. Garden sizes range from 144 to 266 sq. metres. Public open space is provided primarily in a central public open space to accommodate a 5 a side pitch and children's play equipment. A secondary area is provided to the south of the residential area, abutting the proposed light industrial units. The residential element is served by 118 car parking spaces (2 per dwelling) with an additional 20 visitor spaces. The overall density of the residential scheme is 15 dwellings per hectare.

- 2.3. 2 car dealerships are proposed to the south of the existing Topaz Petrol Station. These have an area of 718 sq. metres respectively with associated parking and display areas. The height of these buildings varies from 5.3 to 10 metres. Materials include steel cladding, optima shingles and curtain wall glazing. 2 no. monolith signs with a height of 6 metres and width of 2 metres are also proposed.
- 2.4. The development also provides for 5 no. commercial/light industrial units which are located to the rear of the existing Audi Dealership. 4 of the units have an area of 552 sq. metres and there is 1 larger unit with an area of 1,460 sq. metres. The units have a height of approximately 10 metres.
- 2.5. Access to the site is provided via 2 no. vehicular accesses from the R741, one located to the north of the Audi Dealership which has already been created as part of road improvement works carried out by Wexford County Council, and the other to north of the Topaz Petrol Station.
- 2.6. At Further Information stage it was clarified that the development is to be constructed over a number of phases. A Traffic Impact Assessment and revised road layout, including footpath and cycle path at the boundary of the development site were also submitted.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1 To Grant Permission subject to conditions. Condition of note include:

Condition 4: Developer to pay to Wexford County Council a contribution of €40,000 towards the expenditure that is proposed to be incurred by the Local Authority in respect of specific works, consisting of the upgrading of the R741 from Castlebridge to Wexford.

Condition 5: Revised road, footpath and cycle layout to be agreed with the Planning Authority prior to the construction works commencing on site.

Condition 7: Development to be carried out in accordance with submitted phasing scheme.

Condition 18: Protection of archaeological materials.

3.2. Planning Authority Reports

3.2.1. Planning Reports (21.02.2017 and 17.07.2017)

- Development would not have a significant negative effect on European sites and would not negatively affect their conservation objectives or integrity.
- The site has been zoned for such development and would result in significant economic development for Wexford Town.
- Wexford County Council has directed considerable resources in providing new sewer and road infrastructure to ensure these and adjoining lands are serviced.
- Agreed by Roads Section that the provision of a roundabout to serve the site is not necessary and that proposed T junctions are more in line with current DMURS guidance.

3.2.2. Other Technical Reports

Senior Executive Engineer (15/02/2017 and 7/07/2017): Recommends clarification be sought in respect of a number of items including lack of pedestrian linkage; impact on road safety from housing development located in 80 kph zone; need to future proof access to future zoned land and car dealership may be unable to accommodate car transporters.

Notes existing drainage dyke which traverses Orchard Lane is overgrown and requires cleaning. States that consent has been sought from National Parks and Wildlife Service to undertake these works.

Roads (31/01/2017 and 05/07/2017): Recommends grant with conditions. Notes concerns in relation to the proximity of the northern access of the proposed development and existing petrol station traffic movements. States that this possible conflict will need to be reviewed and agreed with the Roads Department prior to commencement on site.

Director of Services, Roads, Transportation, Water Services, Health and Safety (11/08/2017): Recommends additional levy of €80,000 in respect of works to the R741.

Chief Fire Officer (13/01/2017): No objection subject to conditions.

Disability Access Officer (17/01/2017): no objection.

3.3. Prescribed Bodies

- No reports received.

3.4. Third Party Observations

Mr. John Molloy:

- Concerns that the development will increase surface water runoff and thus exacerbate flooding in the locality particularly due to deficiencies in the existing drainage ditch.
- Entrance is within an 80 km/h zone and further turning movements would result in a traffic hazard.
- Lack of social and community infrastructure to serve the proposed residential element. The development is inappropriately located.

4.0 Planning History

Planning Application Reference: 20111027

Permission granted by Wexford County Council in November 2011 for a development comprising the erection of roundabout on the R741 regional road to provide access to the lands and for the proposed laying of internal access roads and services within the lands. This permission has not been implemented.

5.0 Policy Context

5.1. Development Plan

Wexford County Development Plan 2013-2019

The County Plan sets out the settlement strategy for the county. It notes that there is in excess of 217 ha of zoned residential land in Wexford Town to cater for a housing requirement of 2,409 units.

