# S. 4(1) of Planning and Development (Housing) and Residential Tenancies Act 2016

# Inspector's Report ABP-309362-21

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| **Strategic Housing Development** | Demolition of the existing structures, construction of 363 no. residential units (262 no. houses and 101 no. apartments), creche and associated site works. |
| **Location** | Site on lands to the south of Clonattin Village, and north of the R742 Courtown Road, in the townlands of Goreybridge, Clonattin Upper and Raheenagurren East, Gorey, Co. Wexford. |
| **Planning Authority** | Wexford County Council |
| **Applicant** | Axis Construction Limited |
| **Prescribed Bodies** | Irish Water |

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| **Observers** | Marlfield House Hotel<br>Michael Dwyer<br>Mary Brennan<br>Margaret Bowe<br>June McDonnell<br>Eva McDonnell |
| **Date of Site Inspection** | 14/04/2021 |
| **Inspector** | Conor McGrath |

# Contents

## 1.0 Introduction

1.1. This is an assessment of a proposed strategic housing development submitted to the Board under section 4(1) of the Planning and Development (Housing) and Residential Tenancies Act 2016.

## 2.0 Site Location and Description

2.1. The application site comprises approx. 15.7 ha of irregularly shaped lands, located to the south of Clonattin Road on the eastern side of Gorey. The lands are located to the south of, and comprise an extension to, the existing Clonattin Village residential development. The Courtown Road (R472) runs east from Gorey to the south of the lands and provides access to junction 23 on the M11 to the east. To the northwest of the site is bounded by a detached two-storey house and a development of single and two-storey houses, *Hillcrest*. To the southeast of the site, with access from the Courtown Road (742), is a cinema and associated car park (Movies@Gorey).

2.2. Much of the subject lands, particularly the northern and northeastern parts, have been substantially disturbed in the past with clearance and deposition of spoil from earlier phases of development. The northwestern corner of the site also includes a section of constructed roadway. Much of the lands are overgrown with gorse and the external field boundaries include mature trees. Three fields on the western part of the lands are under grazing but are also substantially overgrown. The Clonattin Stream runs along the southeastern boundary of the site, flowing in a southerly direction. A large attenuation pond is located within the southeastern corner of the lands, which was previously constructed to serve Clonattin Village development. An existing dormer dwelling and associated storage sheds on the site are to be removed.

## 3.0 Proposed Strategic Housing Development

3.1. The proposed development comprises the demolition of the existing dwelling and shed on the site and construction of 363 no. residential units, ranging in height from 2 to 3-storeys, and a single storey creche located at the southern end of the lands.

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| **Site Area** | 15.7ha Gross | 9.56ha Net |
| **Dwelling Units** | 363 no. units | |
| | Houses 262 (72%) | Apartments 101 (28%) |
| **Housing Mix** | - 42 no. 1 bed apartments (12%)<br>- 59 no. 2 bed apartments (16%)<br>- 134 no. 3 bed houses (37%)<br>- 124 no. 4 bed houses (34%)<br>- 4 no. 5 bed houses (1%) | |
| **Residential Density** | 38 / ha net (23uph gross) | |
| **Plot Ratio** | 0.41:1 | |
| **Site Coverage** | 0.19:1 | |
| **Building Height** | 1-3 storeys | |
| **Community Facilities** | Creche 513-sq.m. / 83 no. spaces | |
| **Communal Open Space** | c. 0.2ha | |
| **Public Open Space** | c. 3.13ha | |
| **Car Parking** | 690 no. spaces including 12 no. accessible parking spaces | |
| **Cycle Parking** | 222 no. spaces | |
| **Vehicular Access** | From Clonattin Village Road and proposed new link road from Courtown Road. | |

3.2. A large central area of public open space is provided with further provision including a green corridor along the Clonattin Stream and a large space bounding the attenuation pond. An area of Community and Educational zoned lands to the north is excluded from the application site and is stated to be available for a possible future primary school.

3.3. The proposed development includes a new link road from the site to the R472 / Courtown Road to the south, via an upgrade of the existing cinema access road. These intervening lands are currently zoned for Business and Technology Park and Tourism and Leisure uses.

## 4.0 Planning History

### 4.1. Subject Site

- PA ref. 2013/0002: Outline permission granted for demolition of existing dwelling and partially completed WWTP, and construction of 206 no. residential dwellings, childcare facility, children's play area, open space and incorporating the existing surface water attenuation pond.
- PA ref. 2013/0003: Outline permission granted for playing fields / sports pitches and ancillary clubhouse facilities, vehicular access and car parking provision on lands currently zoned for Community and Education uses.

4.2. **Adjacent Lands**

- PA ref 2000/1220: Permission granted for Phase 1 of Clonattin Village to the north of the application site, comprising 121 dwelling units.
- PA ref. 2003/1306: Permission granted for Phase 2 of Clonattin Village comprising 284 no. dwelling units to the north of the application site. This was the subject to amending applications.
- PA ref. 2003/4476 ABP Ref.: PL26.209918: Permission granted in 2005 for a 'village centre' to serve Clonattin Village, comprising a childcare facility, three-storey retail, commercial and residential building, public house and restaurant, two five and six-storey retail and residential buildings and basement car park. This site of 1.59ha includes the northwestern corner of the subject application site.

  Only one of the permitted buildings has been completed and has been the subject of a number of applications for change of use from childcare use to residential use. Following an extension of duration, this permission expired in 2013.
- PA ref. 2019/1349: Permission granted for 6 no. houses on the northern side of 2003/4476 / PL26.209918 and to the north of Block B proposed in the subject application. These houses have recently been constructed.
- PA ref. 2021/0259: Permission sought by Axis Construction Ltd. for improvements to the existing cinema access road to the south including the provision of foot and cycle paths, and minor alterations to the car parking area. The application states that the intention is to ensure that the improvement works can be carried out independently of the subject SHD application.

4.3. **Wider Gorey Area**

- PA ref. 2020/0467: Permission granted for 83 no. residential units approx. 2.5km west of the subject site, on the southwestern edge of the town.
- PA ref 2019/1472 ABP ref. ABP-307365-20: Permission granted for 70 no. residential units, approx. 2km west of the subject site, on the western edge of the town. An appeal against this decision was withdrawn.
- ABP ref. ABP-303813-9: Strategic housing permission granted for 297 no. dwelling units approx. 1.5km northwest of the subject site.
- PA ref. 2017/0786: Permission granted for 99 no. residential units approx. 1.4km southwest of the subject site (subsequently amended ref. 2018/0742).
- PA ref. 2016/0823: Permission granted in September 2016 for 32 no. houses adjoining the junction of Clonattin Village and Clonattin Road. Access was to be from Hillcrest Drive. This development has not been constructed.

## 5.0 Section 5 Pre-Application Consultation: ABP-306636-20

### 5.1. Board Opinion

A Pre-application consultation meeting was held with An Bord Pleanála on 12/06/2020. The subsequent Opinion of the Board stated that the documents submitted with the request to enter into consultations required further consideration and amendment. It was identified that the following issues needed to be addressed:

Further consideration / justification of the documents as they relate to the roads objective that applies to the site under the LAP, as set out in the Clonattin Neighbourhood Framework Plan to provide a north-south connection between the Clonattin Road and the Courtown Road, to include existing and proposed routes within the Clonattin Village development.

The proposed development may be premature pending the delivery of this LAP roads objective. The applicant is to address the delivery, or otherwise of this objective. The following matters are to be addressed in this regard:

1) Rationale for the proposed layout with regard to a Traffic and Transport Impact Assessment, to include consideration of the junction of Clonattin Village and the Clonattin Road and other relevant junctions in the area.
2) Achievement of satisfactory emergency access to the development site.
3) Comprehensive response to the concerns of Wexford County Council regarding the roads access from a single junction at Clonattin Road.
4) Compatibility of the proposed layout with other relevant objectives of the Clonattin Neighbourhood Framework Plan.
5) Consistency with DMURS.
6) Rationale for proposed parking provision with regard to development plan standards and the Apartment Design Guidelines, to include details of car parking management for the apartments.
7) Provision of any necessary upgrade works to the existing Clonattin Village road.
8) Achievement of satisfactory vehicular, cycle and pedestrian connections to adjoining zoned lands.
9) Road Safety Audit and Quality Audit.

Furthermore, the prospective applicant was advised that the following specific information should be submitted with any application for permission:

1. A Housing Quality Assessment and a Building Lifecycle Report.
2. A report that specifically addresses the proposed materials and finishes.
3. Rationale for proposed childcare provision (or lack of same).
4. Comprehensive landscaping scheme for the entire site to include:
   (i) A Tree Survey, Arboricultural Report and Impact Assessment.
   (ii) Rationale for proposed public open space provision.
   (iii) Detailed proposals for the linear park at the southern end of the site, and
   (iv) Additional landscaping details.

5. Existing and proposed ground levels across the site. Detailed cross sections and topographical details to indicate the relationship with the watercourse to the south to protect the riparian zone as required by development plan policy.
6. Details of areas are to be taken in charge.
7. Site Specific Flood Risk Assessment.
8. Water infrastructure proposals to meet the requirements of Irish Water.
9. AA Screening Report.

The prospective applicants were also advised to inform the following authorities in the event of the making of an application:

1. Irish Water
2. Transport Infrastructure Ireland
3. National Transport Authority
4. Relevant Childcare Committees

## 5.2. Applicant's Response

In accordance with Article 298(3) of the Regulations the applicants have submitted a statement of the proposals included in the application to address the issues set out in the notice under section 6(7) of the Act of 2016.

The statement notes key changes to the scheme comprising:

- The provision of a new link road connecting the Courtown Road to the Clonattin Village Road.
- Improvements to the Clonattin Village Road including new pedestrian crossings.
- Amendments to the internal layout to accommodate the new road and future connections.
- The inclusion of a creche.

In response to the issues of Roads Layout and LAP Roads Objectives, the submission makes the following points:

1) The development includes a new road “Clonattin Upper Avenue” which will connect to Courtown Road in line with the route in the LAP. This provides a north – south connection between the Clonattin Road and Courtown Road to be delivered as part of this SHD development. The location and design has been agreed with Wexford County Council.

   The TIA demonstrates that the assessed junctions remain within their effective capacities at peak hours, taking account of

   - background traffic flows,
   - the existing traffic redistributed to the new link road,
   - trips generated by nearby permitted developments,
   - the proposed development and any traffic flows generated by the future development of a primary school.

   Provision is made for connectivity with adjacent lands to the south along the new link road. All connections are designed in accordance with DMURS. The development ensures good pedestrian and cycle access and permeability, including continuous cycle track and footpath connections between Clonattin Road and Courtown Road.

   The TIA concludes that the development shall not have a significant detrimental effect on the operation of the road network, that parking provision generally conforms to Local Authority and the DoHPLG standards, and that the access design and internal layout are fit for purpose and comply with DMURS.

2) The link road provides emergency access in / out of the development at all times.

3) Access arrangements have been agreed with Wexford County Council. A Letter of Consent in respect of upgrade works on lands within WCC control is provided.

4) The statement notes that the new link road is in line with the Neighbourhood Framework Plan / LAP, while the internal design and layout facilitates a second link road along other routes identified in the plan if required. It is stated that the design is fully compliant with the Framework Plan and LAP.

5) The DMURS Statement declares that the scheme has been designed in accordance with the Design Manual, Wexford County Development Plan, Gorey Local Area Plan, National Cycle Manual and the Smarter Travel Guidelines.

6) The development provides for 690 no. residential car parking spaces - 671 no. residential spaces (including visitors) and 19 no. spaces serving the creche.

