



An
Bord
Pleanála

Inspector's Report ABP-301943-18

Development	3 no. houses and associated works
Location	Grange Little, Rosslare
Planning Authority	Wexford County Council
Planning Authority Reg. Ref.	20180177
Applicant(s)	Evelyn McCaffrey
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	1. Ann Mahon 2. Michael and Ann Marie Kearns
Observer(s)	None
Date of Site Inspection	21 st November 2018
Inspector	Emer Doyle

1.0 Site Location and Description

- 1.1. The site with a stated area of 0.11 hectares is an infill site at Grange Little, Rosslare Co. Wexford.
- 1.2. The site as outlined in red on the application documentation includes an area of ground in front of an adjoining mobile home. It is stated in the application documentation that the mobile home is in separate ownership.
- 1.3. A detached two storey dwelling is located to the south of the site. The Ard Aoibhinn housing estate is located to the east of the site.
- 1.4. The site itself is very overgrown with mature trees and bushes.

2.0 Proposed Development

- 2.1. Permission is sought for 3 No. two storey dwellings. Two similar designs are proposed for House Type 1 and House Type 2. House Type 1 has a stated area of 133 square metres. House Type 2 has a stated area of 157.63. The site is served by mains water and sewerage.
- 2.2. In response to a Further Information Request dated the 6th day of April 2018, the applicant submitted a letter from Irish Water stating that the proposed connection to the Irish Water network can be facilitated.

3.0 Planning Authority Decision

3.1. Decision

Permission granted subject to 13 No. conditions. All conditions are of a standard nature.

3.2. **Planning Authority Reports**

3.2.1. Planning Reports

- The Planner's report notes that the site is located in Rosslare, which is designated as a 'Strong Village' and that the principle of 3 No. dwellings is acceptable. It is considered that due to good layout and separation distances, the adjacent dwellings will not be impacted in a negative manner.

3.2.2. Other Technical Reports

- A report from the Roads Section considered that the sightlines were adequate and recommended permission subject to conditions.
- A report from the Executive Engineer Drainage Section recommends permission subject to one condition.
- A report from the Chief Fire Officer recommends permission subject to conditions.

3.3. **Prescribed Bodies**

- None.

3.4. **Third Party Observations**

- Observations were received from two parties and the grounds raised are similar to the third party appeal.

4.0 **Planning History**

None on site.

5.0 Policy Context

5.1. Development Plan

Wexford County Development Plan 2013- 2019

There is no specific zoning objective for this site. Section 3.4.8 of the plan states 'The Council do not intend to prepare a local area plan for Rosslare. Objectives for the village are set out in Appendix A of the Plan.

A number of policies in the CDP are relevant including:

- Section 3.4 Settlement Strategy

Table No. 6 identifies Rosslare Strand as a 'Strong Village'. Section 3.4.8 set out policies for strong villages. It is proposed to consolidate these villages by concentrating new growth in the village centres. The Council will apply the sequential approach to the development of land, focusing on the development of lands closest to the village first. 'Leap-frogging' of undeveloped lands will not be considered, unless it can be justified that there are sound planning reasons for doing so.

- Objectives SS20- SS24 relate to strong villages.
- Chapter 18 Development Management Standards
- Section 18.10 Residential Development in Towns and Villages

5.2. Natural Heritage Designations

The following Natura 2000 sites are located in the vicinity of the proposed development site:

- Lady's Island Lake SAC/ SPA (Site Code: 000704/004009), approximately 5.6km from the site.

- The Wexford Harbour and Slobs SPA (Site Code: 004076), approximately 0.8km from the site.
- Carnsore Point SAC (Site Code: 000770), approximately 5.1km from the site.
- Tacumshin Lake SAC/ SPA (Site Code: 000709/ 004092), approximately 8.5km from the site.

6.0 The Appeal

6.1. Grounds of Appeal

The grounds of appeal can be summarised as follows:

- The Planning Authority did not take the opportunity to regularise the chalet/mobile home on the adjacent site.
- Concerns regarding traffic safety.
- Concerns regarding overdevelopment of the site together with poor layout and design.
- Concerns regarding overlooking.
- It is considered that the site only has capacity for two houses, possibly single storey, to ensure there is no loss of privacy to any neighbouring property.

6.2. Applicant Response

The response submitted on behalf of the applicant can be summarised as follows:

- The chalet is located on an adjacent site and Wexford County Council and not An Bord Pleanála is the enforcement authority in respect of these matters.
- The Roads Report from the Council dated 30/4/18 does not raise any concern regarding the 1.2m wall proposed.
- There is no direct overlooking of adjoining properties.
- The proposed house No. 3 does not even directly adjoin No. 3 – it adjoins a planted ditch.

6.3. **Planning Authority Response**

- The Planning Authority advised the Board that they have no comment to make on this application.

6.4. **Observations**

- None.

7.0 **Assessment**

7.1. The main issues in this appeal are those raised in the grounds of appeal and observations. The issues can be dealt with under the following headings:

- Impact on Residential Amenity
- Traffic Safety
- Appropriate Assessment
- EIAR

7.2. **Traffic Safety**

7.2.1. The main issue raised regarding traffic safety relates to sightlines at the entrance.

I note that the report from the Roads Design Section considers that the sightlines are satisfactory and I concur with this. I note that the site is located on a very straight stretch of road. As such, I do not consider that the proposed development would give rise to a traffic hazard.

7.3. **Impact on Residential Amenity**

7.3.1. The main concerns raised in relation to impact on residential amenity relate to overlooking of adjoining dwellings and overdevelopment of the site.

7.3.2. The site is located in the village of Rosslare Strand and there are a large number of housing estates in the vicinity of the site. It is an overgrown infill site on the main approach road to Rosslare and is entirely suitable for development in my view. I do

not consider the proposed development to be overdevelopment of the site. I note that Rosslare is designated as a 'strong village' in the Development Plan and the policy set out in Section 3.4.8 of the plan focuses on the development of land closest to the village first. The proposed development is compliant with this policy.

7.3.3. Having regard to the layout and orientation of the site and layout of adjoining dwellings, I am satisfied that the distance between properties is sufficient and that no direct overlooking will occur between directly opposing first floor windows

7.3.4. In conclusion, I am of the opinion that the design and scale of the development is appropriate and has regard to the surrounding pattern of development. Whilst, there will certainly be change for the adjoining dwellings, I do not consider that the proposed development will unduly impact on their residential amenity.

7.4. Appropriate Assessment

7.4.1. Having regard to the nature and scale of the proposed development, a small scale infill housing development within an established urban area, and the distance to the nearest European site, no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

7.5. Environmental Impact Assessment

7.5.1. Having regard to the minor nature and scale of the proposed development and its location in a serviced urban area, removed from any sensitive locations or features, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

8.0 Recommendation

It is recommended that permission be granted subject to conditions for the reasons and considerations set out below.

9.0 Reasons and Considerations

Having regard to the provisions of the Wexford County Development Plan 2013 to 2019, the existing pattern of development in the area and to the nature and scale of the proposed development, it is considered that, subject to compliance with the following conditions, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, or give rise to a traffic hazard. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars submitted on the 16th day of May 2018, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Details of the materials, colours and textures of all the external finishes to the proposed dwellings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development

Reason: In the interest of visual amenity.

3. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

4. Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays.

Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

5. The naming/ numbering of the proposed development shall be agreed in writing with the planning authority prior to its occupation.

Reason: In the interest of orderly street numbering.

6. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.

7. The developer shall pay to the planning authority a financial contribution in

respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Emer Doyle
Planning Inspector

30th November 2018