Objective SS13 of the County Plan states:

“To generally require the phasing of development on residential zoned lands. Phasing will be based on the sequential approach with the zoning extending outwards from the Town Centre. A strong emphasis will be placed on consolidating existing patterns of development, encouraging infill opportunities and a better use of land.”

Wexford Town and Environs Plan 2009-2019

The operative Development Plan for the area is the Wexford Town and Environs Plan 2009, extended to 2019.

The subject site is zoned commercial/mixed use. It is stated that the purpose of this zoning is to provide commercial and office developments. The Council will consider residential type developments where it can be demonstrated that they do not conflict with commercial/industrial development. There is an objective to provide a road through the site. This is intended to provide internal linkages between the lands.

Under the zoning matrix of the plan, residential, motor sales showroom and light industry are uses open for consideration. It is stated that:

“A use that is open for consideration means that the use is generally acceptable except where indicated otherwise and where specific considerations associated with a given proposal (i.e. scale) would be unacceptable, or where the development would be contrary to the objective for a given area.”

The plan identifies 20 master zones within the town. Each zone contains a vision of what the Planning Authority considers the most appropriate type of development in that location. The subject site is located within Zone 1: Ardavan or Knottstown/Graanagam. It is stated with regard this zone that:

“lands are to be reserved and protected against haphazard developments. These lands are considered to be strategically important. Projects of regional or international importance could be accommodated if all infrastructural needs are met during the lifetime of this plan (e.g. road networks, public transport provision, sewer connections).”

The plan sets out specific objectives for the future development of lands at Ardavan and states:

“Short Term lands adjacent to R741

- *Suitable for commercial mixed use. New individual access shall be limited and new east/west access roads would be the pictured access from regional road.*
- *Suitable uses – car showrooms, offices, industrial, warehousing, bulky goods retail (subject to retail impact assessment), health and community, leisure.*
- *Residential – Generally not permitted unless to meet the housing need of landowners immediate family (including restricted Future Dev. Zone)”*

With regard to services it notes:

Roads – reservations required on R741, new individual accesses will be restricted.

Linkages to adjoining lands will be required.

Section 11.07: Sets out guidance regarding principles of good design for residential development.

Section 11.08: Sets out guidance regarding residential development including layout, design, open space, landscaping etc.

Section 11.089.01 Residential Density: Notes that there is a need for lower densities in some areas and that in determining whether density of a development is appropriate, the Council will have particular regard to the amenity of surrounding areas.

Section 11.09.05: Addresses commercial development.

Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas 2009

These guidelines set out specific guidance regarding the sequential approach to development and state:

“Zoning shall extend outwards from the centre of an urban area, with undeveloped lands closest to the core and public transport routes being given preference, encouraging infill opportunities, and that areas to be zoned shall be contiguous to existing zoned development lands.”

With regard to density, the guidelines note that on outer suburban greenfield sites that densities in the general range of 35-50 dwellings per hectare should generally be encouraged.

5.2. Natural Heritage Designations

5.2.1 The Wexford Harbour and Slobbs SPA (site code 004076) and Slaney River SAC (Site Code 000781) is located approximately 0.5 km to the east of the subject site.

6.0 The Appeal

6.1. Grounds of Appeal

Mr. John Molloy, 5 Orchard Close, Ardavan, Wexford.

- Surface water from the site drains via a newly constructed 1 m culvert under the R741 and proceeds into a 150mm culvert in Orchard Lane and then to the sea. The narrow culvert at Orchard Lane acts as a pinch point during very wet conditions resulting in localised flooding within the Orchard Lane estate. The low lying drainage ditch is tidal and heavily overgrown further limiting its capacity. There has been an inadequate assessment of these flood issues.
- Concerns raised regarding the long term maintenance of the drainage ditch and its capacity to deal with a storm surge. Further development would increase surface water run-off and exacerbate the existing flooding issue. The drainage ditch runs through an SAC.
- The proposed entrance to the development is located in an 80kmh zone on a busy road and further turning movements could result in a traffic hazard. Sightlines are restricted due to a crest on the road. There are five existing entrances located within a distance of 100 metres. The R741 is at capacity at peak times.
- There is a lack of social infrastructure to serve the development. No schools, supermarkets or clubs within 5km of the development. Residents of the development are thus car dependent. It is a 'Celtic Tiger' type of development and an entirely inappropriate location.
- There is sufficient residential zoned land in Wexford Town until 2025. Development is not contiguous with the town and there are no other housing schemes in the area.