   It is stated that parking provision for houses has regard to the County Development Plan. Apartment and duplex parking provision is in line with the Apartment Design Guidelines. This is below the minimum County Development Plan requirement and is subject to a Material Contravention Statement.

7) The development includes new cycle lanes along the existing Clonattin Village Road linking the subject site to Clonattin Road. Two new pedestrian crossings of Clonattin Village Road are proposed.

8) It is stated that the internal road layout accommodates vehicular, cycle and pedestrian connections through the site and to the existing developments and provide future connections to adjacent zoned lands. A linear park, along the southern boundary, improves the attractiveness and connectivity of the site to future neighbouring development.

9) An independent Quality Audit has been undertaken.

In respect of the additional information requested under Article 285(5)(b), the applicants make the following points:

1) The Housing Quality Assessment outlines how the apartments meet the Guideline standards, and a Building Lifecycle Report has been submitted.

2) The Architectural Design Statement outlines the design and development of the scheme and addresses the proposed materials and finishes, landscape design, and variation in materials to create distinct character areas. The Landscape Development Report sets out the strategy for public open spaces.

3) A Childcare Assessment is included within the EIAR. The creche will cater for c. 83 no. children which is in excess of likely demand. Having regard the profile of dwelling units and demographic trends, such demand is estimated to be less than 58 no. spaces.

4) An Arboricultural Development Report is submitted, along with an assessment of Impacts, a Tree Protection Plan and a Tree Constraints plan.

The Landscape Architecture report and drawings, in addition to the Architect Design Statement, address the design and layout of public open space including the linear park. Public lighting design takes account of ecological sensitivities.

Cross section drawings detail FFL's, road levels, open space levels relative to each other and adjacent lands and structures. Landscape drawings indicate boundary treatments and open space levels and the relationship with the watercourse, providing for protection of the riparian zone.

Engineering drawings provide details of levels on roads and SUDS features.

5) A layout plan is provided indicating area to be taken in charge.
6) A site-specific flood risk assessment identifies that the site is located within flood zone C and that the development will not impact on downstream drainage.
7) A Statement of Design Acceptance has been received from Irish Water.
8) An AA screening Report concludes that the development is not likely to have a significant effect on any European site and that an NIS is not required.

Confirmation is also provided that the required Authorities were notified of the making of the application.

# 6.0 Relevant Planning Policy

## 6.1. National and Regional Policy

### 6.1.1. National Planning Framework 2018-2040

National Strategic Outcome 1, Compact Growth, recognises the need to deliver a greater proportion of residential development within existing built-up areas. Activating these strategic areas and achieving effective density and consolidation, rather than urban sprawl is a top priority.

Objective 3a seeks to deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements.

Objective 13 is that planning and related standards including building height and car parking in urban areas, will be based on performance criteria that seek to achieve well-designed high-quality outcomes in order to achieve targeted growth.

### 6.1.2. Rebuilding Ireland: Action Plan for Housing and Homelessness

The plan identifies five pillars for action. Pillar 3: Build More Homes, seeks to increase the output of private housing to meet demand at affordable prices. The key action is to double housing output over the Plan period.

### 6.1.3. Southern Region - Regional Spatial and Economic Strategy

Gorey is identified as a Key Town. These are large population scale urban centres functioning as self-sustaining regional drivers - Strategically located urban centres with accessibility and significant influence in a sub-regional context.

RPO 25 Gorey, includes supporting the delivery of the infrastructural requirements (including education, amenity, social and cultural) identified for Gorey to keep pace with population growth.

Key Infrastructural requirements include:

- Transport measures through a Local Transport Plan which will include investment in sustainable transport modes, particularly walking and cycling in the town.
- Funding of an intermodal transport node to facilitate sustainable travel patterns.
- Delivery of orbital routes (Avenues) and bridges over rail line identified in the Gorey Local Area Plan 2017-2023 - Neighbourhood Framework Plans.
- Development of planned Gorey Regional Water Supply program.
- Delivery of educational and amenity facilities to keep pace with recent growth in population and demographic trends.

## 6.2. Section 28 Ministerial Guidelines

Having considered the nature of the proposal, the receiving environment, the documentation on file, including the report of the Chief Executive, and observers'

submissions, I am of the opinion, that the directly relevant section 28 Ministerial Guidelines are:

- Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities.
- Urban Development and Building heights, Guidelines for Planning Authorities.
- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (including the associated 'Urban Design Manual').
- Circular Letter: NRUP 02/2021 in respect of Residential Densities in Towns and Villages, as set out in Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009)
- Design Manual for Urban Roads and Streets (DMURS).
- National Cycle Manual.
- The Planning System and Flood Risk Management Guidelines for Planning Authorities (including the associated 'Technical Appendices').
- Childcare Facilities – Guidelines for Planning Authorities.
- Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment.

## 6.3. **Local Policy**

### 6.3.1. **Wexford County Development Plan 2013 – 2019**

(Note the development plan review process is currently underway)

Gorey is identified within the second tier of *Larger Towns* in the county.

Section 3.4.3 Allocation of Population Targets, identifies a target population for Gorey of 11,215 by 2019 and 11,883 by 2022. Section 3.4.6 notes that the development approach for Gorey is to accommodate more measured growth, consolidating the existing pattern of development. The focus is on encouraging and facilitating the further development of physical and social infrastructure.

Objective SS14: To encourage new residential development in the Larger Towns in accordance with the Core Strategy and Settlement Strategy and subject to compliance with normal planning and environmental criteria including the availability

of adequate wastewater treatment and drinking water capacity and the development management standards contained in Chapter 18.

Objective SS15: Ensure the zoning of lands for residential use in the Larger Towns is in accordance with the Core Strategy and Settlement Strategy.

Objective T29: (To promote) The development of inner relief routes which may have regional road status, for traffic in Gorey Town, Wexford Town, New Ross Town and Enniscorthy Town.

6.3.2. **Gorey Town and Environs Local Area Plan 2017-2023**

Section 2.3, Future Population and Housing, notes that having regard to the Core Strategy of the County Development Plan, the LAP provides for population growth to 2023 of 2,991 persons. A requirement for 1,320 dwelling units is estimated based on an average household size of 2.55 for the period 2017-2023.

Objective H01 seeks to ensure that new residential developments provide a high-quality accessible living environment with attractive and efficient dwellings located in a high-quality public realm and served by well-designed and located open spaces.

Objectives H03 seeks to facilitate new residential development in accordance with the Core Strategy and the provision of supporting infrastructure.

Objective H04 requires planning applications to demonstrate how the scheme complies with the Neighbourhood Framework Plan. Where deviation from the framework is proposed, the applicant must demonstrate that this does not compromise its delivery. This is reflected in Urban Design objective UD01.

Objectives H05 generally requires the following house type ratio in residential schemes:

- 25% two-bedroom dwellings
- 30% three-bedroom dwellings
- 30% four-bedroom dwellings
- 15% to be allocated to any of

Deviation from this mix will be considered where it is demonstrated that there is overprovision or lack of demand for a particular house type.

Objectives H06 seeks the delivery of public open space commensurate to the number of dwellings in that particular phase.

Section 2.5 notes that there is sufficient land zoned for community and education in the plan area to provide additional educational facilities should the need arise.

Section 3.6 and 4.5 identify the Route Hierarchy in the plan and note that the Route Concept is a key element of the urban structure of the town. The route hierarchy is:

- Main streets and roads
- Country roads / green routes
- Local streets and roads.

Section 3.6 provides road design guidelines. In respect of main streets and roads, design objectives include:

- To provide high levels of access between different parts of the town.
- To ensure high levels of pedestrian and cycle movement and the inclusion of high-quality dedicated facilities.
- To minimise severance caused by traffic movement by careful design.

Section 4.5.1 notes that main streets and roads include planned new avenues connecting local community spaces. Proposals include the creation of new orbital connections between existing radial routes into the town. Such orbital routes are referred to as Avenues. Key proposals include a new Clonattin Upper Avenue which will provide a north-south connection between Clonattin Road and Courtown Road.

The subject lands are primarily zoned Residential (R).

An area at the southern end of the lands, including the attenuation pond ,as well as lands bounding the Clonattin Stream, are zoned Open Space and Amenity (OS) 'To protect and provide for recreation, open space and amenity areas'.

An area on the northern side of the lands is zoned for Community and Educational Uses (CE) - 'To protect and provide for community, educational and ecclesiastical facilities'. The purpose of this zoning is to protect and improve existing community, educational and institutional facilities and to ensure their future provision.

Residential uses will not normally be permitted, however community or public nursing homes/sheltered accommodation is open for consideration. Culture, recreation and leisure uses are permissible in principle.

Clonattin: Neighbourhood Framework Plan

Key Objectives and Key Components are identified to assist in the delivery of a sustainable neighbourhood. Key Objectives include

1. Provide strategically located new local community spaces.
2. Provide good connections between the new local community spaces and the existing country roads.
3. Provide new connections between existing and new developments in the area.
4. Require more attractive, functional and permeable street and space layouts, in accordance with DMURS.
6. The development of a Hub level recreational and amenity area - 'Clonattin Park'.
7. Provide new connected green infrastructure of local corridors and hubs feeding into river corridors that provide improved quality and connectivity of biodiversity, amenity (including neighbourhood park and play areas), water management.
8. Respect and reflect important and locally distinctive landscape features such as tree lines and field boundaries in new urban structure.
9. Provide for small scale local services and community uses and the expansion of use mix through flexible building typologies at the new local community spaces.
10. Promote a robust urban block structure to the north and south of the existing developed areas with a presumption in favour of a perimeter block typology.
11. Encourage a variety of building types and densities which reflect the function and hierarchy of routes and spaces in the area, with proposed avenues and local community spaces providing for greater continuity and scale of building form and secondary streets and spaces providing for lower scale and density.

Key Components

1. New local community space at Clonattin Village, comprising new open spaces enclosed by mixed residential typologies including townhouses and apartments

and including local services and local community facilities (e.g. childcare/local health facilities/GP/pharmacy, local shop and live-work).

2. New connecting avenues for the area, connecting new local community spaces and existing country roads in the area.
4. Clonattin Upper Avenue will provide a north-south connection between the Clonattin Road and the Courtown Road and include existing and proposed routes in the Clonattin Village development.
5. New green routes at Clonattin Road and Courtown Road.
6. Development of a new 'hub' park and the development of the Clonattin Stream as a green infrastructure corridor and linear park

Key development parcels and infrastructure required for the successful delivery of each area are identified, including new Tree Lined Avenue / Roads and open spaces.

### 6.4. Applicant's Statement of Consistency

In accordance with the requirements of Section 8(1)(a)(iv) of the 2016 Act, a Statement of Consistency with local and national policy has been submitted with the application. Furthermore, a statement indicating why permission should be granted, notwithstanding that the proposed development materially contravenes the development plan other than in relation to the zoning of land, having regard to section 37(2)(b) of the Act of 2000, has been submitted. This material contravention statement refers to contravention of the County Development Plan 2013 – 2019 and Gorey Local Area Plan 2017-2023 in respect of housing mix and car parking.