- The local authority has predetermined a favourable outcome for the project due to the infrastructure provided including construction of a culvert and marking of site entrance.
- There is no evidence of adequate waste water facilities in the area. No design details provided regarding pumping station on applicant's land.
- Potential negative impacts on Wexford Wildlife Reserve in terms of light pollution.

6.2. Applicant Response

- The design response has been to incorporate discrete depressions within the site that are at risk of pluvial flooding into the layout as open space or parking areas. Surface water and drainage system designed to incorporate SUDs principles and ensure a greenfield run off rate. 8 attenuation tanks are proposed.
- Contributing factors to surface water displacement in Orchard Lane arise from external factors including drainage changes associated with the adjacent Audi development and the unmaintained drainage dyke. A review of flood risk associated with the development appended to appeal response notes that residual risks regarding off site drainage channel are being addressed by Wexford County Council.
- A detailed Traffic Impact Assessment has been prepared in support of the application. A Traffic Technical note is appended to the response. This notes:
 - That it is the intention of the Council to extend the 60km/h speed limit to a point approximately 100 metres north of the new residential site entrance.
 - Right turn ghost island lanes provided to improve safety of turning movements from the R741 into the site. They will also emphasise the transition from rural to urban and reinforce message to motorists that they should expect more frequent traffic turning movements.
 - Two separate entrances will avoid conflict between commercial and residential traffic and reduce potential congestion.

- Capacity analysis has indicated that the proposed T junctions will perform satisfactorily during the morning and evening peaks.
- Sightlines in accordance with the requisite standards can be achieved.
- Development will have minimal impact on journey time taken by emergency vehicles.
- The site has good access to a number of supporting services and facilities in Wexford Town and its surrounding area. There is a service station and shop located at the eastern boundary and site is located in proximity to Ardavan Business Park. The site is served by the no. 877 bus route which operates three times daily. Map based audit of supporting services and amenities within 5km of the site provided.
- Dwellings will have a minimum A3 standard rated building energy rating and commercial units will comply with Part L. Proposal is thus in accordance with climate change policy of County Plan.
- Infrastructure investment in the area has occurred due to the commercial/mixed use zoning which has been in place for a number of years. The works undertaken to the R741 are in line with the objectives of the Development Plan which includes a 'Road Upgrade' objective for this route.
- The subject site is located within the designated Wexford Town and Environs area. It is located close to lands zoned Neighbourhood Centre. The residential element is a logical continuation of housing on lands directly abutting the site to the north. The development does not constitute high density at c. 15 dwellings per ha. The nature of land uses is entirely appropriate for the location of the site and the mixed use zoning.
- The development is adequately serviced by existing main drainage located on the regional road. Proposals for drainage have been considered acceptable by the Planning Authority.
- Screening assessment has concluded that the development will have no impact on the conservation objectives of the nearby SAC. With regard to lighting, the site is located within the zone of influence of night time lighting associated with Wexford Town. Principal source of lighting will be from internal estate roads.

Best practice will be employed to minimise impacts. Thus, the development will not have a net significant impact, particularly as it will be a low rise development and not incorporate any tall or brightly illuminated structures.

6.3. **Planning Authority Response**

- The subject site is located on lands zoned for commercial mixed use since 2009. Residential use, car sales and light industrial use is permitted in the zoning matrix of the plan.
- Wexford has been directing infrastructure investment to the Ardavan area including improvements to the road network and to the waste water and public mains network. Infrastructure now in place to enable growth.
- Development is not out of character with the surrounding area. Residential development has been permitted at Orchard Lane and industrial and commercial development at Castlebridge Road.
- Attenuation proposals will ensure that surface water outflow will be limited to existing greenfield flow and the development will not cause flooding in the area. The applicant is committed to improving downstream problems with the County Council in conjunction with the NPWS.
- The responsibility of maintaining surface water streams rests with the landowner. Where there is a potential impact on a public road, the Council has the power to ensure that watercourses are maintained.
- There is no history of coastal flooding in the area.

6.4. **Observations**

- No observations received.

7.0 **Assessment**

7.1.1 The main issues are those raised in the grounds of appeal and it is considered that no other substantive issues arise. The issues can be dealt with under the following headings:

- Principle of Development
- Surface Water, Flooding and Foul Drainage
- Traffic
- Appropriate Assessment

7.2 Principle of Development

7.2.1 The subject site is located on the periphery of Wexford Town, approximately 3 km from the town centre. The lands are currently zoned C1 commercial/mixed use under the Wexford Town and Environs Plan 2009 to 2019. The development comprises 2 constituent elements namely, 59 no. residential units and a commercial element comprising 5 light industrial units and 2 car showrooms. The appropriateness of the different elements from a planning and sustainable development perspective is considered below.

Residential

7.2.2 It is contended by the applicant that the proposed uses including 'Residential' are open for consideration under the zoning objective for the site and are thus in accordance with the mixed use objective pertaining to the area.

7.2.3 Residential use is open for consideration under the zoning matrix of the Plan, however, it is stated that such uses will only be considered except where indicated otherwise and where specific considerations associated with a proposal such as its scale would be unacceptable.

7.2.4 As noted in section 5 above, the Wexford Town and Environs Plan sets out 20 different master zones within the town boundary. The site is located within Zone 1: Ardavan or Knottstown/Graanagam. Specific objectives are set out for this zone including that the lands are suitable for commercial use. It is stated, however, that 'Residential' is generally not permitted unless to meet the housing need of landowners immediate family. Furthermore, the plan identifies that these lands are considered to be strategically important and that projects of regional or international importance could be accommodated.

- 7.2.5 It is considered that the proposed development of 59 residential units directly conflicts with these specific objectives for the Ardavan master zone. The area is clearly designated primarily for commercial development.
- 7.2.6 The appropriateness of this scale of residential development must also be considered having regard to the peripheral location of the site.
- 7.2.7 The Wexford County Plan 2013 sets out a core strategy and vision for the County. This identifies that there is in excess of 217 ha of zoned residential lands in the town to meet future housing need. A review of the zoning map in the Wexford Town and Environs Plan 2009, indicates that there are extensive residential zoned lands proximate to Wexford Town Centre and contiguous to existing residential estates in the town.
- 7.2.8 Whilst it is acknowledged that there has been some infrastructural investment in the Ardavan area, it is not considered that this is justification for the allowance of such a large residential development on commercially zoned lands, particularly when there are significant areas of more appropriate residential zoned lands located in sequentially preferable areas. It is considered that the proposal is contrary to Objective SS13 of the County Plan which emphasises the need to promote the sequential approach, consolidate existing patterns of development, encourage infill opportunities and ensure the best use of land.
- 7.2.9 The audit submitted by the applicant in the appeal response further demonstrates the isolation of the site from established social infrastructure, amenities and facilities. The site is physically separated from the town centre with limited public transport and no adequate pedestrian connectivity. Whilst there is a footpath opposite the site, there is none serving the application site. The nearest primary school is over 3 km away and local clubs, shops and other amenities located between 3 km and 5 km from the site. It is considered that the development would be totally car dependent and represents a highly unsuitable and unsustainable location for a residential scheme of this scale.
- 7.2.10 Reference is made to other residential development in the vicinity. It is noted however, that residential development is primarily one off rural dwellings or small clusters of development such as Orchard lane/Close which are not comparable to the scale of development proposed on the subject site.

Commercial

7.2.11 The commercial element comprises light industrial units and car sales showrooms. These uses are open for consideration under the zoning objective for the area. The objectives for the master zone also state that suitable uses for this area includes car showrooms and industrial use. It is considered, therefore, that these uses are acceptable in principle at this location. It is not considered, however, appropriate to issue a split decision in respect of the application due to wider concerns regarding the development which are outlined further below.

7.2 Surface Water, Flooding and Foul Drainage

7.3.1 Significant concerns have been raised by the appellant regarding the potential downstream flooding impacts of the proposed development.

7.3.2 It is contended by the applicant that sufficient attenuation is provided on the site and that surface water run-off will be that of greenfield rates. I am satisfied based on the information on file, that sufficient on site attenuation has been provided and note no objections from the Planning Authority in this regard.

7.3.3 I have concerns, however, regarding potential residual flooding impacts downstream as a result of the proposed development. The applicant states that residual risks regarding off site drainage channels are being addressed by Wexford County Council and, as such, the appellant's concerns regarding flood risk have been addressed.