The statement of consistency considers compliance with the following national, regional and local planning policy and guidance documents:

- Project Ireland 2040: National Planning Framework (2018).
- Rebuilding Ireland: Action Plan for Housing and Homelessness (2016).
- Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, 2018 {sic}.
- Sustainable Residential Development in Urban Areas, Guidelines for Planning Authorities, and accompanying Urban Design Manual (2009).
- Quality housing for Sustainable Communities (2007)

- Design Manual for Urban Roads and Streets (DMURS) 2013 {sic}.
- Guidelines for Planning Authorities on Childcare Facilities (2001)
- Smarter Travel – A New Transport Policy for Ireland (2009- 2020)
- The Planning System and Flood Risk Management (2009)
- Climate Action Plan 2019.
- Rebuilding Ireland – Action Plan for Housing and Homelessness
- Regional Spatial and Economic Strategy for the Southern Region
- Wexford County Development Plan 2013 – 2019
- Gorey Town and Environs Local Area Plan 2017 - 2023

In summary, the statement notes the following:

- The development complies with the over-arching aim of the NPF for consolidated and sustainable growth patterns.
- This is an appropriate location for residential development due to its proximity to the town centre and existing residential development, which will encourage alternative transport options.
- The increased population will support the town and various shopping areas.
- The development will add to the housing stock and mix, consistent with Pillar 3 of Rebuilding Ireland – Build More Homes.
- The development accords with the Special Planning Policy Requirements (SPPRs) and other provisions set out in the Apartment Design Guidelines.
- The development is consistent with the key aims of the Guidelines on Sustainable Residential Development in Urban Areas and with the criteria set out in the Urban Design Manual.
- The Statement notes that the layout follows the Clonattin Neighbourhood Framework Plan and has regard to existing residential developments.
- A public park is provided on the community and education zoned land within the site and facilitates a school on the adjacent site.
- The statement indicates that the development accords with Quality Housing for Sustainable Communities.
- A statement of consistency with DMURS is provided.
- Childcare facilities are provided to meet the demands of the development.

- The proposal is in line with the vision of Smarter Travel for integration between land-use and transport. The site is within walking distance of the town centre shops and facilities, which is well served by public transport.
- A Site-Specific Flood Risk Assessment concludes that the lands are not at risk of flooding, the storm water attenuation system will address a 1:100-year event (plus climate change) and will not affect downstream drainage.
- The development of zoned lands and counter the trend of one-off rural housing and support existing business and public transport services in the town, reducing transport emissions and contribute to achieving our climate change goals.
- The provision of trees and enhancement of the riparian corridor along, will contribute to biodiversity and decarbonisation.
- The development is stated to support the objectives and vision of the Southern Region RSES and will strengthen the urban network, supporting existing shops, and services in the area, and facilitate the development of lands to the south.

**Local Policy**

- The statement concludes that the proposed development is in line with the County Development Plan, providing housing within a Larger Town, supporting existing services and facilities in the area.
- The development accords with Draft County Development Plan policies and objectives, to be adopted in Mid-2021.
- Non-compliance is identified in respect of Part V provision.
- The development accords with the land use zoning objectives and the Housing Objectives of the LAP, as well as objectives in respect of Access and Movement and Natural Heritage.
- It is argued that the open space, mix of uses and road infrastructure accord with the objectives H03, UD01 and with the Neighbourhood Framework Plan.
- The mix of housing, which provides for 1-bed and 5-bed units, does not comply with objective H05 of the LAP.
- The development is in line with the Framework Plan Place Concept supporting development at Clonattin Village and existing shops and services in the town.
- Safe pedestrian routes into the town will encourage walking as a viable transport option and help support the town.

- The layout is in line with the Framework Plan Route Concept and provides a permeable and well-connected development, with a new link road to the Courtown Road.
- The layout reflects the Framework Plan Landscape Concept, where open and amenity areas are located on appropriately zoned lands.
- The development integrates and connects with the existing open space and amenities in Clonattin Village.
- It is stated that the development incorporates the key infrastructure requirements of the Neighbourhood Framework Plan and complies with the Key Objectives and Components.

### 6.5. Material Contravention Statement

The Statement submitted with the application states that the proposed development potentially contravenes the provisions of the County Development Plan and Local Area Plan in respect of housing mix and car parking.

Objective H05 of the LAP identifies a required house type mix for new residential development, with provision for deviation where there is a demonstrated requirement or over-provision of a particular house type. The objective does not provide for any one bed units.

The proposed development comprises the following housing mix, which includes a total of 28% smaller, one and two bed units which is contrary to the objective:

- 42 no. 1 beds (12%)
- 59 no. 2 beds (16%)
- 134 no. 3 beds (37%)
- 124 no.4 beds (34%)
- 4 no. 5 beds (1%)

Car parking provision for apartment units and for the creche is below the County Development Plan requirement but is provided in accordance with the provisions of the Apartment Design Guidelines.

It is argued that should the Board consider that the proposed housing mix and car parking provision to represent a Material Contravention of the Development Plan the Board can grant permission under Section 9(6) of the Planning and Development (Housing) and Residential Tenancies Act 2016, having regard to the following:

- Section 37(2)(b)(i): The proposed development is a "Strategic Housing Development", as defined under Section 3 of the 2016 Act.
- Section 37(2)(b)(iii): The NPF provides for a flexible approach to planning policies and standards requiring developments to be focused on "design led and performance-based outcomes, rather than specifying absolute requirements. General restrictions on building height or universal standards for car parking or garden size may not be applicable in all circumstances in urban areas and should be replaced by performance-based criteria appropriate to general location". Objectives also promote increased residential densities.

  SPPR1 of the Apartment Design Guidelines provides for a mix of unit types, which is achieved in the proposed development.

  The level of parking provision is in accordance with the parking provisions of the Apartment Design Guidelines. Guidelines also provide for flexibility in building heights, as provided for in this scheme, and on such peripheral or less accessible sites, the guidelines provide that densities of 38 / ha within a mix of dwelling types would be considered appropriate.

Conclusion

The statement concludes that the proposed development is in general compliance with the Development Plan and Local Area Plan for the area. If the Board considers; however, that the proposed unit mix and parking materially contravention the plan, the development would be in compliance with the National Apartment Guidelines and the National Planning Framework. It is therefore argued that the Board may grant permission under Section 5(6) of the 2016 Act.

## 7.0 Third Party Submissions

### 7.1. Marlfield House Hotel

- Elements of the development on lands zoned for community or education use are questioned.
- The scale density and layout of development is not appropriate for this location.
- Marlfield House is a significant established hospitality and tourism venue and will be impacted by the proposed development and that of adjoining zoned lands.
- There will be noise, traffic and road safety impacts on the observer's property and the amenities enjoyed by guests.
- The LAP does not contain an objective for a relief road between Clonattin and Courtown Roads and the need for such road is queried.
- The development would result in congestion and road safety issues on the surrounding road network.
- Existing public transport services are not high of frequency and are at capacity.
- The design of the relief road through the cinema car park raises safety concerns.
- The Neighbourhood Framework Plan provides the primary connection between Clonattin and Courtown Roads on the western side of the application lands.
- That western route opens zoned lands for development and would encourage more sustainable transport / non-car modes.
- The proposed relief road serves as a connection to the M11 for car-based journeys and offers little in terms of sustainable planning or connectivity for pedestrians and cyclists.
- The extent of vehicular access and car parking provision demonstrates the car based nature of the development.
- The significant reduction in the level of cinema car parking raises questions regarding its planning status.
- The Noise Impact Assessment did not include Marlfield House as a sensitive receptor and does not assess impacts thereon.
- The poor design and operation of the existing attenuation system resulted in flooding of the downstream grounds of Marlfield House in 2020 / 2021.
- The drainage system design makes no allowance for climate change and no assessment of its adequacy to serve the proposed development was undertaken.
- The development appears to be premature pending network upgrade works identified by Irish Water.

- The overall layout is dominated by roads and parking, with a weak public realm and lacks a sense of place. Integration with adjoining lands is poor.
- Attempts to create character areas results in a haphazard and over-complicated design and variety of materials.
- The extent of removal of existing hedgerows and field boundaries demonstrates the lack of context in the design.
- The design and layout does not comply with national policy guidance.
- The road layout does not accord with DMURS, in terms of road widths, and the lack of an appropriate road hierarchy, enclosure and active edges.
- Proposed shared spaces do not achieve adequate levels of design.
- A significant public open space occurs on lands zoned for community and educational use. It is not clear that the remaining zoned lands would satisfactorily accommodate a new school.
- Open space along Clonattin Stream is bounded by an internal road to the west for almost its entire length, further fragmenting open space.
- There is no clarity regarding the viability, management or phasing of the creche.
- The proposal materially contravenes the LAP.

7.2. **Michael Dwyer**

- Changes to the scheme have been agreed with the developers in respect of a new entrance to the observer's property to the west, a revised boundary treatment and omission of a footpath along the property boundary.
- Subject to such changes there is no objection to the proposed development.

7.3. **Mary Brennan**

Clonattin Village and the Proposed Development

- There were inadequacies in the planning site notices.
- Clonattin Village is served by one access point on Clonattin Road, where traffic volumes are extremely high, particularly with commuter and school traffic.
- A further development of 39 no. houses has been permitted adjoining this junction.

- Traffic surveys were undertaken in November 2020, during the pandemic when traffic volumes were low.
- The proposed link from Clonattin Road to the Courtown Road does not solve issues at this junction. It merely diverts new traffic through Clonattin Village.
- The Avenue in Clonattin Village is a residential road and is not suitable to function as a Primary Access Route and Primary Access Connector.
- This will facilitate a new access and escape route for unwanted visitors.
- The design and layout does not provide for the “orbital connections or avenues” described in the LAP.
- The proposed apartment block overlooking the existing playground raises concerns in terms of scale and safety.
- The playground is already subject to night-time anti-social behaviour.
- Clonattin Village Phase 2 remains unfinished and has not been taken in charge and many features are incomplete. There are issues with maintenance / management.
- The Village Centre which was to provide community services, such as medical centre, crèche and shops was recently replaced with social housing.
- The proposed development provides an apartment block on the remaining part of the Village Centre site.
- There is no guarantee that the proposed development will be fully completed and the proposed Owners Management Company to oversee the management and maintenance of the new estate is questionable.
- The mix of housing units will not encourage owner occupation.
- Development naming should avoid confusion with existing Clonattin Village.
- The development is not in keeping with the existing design and layout and apartments will impact on light, views and visual amenity of existing residents.

Gorey Town Plan and other Planning Guidelines

- Based on a proposed occupancy of 5.2 / unit, the proposed development would accommodate 192% of the forecast population growth for the town.
- It is not the intent of the LAP that this site would accommodate the entire forecasted housing needs of Gorey.
- The new development does not fulfil SHD criteria and contravenes the LAP.

- SHD should be located in areas where there is an accommodation shortage.
- This high-density development is out of proportion and scale with the town and has the potential to ghettoise this area by setting it apart from other areas.
- Higher densities are based on smaller average household / properties, however, the proposed dwellings are larger than the national average.
- The proposed Housing Mix is in contravention of the LAP.
- There are no detached houses or homes for people with disabilities as required.
- No evidence of demand for their preferred house mix is provided or other evidence that this alteration benefits the town of Gorey.
- Demand is for detached family homes rather than apartments in this area.
- Car parking is deficient and contravenes development plan standards.
- Only 12 accessible spaces are provided in total (one space per 30 units).
- The proposed capacity of the creche is below the requirements of the Guidelines and is provided on one building rather than a number of smaller buildings.
- Clonattin Village Phase 2 has no crèche.

Conclusion

- The LAP presents a well-balanced vision for the town and requires necessary infrastructure to be in place before residential development commences.
- The LAP does not provide for an SHD that is out of kilter with the rest of the town and in contravention of current planning guidelines.
- This greenfield site on the edge of the town requires major structural works for access. It is 2km from public transport links and Primary Schools.
- It lacks facilities such as medical centre and shops. The creche is deficient.
- The allocated parking is insufficient.
- The density is excessive.
- Use of an existing congested access route will impact on existing residents.
- Apartment buildings overlooking the playground raise health and safety concerns.
- Future development, including construction activities, should be regulated and completed within a reasonable time frame, in accordance with the LAP.
- Granting SHD status contravenes the current town plan and sets a precedent for other development.

7.4. **Margaret Bowe:**

- The observer's property lies to the south of the R742 almost opposite the proposed distributor road junction / Cinema entrance.
- The foul sewer from the property is connected to a pumping chamber located adjacent to the junction, which discharges to a sewer on the subject lands.
- It is not clear that the alterations to the junction at the R742 accommodate this existing connection from the observer's property.
- Confirmation is required that the existing connection will be maintained and this should be subject to condition in any grant of planning permission.

7.5. **June McDonnell:**

- Potential for overlooking and loss of privacy of property in Hillcrest.
- The development would negatively impact on habitats and wildlife which have used this site since it was left unused for over 10 years.
- There will be a loss of trees which provide privacy, shade and habitats.
- There will be an increase in traffic and congestion on the road network.
- Noise pollution is a concern, both during construction and operation.
- Increased densities are inappropriate during the COVID-19 pandemic.

7.6. **Eva McDonnell**

- The development would negatively impact on habitats and the range of wildlife which have been using this site since it was left unused for over 10 years.
- There will be a loss of trees which provide privacy, shade, and a habitat.
- There will be an increase in traffic and congestion on the road network.
- Noise pollution is a concern, both during construction and operation.
- Increased densities are inappropriate during the COVID-19 pandemic.

## 8.0 **Prescribed Bodies**

### 8.1. **Irish Water**

There is a high level of development interest in Gorey. Upon delivery of the Gorey Rural Infrastructure Project towards the end of the year (timeline subject to change). a water connection to service this development can be facilitated, subject to local water network upgrades. The applicant will be required to bear the costs of and obtain any consents or permissions for works not in the public domain.

The existing DN300 sewer traversing the site should be accounted in the site layout. The appropriate protection of assets will be required.

Modelling of the foul sewer network in Gorey is due for completion in 2021 (subject to change). Current information identifies upgrades to the wastewater network required for this development including and not limited to:

- Approx. 480m of sewer to be upgraded along Courtown Road.
- Approx. 80m of sewer to be upgraded to adjacent to Courtown Road / Esmonde Street roundabout.
- Potential for surcharge at the collection MH at the roundabout junction by the cemetery should be assessed.
- The collection MH discharges into a 300 mm dia. sewer crossing over the Banoge river road bridge, which sewer may require upgrade.

The exact detail of the required upgrades will be agreed at connection application stage and the costs of same will be borne by the applicant. Any required 3rd party permissions or consents will be the responsibility of the applicant. The development can connect to Courtown-Gorey WWTP without any need for upgrade works. The applicant has been issued a Statement of Design Acceptance.

Recommended conditions:

1. The detail of local network upgrades required to serve the development must be agreed prior to connection agreement.
2. The applicant must sign a connection agreement with Irish Water prior to any works commencing and any connection to IW networks.
3. All development to comply with Irish Water Standards codes and practices.

4. Separation distances as per Irish Waters Standards Codes and Practices must be achieved.

## 9.0 Planning Authority Submission

In accordance with Section 8(5)(a) of the Act, the Chief Executive's report was received on 30th March 2021. This report includes:

- A summary of the main points raised in submissions.
- A summary of the views of the elected members.
- The Chief Executives view on the effects of the proposed development.
- Recommendation
- Recommended conditions

The submission of the Chief Executive makes the following points:

- The elected members welcomed the development given current housing demand in the area.
- The Statement of Consistency is acceptable and the development would accord with national and regional planning policy.
- Densities, design and layout would accord with development plan policy and national planning policy guidance.
- The development is in keeping with the provisions of the development plan and the Core Strategy for Gorey, as a Larger Town.
- The layout and uses accord with the zoning objectives of the LAP and the Neighbourhood Framework Plan.
- Wexford County Council is satisfied that Clonattin Upper Avenue (Distributor Road) will be delivered as part of the development. The technical design is acceptable and compliant with the objectives of the LAP.
- No Appropriate Assessment issues arise. The development would not be likely to have a significant effect on any European Site.
- A decent mix of house types and sizes is provided.
- Undue impacts on adjoining residential properties are not considered to arise.

- The development provides a hierarchy and a level of permeability in accordance with DMURS, broadly reflecting the block layout in the LAP.
- The site is accessed by a main spine road which will act as a distributor road connecting Clonattin Road and Courtown Road, feeding into secondary and tertiary routes.
- The new distributor road from the south is an essential piece of infrastructure reducing overall traffic volumes on Clonattin Road and through the town centre, which fulfils an objective of the LAP.
- Parking provision is consistent with the Wexford Town Development Plan standards (sic).
- Provision should be made for electric car charging points.
- The provision of open spaces is of high quality and in accordance with the LAP and the layout integrates successfully with Clonattin Village.
- A Part V housing agreement has been entered into with the Council.
- The proposed phasing scheme is acceptable.
- Stormwater drainage is satisfactory.
- The operational waste strategy is acceptable.
- Little detail on cycle routes or dedicated cycleways is provided, particularly along main arterial routes. This should be subject to condition.
- The linear park will address the issue of flooding along the stream.
- The planning authority are satisfied that the potential material contraventions in relation to housing mix and car parking provision are minor and are in accordance with the flexibility provisions of the NPF.
- The proposed changes are acceptable to the planning authority.

Conclusion:

- The development will integrate successfully with Clonattin Village.
- The distributor road is an essential objective of the LAP.
- High quality open space provision will contribute to amenities of residents in Clonattin Village, whose open space was not provided after the original developer went into liquidation.

- The development complies with the core strategy of the development plan and zoning objectives of the LAP.
- Density of development is acceptable and the design and layout complies with DMURS and neighbourhood Framework Plan.
- Open space layout in acceptable.
- Parking provision meets development plan standards.
- Childcare and part V provision is acceptable.
- The conclusions of the AA Screening Report are accepted.
- The scale of development proposed is not exceptionally large in the context of the core strategy and planned growth in the town.

**Recommendation**

That permission be granted.

**Recommended Conditions**

The Chief Executive's submission recommends 29 no. conditions to attach to any decision to grant permission, including the following:

7. The proposed 'distributor road' shall be completed prior to the occupation of any dwelling unit.
9. Agreed Improvement works to Clonattin Road as identified in the Access Statement shall be undertaken prior to the commencement of development.
10. The development shall be carried out in accordance with the phasing scheme submitted as part of the application.
12. Archaeological monitoring of site investigation and works.
18. Prior to the commencement of development, details of a segregated cycleway along the main access and orbital routes shall be agreed in writing.
23. Prior to the occupation of the proposed creche and retail unit signage detail shall be submitted for written agreement.
26. Vegetation and site clearance shall take place outside the bird breeding season.
27. Submission of a programme for the removal, control and monitoring of Japanese Knotweed on the site, with a detailed site management plan with the areas of Japanese Knotweed clearly identified.

## 10.0 **Assessment**

It is proposed to consider the development under the following broad headings:

- Land Use and Development Principle.
- Material Contravention
- Design and Layout
- Transportation and Roads
- Biodiversity
- Drainage and Flooding

### 10.1. **Land Use and Development Principle**

10.1.1. Observers raise concerns with regard to the inclusion of Community and Education zoned lands within the site, the status of the application as a Strategic Housing Development, and the impact of development on adjoining hospitality operations.

10.1.2. The subject lands are predominantly zoned for residential use and I note the planning history relating thereto. The development would effectively comprise the extension of the existing adjoining development to the north. The 2017 LAP describes how the amount of residential zoned lands relates to the core strategy set out in the county development plan and the population target for the settlement. The proposed uses therefore comply with the statutory plans that apply to the area.

10.1.3. The development occurs on zoned residential lands in accordance with local planning policy and is of a type and scale which meets the definition of Strategic Housing Development set out in section 3 of the Act of 2016, as amended. Notwithstanding observers' submissions, the development complies with the definition of Strategic Housing set out in the Act.

10.1.4. Part of the application site, on its northern side, is zoned for Community and Educational use. This area of the site is to be provided as public open space and the zoning matrix indicates that Culture, Recreation and Leisure uses are permissible on such CE zoned lands. Such use is in line with the provisions of the Neighbourhood Framework Plan. Part of the CE zoned lands is excluded from the application site and application documentation refers to its use for a possible future primary school. While the applicants refer to contact with the Department of

Education there is no evidence with regard to the intent of the Department in respect of such a facility at this location. The submitted Planning Report suggests that other uses such as nursing home could be provided on this site. The proposed development would not appear to compromise the use of the lands in this regard.

10.1.5. The LAP also zones the southern part of the site, adjoining the attenuation pond, and lands adjoining Clonattin Stream for Open Space and Amenity uses, which is accommodated within the scheme.

10.1.6. I note that the northwestern portion of the site was subject to a previous permission for village / neighbourhood centre uses. Only one part of that development was completed, however, this has been subject to a change of use from childcare to residential use. A key objective of the Clonattin Neighbourhood Framework Plan is the provision of small-scale local services and community uses, and for an expanded use mix. Such uses are identified as including childcare, health, pharmacy, local shops and live-work units, which are not all permissible on CE zoned lands and would therefore be at least partly provided on residentially zoned lands wherein they would be open for consideration. Provision in the scheme in this regard is limited to a childcare facility provided on the southern boundary of the lands. The identified Village Centre location would appear to be a more appropriate location for such childcare facility than this more peripheral location. Notwithstanding the comments of the Chief Executive, the development does not appear to meet the objectives of the Neighbourhood Framework Plan in respect of community or local service uses.

10.1.7. While I note the submission of Marlfield house Hotel, it is not clear how the proposed development would impact on its operations. The hotel adjoins an existing, busy regional road and the main development site is located more than 350m from the boundary of the hotel lands, and further from the main hotel building. The subject land and intervening lands are zoned for development in the LAP. Other aspects in terms of traffic and noise are considered in more detail below.

### 10.2. **Material Contravention**

10.2.1. The Material Contravention Statement submitted with the application indicates that the proposed development potentially contravenes the provisions of the County Development Plan and Local Area Plan materially in respect of the mix of dwelling

types required under Objective 5 and in respect of the car parking standards for apartments and childcare facilities.

10.2.2. Section 9(6)(c) of the 2016 Act provides that the Board may only grant permission for a strategic housing development that would materially contravene the development plan where the Board considers that, if s.37(2)(b) of the 2000 Act, as amended, were to apply, it would nonetheless grant permission for the proposed development. Having regard to the provisions of S.37(2)(b) I make the following comments:

(i) *The proposed development is of strategic or national importance*,

The proposed development occurs on zoned residential lands in accordance with local and regional planning policy and is of a type and scale which meets the definition of Strategic Housing Development set out in section 3 of the Act of 2016, as amended. The development therefore satisfies the first criteria.

(ii) *There are conflicting objectives in the development plan or the objectives are not clearly stated, insofar as the proposed development is concerned*, or

The policies and objectives of the development plan are not conflicting or unclear in relation to housing mix or parking provision.

(iii) *Permission for the proposed development should be granted having regard to regional spatial and economic strategy, guidelines under S.28 policy directives under section 29, the statutory obligations of any local authority in the area, and any relevant policy of the Government, the Minister or any Minister of the Government*, or

Housing Mix

Objectives H05 requires the following house type ratio in residential schemes:

- 25% two-bedroom dwellings
- 30% three-bedroom dwellings
- 30% four-bedroom dwellings

15% to be allocated to any of the above based on evidence of demand.

The objective provides for a deviation from this mix where it is demonstrated that there is an overprovision of a particular type of house type or there is lack of demand for a particular house type in the area.