7.3.4 It is noted that surface water drainage from the development will flow via the existing 900mm culvert to the south into a drainage channel with eventual discharge to sea to the east. It is acknowledged by the Local Authority that there are capacity issues with part of this channel due to the fact that it is unmaintained and blocked with debris and overgrown vegetation. It is clear that it cannot deal with additional surface water. The report of the Senior Executive Engineer in relation to the Further Information response dated the 7th of July 2017, notes that it will be necessary to clean this drainage channel and to do this, consent from both the landowner and the NPWS is required. There is no timescale provided by either the Council or the applicant as to when these works will be undertaken.

7.3.5 Whilst it is accepted that the development in its own right will generate greenfield discharge rates, there are clearly issues to resolve with the eventual discharge of

water downstream that are dependent on works being undertaken on third party lands. The consent of the NPWS is also required. In this context, it is not considered appropriate to facilitate further incremental development on the subject lands pending the resolution of this issue. The development is considered premature and may result in residual flooding impacts downstream which would have significant adverse impacts on existing residential properties notwithstanding the attenuation proposals.

7.3.6 Whilst the appellant's concerns regarding foul drainage are noted, the subject site is served by mains drainage and it is considered that there is adequate capacity to serve the development.

7.4 Traffic

7.4.1 A number of objections to the proposed development on traffic grounds have been raised by the appellant. The applicant has submitted a detailed TIA and I am satisfied based on the trip generation rates and Picady capacity analysis undertaken, that the proposed T junctions serving the development will perform satisfactorily during the morning and evening peaks. It is considered that there is adequate capacity on the R741 to accommodate the development. I am also of the view that car parking provision is adequate and that sufficient sightlines can be achieved.

7.4.2 I have concerns, however, regarding the proposed access arrangements to the site and the multiplicity of entrances within a short distance on this stretch of the R741, particularly the northern entrance. It is also noted that the roads objectives for the Ardavan Master Zone set out in the Wexford Town and Environs Plan states that new individual accesses from the R741 shall be restricted. Much of the applicant's response is predicated on the assumption that the speed limit on this part of the R741 will be reduced to 60 kph. It is noted, however, that no reference to such a proposal is detailed in any of the road's or planner's reports from Wexford County Council.

7.4.3 It is further detailed in the response that the installation of continuous hatched right turns on this stretch of the R741 will emphasise the transition from rural to urban, prevent overtaking and reinforce the message to drivers that they should expect more frequent traffic turning movements than would be the case in a rural area. It is not considered that this is a realistic measure to reduce driver speed and behaviour

and the potential hazards associated with multiple entrances in close proximity to each other.

7.4.4 Concerns were raised by both the Borough District Engineer and the Roads Department (reports dated 7th July and 5th July respectively) regarding aspects of the access arrangements and in particular the provision of new entrance to a residential estate within an 80kph zone and the proximity of the northern entrance to the existing Topaz Petrol Filling Station. The planning officer addressed these concerns by imposing a condition requiring a revised road, footpath and cycle layout to be agreed prior to construction works commencing on the site.

7.4.5 Whilst the southern access junction to the site has been provided as part of the recent upgrade works to the R741, it is considered that there is insufficient information provided by the applicant to determine the appropriateness of a second access point serving these lands within an 80kph zone, particularly having regard to its proximity to other entrances in the vicinity including Topaz and the Ardavan Business Park. No Road Safety Audit has been submitted by the applicant. I am not satisfied, particularly in light of concerns raised by both the Roads Department and Borough Engineer, that this access is appropriate and that it would not give rise to a potential traffic hazard by virtue of additional traffic turning movements.

7.5 **Appropriate Assessment**

7.5.1 There are two Natura site in close proximity to the site. Wexford Harbour and Slobs SPA (site code 004076) and the Slaney River Valley SAC Site Code 000781 are located approximately 0.5 km to the east of the subject site. Conservation objectives for the Wexford Harbour and Slobs SPA site include maintaining favourable conditions for certain species of bird life. Objectives for the Slaney River Valley SAC primarily relate to the restoration of favourable conditions for a number of aquatic species as well as the conservation condition of estuaries, watercourse, mudflats, sandflats, alluvial forests and oakwoods. The applicant has provided a Stage 1 Screening Report. The Local Authority also carried out a screening assessment and determined that the development would have no significant effects on these environmentally sensitive sites.