The objective does not provide for any one-bed units. The proposed development provides a total of 28% smaller, one and two bed units which is contrary to the objective. The application does not provide a justification for this particular mix in terms of demand. The overall dwelling mix proposed comprises:

- 42 no. 1 beds (12%)
- 59 no. 2 beds (16%)
- 134 no. 3 beds (37%)
- 124 no.4 beds (34%)
- 4 no. 5 beds (1%)

I note that the proposed 1 and 2-bed units comprise apartment and maisonette / duplex dwelling types, while 3 / 4 /and 5-bed units comprises houses. The application site would constitute a Peripheral and/or Less Accessible Urban Location, as defined in the Apartment Design Guidelines. The guidelines note that such locations are suitable for residential development of any scale that will include a minority of apartments at low-medium densities (broadly <45 dwellings / ha net). The provision of apartments in such developments is noted to allow for greater diversity and flexibility in a housing scheme and may be considered as part of a mix of housing types in a given housing development at any urban location.

SPPR 1 provides as follows: *Housing developments may include up to 50% one-bedroom or studio type units (with no more than 20-25% of the total proposed development as studios) and there shall be no minimum requirement for apartments with three or more bedrooms. Statutory development plans may specify a mix for apartment and other housing developments, but only further to an evidence-based Housing Need and Demand Assessment (HNDA), that has been agreed on an area, county, city or metropolitan area basis and incorporated into the relevant development plan(s).*

The Urban Development and Building Height Guidelines note the need for more 1 and 2-bed units in line with wider demographic and household formation trends. SPPR 4 provides that in planning the future development of greenfield or edge of city/town locations for housing, planning authorities must secure:

1. the minimum densities for such locations set out in the “Sustainable Residential Development in Urban Areas (2007)” or any amending or replacement Guidelines;
2. a greater mix of building heights and typologies; and
3. avoid mono-type building typologies (e.g. two storey or own-door houses only).

I note that in accordance with s.9(3)(a), the Board is required to apply specific planning policy requirements contained in any guidelines issued by the Minister under s.28 of the 2000 Act and S.9(3)(b) provides that such specific planning policy requirements will apply instead of the relevant provisions of the Development Plan.

The proposed development is considered to provide a reasonable mix of unit types and sizes across the site. The provision of smaller 1-bed units provides for greater variety and choice, and is in accordance with the provisions of the Apartment Design Guidelines and SPPR 1 thereof, and the provisions of the Urban Development and Building Height Guidelines. It is therefore considered that permission can be granted for the proposed development in contravention of objective HO5 of the development plan.

Car Parking

Car parking in respect of housing units is in compliance with the provisions of the local area plan and county development plan. The current Wexford County Development Plan requires car parking at a rate of 1.5 spaces per apartment, which would equate to 151.5 no. parking spaces. The proposed development provides 134 no. spaces for such units, which is below the development plan requirement but which accords with the provisions of the Apartment Design Guidelines for such relatively peripheral or less accessible urban locations.

Having regard to section 4.22 of the Sustainable Urban Housing, Design Standards for New Apartments, I consider that permission for the proposed development can be granted.

In respect of childcare facilities, the development plan requires 1 parking space per 4 children plus 1 space per employee as well as adequate and safe vehicular drop off facilities, which equates to a requirement for 38 no. spaces. The development provides 19 no. spaces, plus 4 no. on-street set down spaces. I note, however, that

this is not a stand-alone childcare facility and that it is intended to serve the associated residential development such that local, shorter journeys and trips by alternative means would be encouraged. The development plan parking requirement is significant and I note that the plan provides that "Where the provision of on-site parking is not possible or desirable for design reasons, the Council may, where appropriate, consider the payment of a financial contribution towards the provision of car parking nearby." I note that the planning authority raised no objection to the level of parking provision in development.

Having regard to the foregoing, it is considered that permission can be granted for the proposed development notwithstanding that the parking standards set out in the development plan for childcare facilities are not achieved.

(iv) *permission for the proposed development should be granted having regard to the pattern of development, and permissions granted, in the area since the making of the development plan*.

I note that in respect of SHD development permitted under ABP-303813-19 at Fort Road, Ballowen or Ramsfortpark, Gorey, it was accepted that reduced parking for the cheche would be acceptable as it was designed to meet the demand arising from the proposed adjacent housing rather than the development plan car parking requirement. There is therefore a precedent for an acceptance of a reduced level of creche car parking in these circumstances.

10.2.3. Having regard to S.37(2)(b)(i), (iii) and (iv) above, I consider that the Board may consider a grant of planning permission notwithstanding that the development would materially contravene the provisions of the development plan in respect of the mixture of house types and car parking provision.

10.2.4. Other matters:

The material contravention statement also refers to the level of Part V provision no the site. Objective HP10 of the County Development Plan requires that "20% of all land zoned for residential use, or for a mixture of residential and other uses, be

reserved for the purposes of Part V of the Act Section 94(4)(a)(i) and 4(a)(ii)". Objective HP11 provides for a review of the Housing Strategy when Part V of the Planning and Development Act "is revised to take account of the new economic and policy contexts". The Act was subsequently amended and Section 94(4) now defines a requirement for 10% of zoned land to be reserved for Part V.

The proposed development provides for Part V provision at a rate of 10% in accordance with the current requirements of Section 94(4) and agreement has been reached with the County Council in this regard. Having regard to reference in Objective HP10 to S.94(4)(a)(i) and (ii), I do not consider that this aspect of the development materially contravenes the policies and objectives of the county development plan.

### 10.3. Design and Layout

10.3.1. Issues raised in observer's submissions include:

- The scale and density of development.
- Failure to adhere to the design principles of the LAP or DMURS.
- The dominance of the road and parking layout.
- Impact on adjoining residential amenity in terms of light, privacy and visual amenity, and overlooking of the existing playground.
- Existing deficiencies in the completion and management of the Clonattin Village.
- Mix of housing units.
- Deficiencies in the childcare proposals.
- Noise impacts during both construction and operation.
- Revisions to proposed access to adjoining properties.

10.3.2. The existing development at Clonattin Village was completed in two phases. The proposed development effectively comprises the third phase of the development but provides for residential development in the northwestern corner on lands previously the subject of permission for a village / neighbourhood centre.

10.3.3. The proposed development is suburban in nature, providing 363 no. units, weighted toward 3 and 4-bed semi-detached houses. The design is generally consistent with the pattern of development in the earlier phases. The density (38 unist per hectare

nett) is considered acceptable for this location on the edge of a Larger Town s defined in the Guideline. The density is generally in accordance with the 2009 Guidelines on Sustainable Residential Development in Urban Areas which encourage the development of between 35 and 50 units per hectare on such lands, and Circular Letter: NRUP 02/2021. The mix of dwelling types and sizes is considered to be acceptable. The Apartment Design Guidelines state that such peripheral urban locations are suitable for schemes at densities below 45 units per hectare of which apartments form the minority of the proposed homes. The proposed development would comply with guidelines in this regard. While observers raise concerns regarding the scale of development based on an occupancy rate of 5.2 persons per unit, this does not reflect the mix of units proposed or trends in household size. The EIAR clearly identifies a projected occupancy rate of 2.7 persons per unit.

10.3.4. Proposed dwelling design achieves adequate levels of residential amenity. In respect of apartment units in particular, I note general compliance with the provisions of the Apartment Design Guidelines. Block M includes Apartment Block 4 which provides 8 no. 3-person, two-bed apartment units. Having regard to the limited extent of such accommodation and the provisions of section 3.6 and 3.7 of the Apartment Design Guidelines, I regard this as acceptable. Cycle parking for apartment and duplex units should be provided as enclosed and secure provision in accordance with the provisions of the Apartment Design Guidelines and should be subject to appropriate conditions in any grant of permission.

10.3.5. Open spaces through the development are generally well supervised and integrated, however, I would query the proposed open space running to the rear of dwellings in Blocks F and G in the southwestern corner of the development. Such unsupervised space is unlikely to provide quality amenity space and has the potential to give rise to negative impacts on residential amenity. The rationale for such space is unclear. I do not accept that the provision of apartment units adjacent to a neighbourhood playground presents any risk or welfare issues as suggested in observations.

10.3.6. The Neighbourhood Framework Plan contained in the Gorey Town and Environs LAP provides for a green corridor along Clonattin Stream, which is provided within the proposed layout as a linear walkway and riparian corridor. This corridor generally achieves the plan objectives. Some level changes are proposed within the

area, notably adjoining the proposed bridge crossing, however, the proposals will otherwise provide a green corridor along the edge of the site.

10.3.7. The LAP and the Neighbourhood Framework Plan sets out clear guidance for the development of the lands. I note, in particular, the Route Concept provisions of the plan and the two proposed north-south connections through the lands. These are not clearly reflected in the layout of routes and Avenues within the development. I comment on this aspect of the development further below, however, there is an overall lack of coherent road hierarchy and failure to provide the primary *Avenues* / distributor roads through these lands required under the LAP. While the proposed layout does provide the eastern link between Clonattin Road and Courtown Road, this is provided via the local internal residential road network and is not designed as a through-route as envisaged in the LAP. The use of the local residential roads by such through traffic would negatively impact on residential amenity.

10.3.8. The Neighbourhood Framework plan envisages that the main access road from Clonattin Road to the north would be provided with primary frontage. In this regard I note that section 2.2.1 of DMURS provides a concise description of the design elements which contribute to a sense of place, namely connectivity, enclosure, active edge and pedestrian activity. The form and layout of development fronting this main access road in north-western Blocks A and B fails to provide a strong presence or street frontage at this location. The extent of surface car parking, weak building line and lack of active frontage contribute to this failing.

10.3.9. Block B comprises a three-storey apartment block (Apartment Block 3) providing 15 no. units. The submitted drawings do not detail the relationship between this block and the 6 no. houses recently constructed to the north nor the adjoining block to the northwest, or their associated access and parking arrangements. The proposed development would unnecessarily duplicate access roads and car parking within this urban block and provide a poor quality public realm. A more comprehensive and integrated approach to the development of this parcel of lands is required and I would not consider the current proposals to be satisfactory.

10.3.10. I note the observation from Mr. Dwyer which refers to agreed changes to the access arrangements to his property although the applicants documentation makes no reference to such agreement. The new entrance identified in the observation is not

indicated on the submitted drawings, which retain the existing northern entrance. I do not consider that such a change to the design and layout of development would be unacceptable and it would be amenable to condition in the event of a decision to grant permission for the proposed development. The observation is not clear with regard to either the retention or the replacement the existing northern entrance to his property.

10.3.11. Two-storey houses in Block D back onto existing two-storey houses in Hillcrest (no.'s 25-28) to the north and will be at a slightly lower level than those houses. The existing Category B oak tree to the rear of no. 25 is to be retained. Having regard to the design and layout of development, including the proposed separation distances, significant negative impacts on the amenities of adjoining properties are not expected. Similarly, significant negative impacts on the amenities of no. 67 – 72 Clonattin Village to the northeast of the proposed development are not considered likely due to the pattern and layout of development proposed. Significant impacts on other properties in Clonattin Village to the north are not expected to arise given the separation between existing and proposed dwellings. Construction activities will give rise to some short-term disturbance to existing adjoining residents, however, the nature and form of development is not exceptional. Subject to best practice in activities on the site, significant negative impacts are not considered likely and I note proposals for the monitoring of noise and air quality emissions in this regard.

10.3.12. I am satisfied that the capacity of the proposed childcare facility for 83 no. children, would cater for the needs of the proposed development, having regard to the mix of housing types proposed. I do not consider that the provision of such services in a number of smaller units across the site would be necessary or appropriate. I have already commented on the appropriateness of locating this facility within the more central Village Centre, where ease of access and a critical mass of community uses could be achieved.