7.4.2 Having regard to the proximity of these Natura 2000 sites, it is considered necessary to carry out an Appropriate Assessment Screening exercise as part of this

assessment. Concerns have also been raised by the appellant regarding potential adverse impacts on these sites.

- 7.4.3 The development is located on zoned serviced land in proximity to other light industrial premises including the adjacent Ardavan Business Park. There are substantial agricultural lands which create a buffer between the site and the Natura sites. Having regard to the location of the development and its separation from the Natura 2000 sites, I am satisfied that the development will have no direct impacts on the conservation objectives of either of these two sites. The appellant's concerns regarding light impact are noted. However, it is considered that given the relatively urban location of the site, any potential negative light impacts can be appropriately mitigated through best practice approach in design.
- 7.4.4 With regard to indirect affects, the source pathway receptor model must be considered to determine whether there is any potential link between the subject site and the Natura sites.
- 7.4.5 It is noted that main drainage has recently become available to serve this site along the R741 and it is proposed that the development connect to this. It has been identified however, that there is a potential hydrological connection between the site and the Natura sites due to surface water drainage to a drainage ditch which flows into Wexford Harbour.
- 7.4.6 It is outlined by the applicant that surface water flows through an open ditch until it reaches an area of open marshy grassland and tall reed swamp both of which are located within the boundary of the SAC/SPA.
- 7.4.7 The flow into this area is diffuse and thus there is no distinct channel that links the development to the coast at Wexford Harbour. It is considered that the marsh area at the mouth of the drainage ditch forms an effective hydrological break between the drainage ditch and qualifying habitats of the SAC and prevents discharge from the project to these habitats. Therefore, while there is a hydrological pathway linking the site to the SAC boundary, there is no direct pathway between the project and the coastal qualifying habits of the SAC. This assessment seems reasonable.
- 7.4.8 The marsh area, however, is a potential roosting habitat for a range of special conservation interest species of the SPA and, therefore, potential contamination of this area must be considered. A series of mitigation measures are put forward by the

applicant for the construction and operation phases to ensure that surface water does not result in potential pollution downstream. The mitigation measures are considered an intrinsic part of the works to be carried out and will ensure no likely significant adverse effects to water quality within the SPA. I am, therefore, satisfied that the development is unlikely to have any significant indirect effects on the conservation objectives of the SAC or SPA.

7.4.9 It is reasonable to conclude that on the basis of the information on the file, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects, would not be likely to have a significant effect on European Sites 004076 and 000781, or any other European site, in view of the site's Conservation Objectives, and a Stage 2 Appropriate Assessment (and the submission of a NIS) is not, therefore, required.

8.0 Recommendation

8.1. It is recommended that permission be refused permission for the reasons set out below.

9.0 Reasons

1. Having regard to the zoning of the site and the specific objectives set out in the Wexford Town and Environs Plan 2009 for Master Zone 1: Ardavan or Knottstown/Graanagam that residential development is generally not permitted unless to meet local housing need, it is considered that the proposed residential element of the development, would materially conflict with the policies and objectives of the Plan and would be contrary to the proper planning and sustainable development of the area.
2. The Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas 2009 recommend a sequential and coordinated approach to residential development, whereby zoned lands should be developed so as to avoid a haphazard and costly approach to the provision of social and physical infrastructure and where undeveloped lands closest to the

core and public transport routes be given preference. It is considered that the site is located in an area which is remote and isolated from other areas of consolidated residential development and not in line with the orderly expansion of the settlement. Having regard to the significant scale of residential development proposed, the absence of good pedestrian linkages and the lack of social and community facilities in the vicinity, it is considered that the proposed development would be excessively car dependent and would, therefore, be contrary to the Guidelines and to the proper planning and sustainable development of the area.

3. Having regard to the location of the site within an 80 kph zone and the multiplicity of access points in the vicinity, the Board is not satisfied on the basis of the submissions made in connection with the planning application and appeal, that the proposed development, which is to be served by 2 additional access points would not give rise to a traffic hazard by reason of the additional traffic turning movements generated by the development and which may interfere with the safety and free flow of traffic on the public road.

4. Having regard to the surface water drainage proposals for the site that require downstream works of uncertain scope on third party land, the Board is not satisfied that the proposed development would not give rise to an increased risk of residual flooding on such lands. The proposed development would, therefore, be prejudicial to public safety and contrary to the proper planning and sustainable development of the area.

Erika Casey
Senior Planning Inspector

17th October 2017