### 10.4. **Transportation and Roads**

10.4.1. I note observers' submissions, which raise issues including:

- Increased congestion on the surrounding road network.
- Deficiencies in Clonattin Village access road.

- Deficiencies in car parking provision.
- Failure to comply with the roads objectives of the LAP.
- The car-based nature of development.
- Impact on cinema car parking.
- Noise, traffic and road safety impacts on Marlfield House Hotel.

10.4.2. The application site lies on the eastern side of Gorey, within approx. 1m of the town centre and approx. 1.5km from the train station. The intervening roads are provided with pedestrian footpaths, however, there are no cycle facilities on the surrounding road network. The Clonattin Road is generally of a good standard, in terms of width, alignment and surface condition. I note that the site to the west of the junction with Clonattin Village is subject to proposals for residential development. At time of inspection traffic volumes on the road were very low, however, the traffic counts on the surrounding road network undertaken as part of the TIA were undertaken in November 2019, prior to the impact of Covid restrictions on travel patterns.

10.4.3. Predicted trip generation arising from the proposed residential units is based on observed rates for the existing Clonattin Village development, with standard industry rates used for trip generation by the proposed creche. The assessment has regard to two permitted developments in the surrounding area in the background traffic environment, including the scheme located at the junction of Clonattin Village and Clonattin Road. Trip distribution is based on observed traffic flows. The assessment of impacts also considers the effect of the proposed new link road to Courtown Road, which will result in the diversion of some traffic from the existing road network onto the new link route. In addition, supplementary analysis provides for traffic associated with the future provision of a primary school on lands to the north of the development. The assessment concludes that with the proposed development, the surrounding road network, including the junction of Clonattin Road and Clonattin Village, will operate well within capacity for the design years.

10.4.4. The LAP Neighbourhood Framework Plan provides for two *Avenue* connections between Clonattin Road and Courtown Road on the eastern and western sides of the application lands, to function as orbital connections between radial routes. These are described as Main Streets / Roads on Figure 4 of the LAP at the top of the route hierarchy in the plan. The western route is identified as Clonattin Upper

Avenue. The proposed development provides a connection on the eastern side of the lands and the planning authority describe the distributor / link road connection as an essential objective of the LAP. I note the provisions of DMURS with regard to such Link Streets and the role identified for the routes in the LAP. While the proposed phasing plan does not refer to construction of the new link / Avenue, I note the recommended conditions of the planning authority in this regard. In the event of a decision to grant permission I would recommend similar conditions in this regard and further, that the new link road would comprise the primary construction access to the site.

10.4.5. The LAP requirement for two new link roads is reference in the applicant's *Road Infrastructure Design Report* (pg. 21), which indicates that the application includes a new link road, "while the internal road layout has been designed such that it could also facilitate the future provision of a second link road……".

The proposed development provides the eastern connection between Clonattin Road and Courtown Road to the south. There is some minor deviation from the route identified in the LAP Neighbourhood Framework Plan. The design approach set out in the *Road Infrastructure Design Report*, describes the proposed road to the southeast of the site as a Link Road, becoming a local residential road once it enters the application site, with direct residential frontage and access to shared spaces. The effect would be to plug this distributor road into the local residential road network, bringing through-traffic onto these local roads, contrary to hierarchical approach to design described in DMURS and in the LAP. The layout of development does not provide a rational or coherent route between the two radial roads for through-traffic once it enters the development. While the proposed layout provides a connection from the proposed development to the Courtown Road, offering an alternative to the Clonattin Road junction, it does not fulfil the orbital connection role between Clonattin Road and Courtown Road envisaged in the LAP.

10.4.6. The western link road is clearly referred to as Clonattin Upper Avenue in the LAP. Notwithstanding statements in the application documentation, it is not clear how the future provision of this link street / avenue could be satisfactorily accommodated within the scheme in accordance with the objectives of the LAP. While there are potential connections from local residential streets in the southwestern corner of the site to adjoining lands, they do not provide or facilitate a through-route as envisaged

in the plan. The proposed layout would instead involve drawing external traffic into this residential development contrary to DMURS design principles. I note and would generally concur with the observers' comments that the provision of the eastern link / Avenue in lieu or in advance of the western link / Avenue, would be less desirable in terms of providing for cycle and pedestrian connectivity and permeability in the town, given its greater remove from the town and likely destinations.

10.4.7. A DMURS Statement of Consistency and Stage 1 Quality Audit is provided with the application, which identifies measures to be incorporated into the design. It is not clear from the documents, however, whether sufficient regard was had the role and function of the link between Clonattin Road and Courtown Roads envisaged in the LAP rather than function as a development access road. The role and hierarchy of the road network would be an important consideration in any Street Design Audit carried out under DMURS. While the statement of consistency refers to the layout accommodating bus services, this would not appear to be easily accommodated within the scheme.

10.4.8. Documentation states that the design has been agreed with the roads authority, however, no analysis or detail of discussions in this regard are provided. Notwithstanding the report of the Chief Executive, it is not clear to me how the proposed development can be regarded as being in compliance with the objectives of the LAP / Neighbourhood Framework Plan. No analysis or justification for the proposals has been provided, or any mitigating factors identified which would provide for the acceptance of the road layout proposed.

10.4.9. As noted in the planning authority report there are deficiencies in the design, layout and the level of detail of the proposed cycle network through the development site. There are gaps in cycle routes through the development site and the rationale for the location and extent of off-road provision is unclear; for example proposals for off-road cycle paths on shared surface streets appear unnecessary, while there is no off-road / cycle path on the identified route for through traffic. A review of the layout of development, aligned with revisions to provide the required Avenue connection through the site, is required. The Clonattin Village access road is to be retrofitted with an on-road cyclepath and additional pedestrian crossings. Future cycle facilities along Clonattin Road, linking to the town centre, would lie within the responsibility of the planning authority.

10.4.10. The design of the proposed link road between the main site area and the cinema access road to the southeast appears satisfactory. The proposed link to the Courtown Road involves the modification and upgrading of the cinema access road, which road also serves an existing dwelling and childcare facility. The road is currently approx. 7m wide, with a narrow footpath on one side, and upgraded pedestrian and cycle facilities will be provided. There will be some non-material amendments to existing cinema car parking layout on the western side of the road. No pedestrian crossing facilities are provided at this location, however, and this matter should be subject to appropriate condition in the event of a decision to grant permission in this case. The junction with the R742 is within the 80kph zone and is provided with a right-turn lane, although road markings require renewal. Adequate sightlines are achievable at this junction.

10.4.11. In conclusion, I am of the view that revisions to the proposed development are required to achieve the objectives of the LAP in respect of the road layout for the area and compliance with the design principles outlined in DMURS. These revisions should provide a coherent and rational hierarchy of routes for pedestrians, cyclists and vehicles through the site.

## 10.5. Biodiversity

10.5.1. Observers raise concerns regarding the loss of trees and habitats for wildlife using this vacant site. The EIAR notes that field surveys were carried out in September 2019, and in September and October 2020. This is identified as falling within, but towards the end of the period for full species assessment of floral cover and bat surveys. September and October are noted to be suboptimal months to observe terrestrial mammal activity. Having regard to the general guidance provided in *Ecological Surveying Techniques for Protected Flora and Fauna during the Planning of National Road Schemes*, published by the NRA, the survey periods are regarded as acceptable.

10.5.2. There are no direct pathways to Natura sites from the site, while pNHA's are remote from the site. Only Courtown Dunes and Glen pNHA has a direct connection to the application site, via the Clonattin Stream / Banogue and Owenavorragh Rivers. The Banogue River is identified as an important salmonid water, while the downstream

Owenavorrage River supports Annex II species. Clonattin Stream is identified as being of poor water quality status.

10.5.3. Activities on the site have the potential to give rise to silt laden or contaminated run-off entering the stream. Standard construction management measures in this regard are identified, along with measures for works within the proposed riparian corridor, to include the timing of works. Significant impacts in this regard are not therefore anticipated.

10.5.4. The subject lands have been significantly disturbed in the past and much of the site is overgrown with scrub and recolonising vegetation. The eastern part of the site in particular includes overgrown spoil heaps and construction debris. There are areas of grasslands on the western part of the site. Internal field boundaries are not generally of high value, although there are attractive mature trees along the external boundaries and the boundary of Clonattin Stream, which are generally to be retained. Surveys did not identify any rare or protected plant species on the site, nor any invasive species. I note the condition recommended by the planning authority in respect of invasive species, Japanese Knotweed, however, the rationale for this condition is not clear. Having regard to the lack of identified species on the site and the separately regulatory requirements in relation thereto, I do not consider a condition to be necessary in this regard.

10.5.5. No rare or protected faunal or bird species were identified on the lands. Common frog was previously recorded on the lands. No badger or otter activity was observed and no setts or holts were identified, although the EIAR notes that otter can be expected in the Clonattin Stream.

10.5.6. Surveys identified roosting bats (Soprano Pipistrelle) in the existing vacant house on the site, which is to be removed, while foraging by Daubentons bats along hedgerows and over the pond was also noted. Apart from mature trees, the site is described as providing poor roosting potential. The proposed development will result in the loss of the existing roost site in the vacant dwelling, in respect of which a derogation licence has been sought. There will also be loss of hedgerows for foraging, while lighting has the potential to impact on foraging activity. Identified mitigation measures in respect of impacts on bats include:

- Obtaining a derogation licence for the removal of roosts.

- Retaining external hedgerows and trees and inspection of trees prior to any felling.
- Planting of additional native hedgerows.
- Lighting design in accordance with bat lighting guidelines.
- Provide bat roosting sites (boxes) in suitable locations.

10.5.7. The site is generally regarded as being of lower ecological value, where external boundaries and the Clonattin Stream and corridor comprise the most valuable features. The most significant direct impact arises in respect of the removal of existing bat roosts in the existing dwelling on the site, which will be adequately addressed under the terms of a derogation licence to be obtained from the NPWS. Management of construction activity under the supervision of a project ecologist will adequate mitigate potential impacts on Clonattin Stream.

### 10.6. **Drainage**

10.6.1. Observers raise concerns regarding potential downstream flooding impacts, prematurity pending drainage network upgrade works identified by Irish Water and impacts on existing sewerage connections.

10.6.2. The site overlies a regionally important aquifer (fissured bedrock) of high vulnerability. The Clonattin Stream is identified as being of poor water quality status, while the Banogue River improves to Moderate Status downstream of Gorey. The existing attenuation pond on the lands, which serves the existing adjoining development to the north in Clonattin Village, will also serve the proposed developments.

10.6.3. It is not clear how drainage run-off from the proposed link road will be accommodated. Two gullies draining to soakpits at the north western end of the road are identified. No details for the remainder of the road are identified and this is not addressed in the Engineering Services Report. Having regard to the extent of lands bounding this road within the applicants ownership, however, it is considered that suitable arrangements for the sustainable drainage of such run-off could be accommodated. In the event of a decision to grant permission, it is recommended that conditions be attached in this regard.

10.6.4. Irish Water indicate that on completion of the Gorey Rural Infrastructure Project, there will be no constraint on development in terms of water supply. It is proposed to connect to existing mains sewerage services, running southwest to the Courtown Road. A disused on-site wastewater treatment plant adjoining the existing attenuation pond is to be removed from the site. I note the report from Irish Water and the identified upgrades to the wastewater network to accommodate the proposed development, which are to be undertaken at the developer's expense. I note that capacity in the wastewater treatment plant is not identified as a constraint on development, however, and the 2019 AER indicates that the plant was in compliance with its discharge licence (D0046-01). Subject to the identified upgrade works, Irish Water have not raised an objection to the proposed development.

10.6.5. I note the submission of the observer, Margaret Bowe, regarding the possible impacts on her existing sewerage connection. Such impacts arise from the upgrade of the existing cinema access road rather than the sewerage connections serving the proposed development. The indicated location of the connection is under the proposed upgraded footpath. I consider that the protection of existing service connections could be adequately addressed by condition in the event of a decision to grant permission in this case.

10.6.6. The application is accompanied by a Site-Specific Flood Risk Assessment. The primary risks in terms of flooding are identified as fluvial and pluvial events. Tidal and groundwater flooding are not regarded as a significant risk. No historic flood events are identified at this location. The site is identified as lying within fluvial Flood Zone C, however, lands adjoining Clonattin Stream are subject to flooding (Zone A). Having regard to CFRAM mapping, the SSFRA identifies no requirement for flood mitigation measures in respect of fluvial flooding.

10.6.7. While pluvial flood risk is not considered to be significant, the SSFRA states that the site will be served by an attenuation system which limits discharge to the adjoining stream to a rate of 2 ltr / ha / sec, with storage provided for a 1:100-year event plus 20% climate change allowance. It is stated that the storage capacity of the existing attenuation pond serving Clonattin Village (6050 cu.m. plus freeboard to 7500 cu.m) has capacity to cater for the proposed development, without downstream flooding impacts.

10.6.8. I note, however, that *Engineering Services Report* does not provide any specific detail confirming the design / capacity of the existing attenuation / storage system, or the rate of discharge. Reference in application documentation is made to PA ref. 2003/4476 in relation to the design of the system, however, I note that the surface water management system and pond were approved originally under PA ref. 2003/1306.

10.6.9. The design documentation submitted in respect of PA ref. 2003/1306 refers to an overall site of 25.9 ha and the provision of 6,071 cu.m. of storage based on a discharge rate of 6 ltr / sec / ha, to cater for a 1:100-year event, with a 500mm freeboard. Restricting the rate of discharge to 2 l/sec / ha as identified in the SSPRA, would require an increased level of storage on the site although the extent of such is not clear. On the basis of the application documentation, the proposed rate of discharge rate for this site is unclear and what requirement for additional storage may arise. Planning authority reports do not provide any further detail in this regard.

10.6.10. The *Engineering Services Report* refers to the implementation of SUDS measures, primarily comprising permeable car park paving. Referenced swale features are not identified on the submitted drawings. The notes on the proposed drainage layouts (dwg. No. CLO-CSC-ZZ-XX-DR-C-0011 - 13) refer to the provision of two attenuation tanks on the site of $40m^3$ and $80m^3$ respectively with total discharge limited to 2 lt / sec. These attenuation tanks are not identified in the drainage design documentation or on the drawings themselves, however. It is not clear whether this is an error in the notes. There is an overall lack of clarity with regard to the design of surface water attenuation measures. Having regard to the extent of the site area, however, there would be scope to accommodate satisfactory measures in this regard. Subject to there being no overall increase in the final rate of discharge to the Clonattin Stream, technical details in this regard would be amenable to condition in the event of a decision to grant permission.

10.6.11. I note the submission from Marlfield House Hotel which refers to flooding of their lands in winter 2020 / 2021, which is attributed to a failure in the existing attenuation system serving Clonattin Village. No previous flooding events are referenced, notwithstanding that this attenuation / storage system has been in situ

for an extended period, and the observation does not provide specific details of the referenced event.

10.6.12. I note that 2016 CFRAM mapping indicates that an area of lands to the south of the Courtown Road (R742), at Marlfield House, are at risk of fluvial flooding in the 1% and 0.1% AEP, notwithstanding the development of the subject site. Where the design of the proposed development limits discharge to current greenfield rates and does not contribute increased flows to the Clonattin River, no additional impacts on downstream lands would be anticipated.

## 11.0 Environmental Impact Assessment (EIA)

### 11.1. Statutory Provisions

11.1.1. This section sets out an Environmental Impact Assessment (EIA) of the proposed development. The development is described in section 3.0 above and also in subsequent sections of this report. It broadly comprises the demolition of the existing structures, construction of 363 no. residential units (262 no. houses and 101 no. apartments), creche and associated site works including a new link road to Courtown Road, on lands to the south of Clonattin Village, and north of the R742 Courtown Road, in the townlands of Goreybridge, Clonattin Upper and Raheenagurren East, Gorey, Co. Wexford.

This application was submitted to the Board after the commencement of the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 which transpose the requirements of Directive 2014/52/EU into Irish planning law.

The application was accompanied by an Environmental Impact Assessment Report (EIAR), which is a mandatory requirement for the development in accordance with the provisions of Part X of the Planning and Development Act 2000 (as amended) and Schedule 5 of the Planning and Development Regulations 2001-2015. In particular, paragraph 10(b)(iv) of Part 2 of Schedule 5 requires the submission of an EIAR in respect of urban development projects which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.

The EIAR accompanying the application contains three volumes. The Main Statement is contained in Volume 1. Volume 2 contains Appendices, while the Non-Technical Summary is contained in Volume 3. Chapter 1 of Volume 1 sets out an introduction to the EIAR including the methodology used. Chapter 2 identifies alternatives considered. Chapter 3 provides a description of the site and the proposed development, including construction activities. The likely significant direct and indirect effects of the proposed development are considered in the remaining chapters of Volume 1, which address the following headings[1], in accordance with Article 3 of the EIA Directive 2014/52/EU:

4. Population and Human Health
5. Biodiversity
6. Land, Soils and Geology
7. Hydrology and Water Services
8. Noise and Vibration
9. Climate and Air Quality
10. Landscape and Visual
11. Traffic and Transportation
12. Material Assets
13. Cultural Heritage
14. Waste Management
15. Interactions
16. Summary of Mitigation Measures

In terms of cumulative impacts, the EIAR identifies other committed residential developments in the wider area but identifies that due to the separation distances involved, an associated cumulative impact will not arise in many instances.

11.1.2. **Consideration of risks associated with major accidents and/or disasters.**

Article 3(2) of the Directive includes a requirement that the expected effects derived from the vulnerability of the project to major accidents and / or disasters that are relevant to the project concerned are considered. The 2018 Guidelines on carrying

[1] I note an error in the EIAR index in respect of Chapters 12 and 13 of the report.

out Environmental Impact Assessment state that the EIAR must include the expected effects arising from the vulnerability of the project to risks of major accidents and/or disasters that are relevant to the project. The two key considerations are:

- Potential of the project to cause accidents and/or disasters, including implications for human health, cultural heritage, and the environment.
- Vulnerability of the project to potential disasters/accidents, including the risk to the project of both natural disasters and man-made disasters.

While this requirement is acknowledged in Chapter 1 of the EIAR, it is not specifically addressed in the report. I note, however, that a site-specific flood risk assessment in respect of the development was undertaken and that this is addressed further in chapter 7 of the EIAR. This assesses the risk of flooding associated with the proposed development and takes account of the effects of climate change. The assessment concludes that predicted flood events will not affect the subject lands and that the likelihood of groundwater flooding is minor. The design of the surface water attenuation system is stated to mitigate the likelihood of any downstream flooding.
Having regard to the nature of the proposed residential development on zoned lands, at a scale which is not exceptional, and the surrounding pattern of uses and development, I am satisfied that the development is not likely to cause or to be vulnerable to major accidents and or disasters.

I am satisfied that the EIAR has been prepared by competent experts to ensure its completeness and quality, and that the information contained in the EIAR and supplementary information provided by the developer, adequately identifies and describes the direct, indirect and cumulative effects of the proposed development on the environment and complies with article 94 of the Planning and Development Regulations 2000, as amended.

In carrying out this EIA I have examined the information presented by the applicant, including the EIAR, and the submissions made during the course of the application.

A summary of the submissions made by the planning authority, observers and prescribed bodies has been set out above.

11.1.3. **Alternatives**

Article 5(1)(d) of the 2014 EIA Directive requires "*a description of the reasonable alternatives studied by the developer, which are relevant to the development and its specific characteristics, and an indication of the main reasons for selecting the chosen option, taking into account the effects of the development on the environment*." Chapter 2 of the submitted EIAR outlines the alternatives considered under the headings of Do-Nothing, Alternative Locations, Alternative Design and Layout and Alternative Processes.

In respect of location, it is noted that the lands are predominantly zoned for residential use in the relevant LAP, which itself was subject to SEA. Proposed uses are in accordance with the zoning objectives for the lands. Having regard to planning policy for the area and the availability of services, the do-nothing scenario was discounted.

Five alternative layouts were considered, including the chosen option, and their environmental effects.

In the context of planning policy for the town, County and the region, I do not regard the Do-Nothing option or alternative locations to be reasonable alternatives. Alternative design approaches to achieve the development objectives are set out in the EIAR, and the reasons for not proceeding with each, are identified, while alternative processes in terms of heating are also considered.

Having regard to the policy and zoning objectives for the area and the planning history relating to the site, it is considered that the issue of alternatives has been adequately addressed in the application documentation.

11.2. **Assessment of Likely Significant Direct and Indirect Effects**

11.2.1. **Population and Human Health** (Chapter 4)

Potential Impacts

The construction phase is likely to have a positive impact on local businesses and the economy in terms of temporary construction employment and increased local spend. Construction activity may result in short-term impacts and disruption to local population and human health due to dust and noise emissions and construction traffic. At operational stage, a population increase of approx. 980 persons will result in increased spend in the local economy. There will be an increased demand for childcare services and schools in the area.

The development is in accordance with the core strategy of the County Development Plan and LAP policy and significant cumulative negative impacts with other development are not expected. Overall positive cumulative impacts are identified in terms of increased local spending and provision of open spaces.

Mitigation

Potential construction impacts will be mitigated by the specific measures identified under subsequent sections of the EIAR and implemented through the Construction Environmental Management Plan.
Childcare facilities are provided for within the development while an adjacent site is available for the provision of a primary school where such a requirement arises.

Residual Impacts

The EIAR predicts overall positive impacts in terms of the economic impacts of the development and population growth.

**Conclusion**

I have considered all of the submissions and I am satisfied that impacts that are predicted to arise in relation to Population and Human Health would be avoided managed and mitigated by the measures which form part of the proposed scheme and the proposed mitigation measures. I am satisfied that the proposed development would not have any unacceptable direct, indirect or cumulative impacts in terms of Population and Human Health.

11.2.2. **Biodiversity** (Chapter 5)

Potential Impacts

The development will result in the clearance of existing habitats and vegetation, which are generally of lower value, but do include some mature trees. Demolition of the vacant house will result in the loss of a bat roost site. The loss of some mature trees and hedgerow will reduce bird foraging and nesting habitats. The pond and stream / riparian corridor are the most locally important features. The potential crossing of the Clonattin Stream will have potential impacts on water quality and flow and it is noted that the downstream Owenavorrage River supports Annex II species. The river flows through Courtown Dunes and Glen pNHA approx. 6.5km downstream of Gorey.

Construction activity, including in-stream works, has the potential to give rise to silt or other contaminants in run-off from the site. There is potential dust impacts to adjacent habitats. Light spill / impacts at construction and operational stages may impact on fauna. No other significant operational impacts are identified.

Cumulative Impacts

The EIAR identifies no significant cumulative impacts but notes that the upgrade of the Gorey WWTP has resulted in improved water quality in the downstream Owenavorrage River Catchment.

Mitigation

Standard construction and operational controls will be incorporated into the proposed development project to minimise the potential negative impacts on ecology and to ensure that the project will comply with the Water Pollution Acts and standard IFI Identified measures relate to construction and design. No additional operational measures, beyond maintenance, are identified.

Detailed construction mitigation measures are identified including:

- Appointment of a project ecologist.
- Use of Best Available Technology (BAT) measures designed by project ecologist
- In-stream works and works in the riparian corridor carried out to the satisfaction of IFI and project ecologist, including an agreed construction methodology.

- Measures to intercept and prevent silt runoff from all works on site and in the riparian corridor, including silt fences, phasing and landscaping as identified by the project ecologist.
- The riparian buffer will be established, landscaped and marked out prior to clearance works on the remainder of the site. Timing of works will address the risk of flooding.
- Appropriate storage and settlement facilities including silt and petrochemical interception for water pumped on site.
- Standard measures for the management and storage of fuel, oils and chemicals
- Standard dust control and mitigation measures.
- Avoidance of bonfires and burning of waste materials.
- Retention of hedgerows and trees where possible.
- Timing of works outside of bird breeding season. If not possible, a pre-works check to ensure nesting birds are absent.
- Nest boxes places on site to compensate for resource loss.
- Derogation Licence required for demolition of house and pre-construction survey for bats. Retain hedgerows and ivy cover on trees where possible.
- Provision of bat boxes as advised by the project ecologist.
- Appropriate lighting design.
- Pre-construction surveys for mammals and amphibians.

Residual Impacts

There will be localised impacts limited to the development site, with some positive effects from additional planting and improved riparian corridor. Significant residual effects on ecology are not predicted.

**Conclusion**

I have considered all of the submissions and I am satisfied that impacts that are predicted to arise in relation to Biodiversity would be avoided managed and mitigated by the measures which form part of the proposed scheme and the proposed mitigation measures. I am satisfied that the proposed development would not have any unacceptable direct, indirect or cumulative impacts in terms of Biodiversity.

11.2.3. **Lands, Soil and Geology** (Chapter 6)

Potential Impacts

The EIAR notes that the assessment was undertaken without site specific investigations, having regard to published information. The land are currently in limited agricultural use. Potential impacts are identified as:

- Creation of dust from excavated materials.
- The reprofiling of the site and a requirement of the importation of approx. 190-cubic metres of fill.
- Excavation works giving rise to a risk of movement / settlement.
- Potential exposure of site workers to previously unrecorded contaminants in groundwater.
- Dewatering has the potential to impact on surrounding structures.
- Construction activity could lead to contamination of ground or surface waters.
- Significant operational impacts on lands and soils are not likely.
- Potential contamination from run-off at operational stage.

Having regard to the significance of the predicted impacts, the EIAR predicts that cumulative impacts with other consented developments would be slight.

Mitigation

- Importation of fill material is minimised through the balance of cut & fill.
- Protection and demarcation of existing trees and watercourses, in accordance with the recommendations of the Construction Management Plan.
- Standard construction measures and adherence to published (CIRIA) guidance.
- The drainage system will discharge into the existing attenuation pond.
- Installation of hydrocarbon / petrol interceptors and silt traps.

Residual Effects

There will be some loss of agricultural lands although the extent and value of the lands is not regarded as significant in this regard. No significant residual effects are identified.

Monitoring and Reinstatement

- Adherence to the Construction and Environmental Management Plan (CMP), including monitoring of construction activity and environmental controls.
- Soil removed during the construction phase will be monitored to maximise potential for re-use on site.

**Conclusion**

I have considered all of the submissions and I am satisfied that impacts that are predicted to arise in relation to Land, Soil and Geology would be avoided managed and mitigated by the measures which form part of the proposed scheme and the proposed mitigation measures. I am satisfied that the proposed development would not have any unacceptable direct, indirect or cumulative impacts in terms of Land, Soil and Geology.

11.2.4. **Hydrology and Water Services** (Chapter 7)

Potential Impacts

Construction activity has the potential to give rise to silt or other contaminant run-off to the adjoining stream and potentially increase run-off to the adjoining stream, exacerbating flooding effects. The EIAR describes individual impacts from the development as being of imperceptible to moderate significance, reducing to a minimum with mitigation. No significant operational effects identified.

Cumulative Impacts

Taking account of proposed construction mitigation measures, the significance of potential cumulative impacts with other consented development is described as slight. I note that the surface water drainage arrangements must be seen in conjunction with the existing Clonattin Village development.

Mitigation

- Standard construction control measures and implementation of Construction and Environmental Management Plan.
- The existing storm network traversing the site and the attenuation pond will be maintained during construction to prevent blockages and potential flooding.

- A maintenance schedule and operational schedule for silt and pollution control measures during the construction will be established by the contractor.
- Run-off from the construction site and surface water collected in excavations, will be intercepted and discharged to settlement ponds, silt traps or lagoons with over-flows directed to land rather than to a watercourse.
- Discharge from the attenuation pond will be restricted to obviate flood impacts.
- Installation of hydrocarbon / petrol interceptors

Residual impacts

Subject to mitigation, the EIAR describes the significant of impacts in terms of water quality and flooding are predicted to be low. I note the issues raised in section 10.0 above in respect of the design of the surface water management system.

Monitoring and Reinstatement

Reinstatement of lands adjacent to the stream will be required in accordance with the landscaping proposals submitted.

**Conclusion**

I have considered all of the submissions on the application. Having regard to the extent of the site area, I consider that satisfactory attenuation measures could be accommodated to address potential risk of downstream effects, in accordance with best practice guidance. The final technical details of the design of the surface water management system would be amenable to condition, subject to the overall rate of discharge to Clonattin Stream not increasing.

I am satisfied that impacts that are predicted to arise in relation to Hydrology and Water Services could be avoided managed and mitigated by the measures which form part of the proposed scheme and the proposed mitigation measures, and subject to final design details being agreed. Subject to such details, I am satisfied that the proposed development would not have any unacceptable direct, indirect or cumulative impacts in terms of Hydrology and Water Services.

11.2.5. **Noise and Vibration** (Chapter 8)

Potential Impacts:

Baseline noise surveys were undertaken which indicate that road traffic noise is the dominant feature of the noise environment in this area and that there are no particular constraints on the proposed development. The closest noise sensitive receptors are those to the north at Clonattin Village and the observer's property to the west.

An assessment of noise from construction traffic and plant at a number of noise sensitive locations around the site is undertaken. Predicted levels during construction are generally below the reference criterion value, except for receptors immediately adjoining the development site in Clonattin Village and to the west, where significant negative, short-term impacts are predicted without mitigation. This is stated to provide for a worst-case scenario where a large proportion of the daily vehicle numbers have been assumed to arrive/depart over an hour-long period. No significant vibration impacts are predicted.

Operational impacts, including impacts arising from additional traffic on the surrounding road network are not predicted to be significant.

I note the observation received on behalf of Marlfield House Hotel. This is not identified as a noise sensitive location in the assessment, however, intervening properties are identified and assessed. Predicted noise levels at those closer locations are below the criterion value and significant impacts on the property are not expected.

Cumulative Impacts

Significant cumulative impacts are not identified and cumulative operational traffic impacts are described in the noise assessment as imperceptible.

Mitigation:

- Adherence to identified construction standards and codes of practice, including selection of quiet plant, noise control at source and location of site compounds, screening, liaison with the public and maintenance of a complaints log, phasing of activity.

Residual effects:

- With mitigation, noise and vibration impacts during construction are described as moderative short-term negative impacts. Imperceptible operational impacts are predicted.

Monitoring and Reinstatement:

- Monthly noise and vibration monitoring during construction along the site boundary.
- Continuous live data logging / monitoring will be undertaken at residential dwelling 13m east of the site. Notwithstanding the referenced distance, this is assumed to refer to no. 72 existing Clonattin Village, to the east of the site.

**Conclusion**

The proposed development is not exceptional in nature and construction activity immediately adjoining existing residential properties is not uncommon. Standard construction practice and appropriate monitoring will address potential significant impacts on adjacent residents.

I have considered all of the submissions and I am satisfied that impacts that are predicted to arise in relation to Noise and Vibration would be avoided managed and mitigated by the measures which form part of the proposed scheme and the proposed mitigation measures. I am satisfied that the proposed development would not have any unacceptable direct, indirect or cumulative impacts in terms of Noise and Vibration.

11.2.6. **Climate and Air Quality** (Chapter 9)

Potential Impacts

The most significant potential impact on air quality during the construction phase is from dust emissions and nuisance dust. There is the potential for significant dust soiling 50m from the source. The import of infill materials from off-site locations also gives rise to potential dust impacts. Dust emissions have the potential to impact on human health. The impact on climate of greenhouse gas emissions during construction are considered to be imperceptible.

The most significant operational impacts arise from traffic emissions. The assessment of impacts on nearby receptors based on predicted traffic generation, concludes that ambient air quality standards will not be exceeded either with or without the proposed development. The effect is therefore described as imperceptible.

Cumulative Impacts

- The EIAR predicts that the cumulative impact with proposed or permitted neighbouring developments will not have an adverse long term impact on the receiving environment.
- There is potential for a short term slight negative cumulative impact on ambient air quality and climate associated with the construction phase.

Mitigation:

- The pro-active control of fugitive dust and implementation and ongoing monitoring of a dust management plan.
- Preparation of a dust control and monitoring method statement.
- Maintenance of a complaints log.
- Best practice construction and demolition techniques and site management.
- Where dust nuisance occurs outside the site, activities will be curtailed and the problem rectified before the resumption.
- The design measures of proposed housing units.

Residual Impacts

- No significant residual effects are considered likely.

Monitoring

Air quality monitoring shall be implemented at nearby residential properties during construction (TA Luft limit values).

**Conclusion**

I have considered all of the submissions and I am satisfied that impacts that are predicted to arise in relation to Air Quality and Climate would be avoided managed and mitigated by the measures which form part of the proposed scheme and the

proposed mitigation measures. I am satisfied that the proposed development would not have any unacceptable direct, indirect or cumulative impacts in terms of Air Quality and Climate.

11.2.7. **Landscape and Visual Assessment** (Chapter 10)

Impacts

The existing landscape is described as being of low to moderate sensitivity, with capacity for development. Construction activity includes the removal of existing trees and vegetation from the site, as well as construction activity and emissions such as noise and dust. These will have short-term significant impacts on the landscape character and visual amenities of the area. On completion the proposed development will significantly alter the immediate landscape from agricultural fields to a residential development and new link road. These impacts will be most significant for adjoining residential properties, however, in longer views the development will be seen as an extension of the existing area with minor impacts on landscape and visual amenity.

Mitigation

- Integration with the adjoining residential development and open spaces to the north.
- High quality landscaping and connecting pathways and cycleways.
- Implementation of the agreed Construction Management Plan.
- Retention and protection of existing trees and existing hedgerow and planting.

Residual Impacts

The EIAR includes an assessment of 10 viewpoints in the surrounding area. I consider the viewpoints selected to be satisfactory and representative. There will be a significant change to the landscape character and visual amenities of the area, however, the development is in accordance with planning policy for the area and will constitute a continuation of the existing pattern of development within the town of Gorey.

**Conclusion**

I have considered all of the submissions and I am satisfied that impacts that are predicted to arise in relation to Landscape and Visual Amenity would be avoided managed and mitigated by the measures which form part of the proposed scheme and the proposed mitigation measures. I am satisfied that the proposed development would not have any unacceptable direct, indirect or cumulative impacts in terms of Landscape and Visual impact.

11.2.8. **Traffic and Transportation** (Chapter 11)

Potential Impacts:

Construction activity is predicted to give rise to approx. 80 no. vehicle movements per day / 16PCU/hr at peak times. Construction traffic impacts will be short-term and less than the predicted operational traffic impact. Failure to properly manage construction traffic has the potential to result in obstruction of the surrounding road network.

Modelled operational traffic indicates that junctions on the surrounding network will continue to function within capacity in the design year (2038) during peak hours, in the worst-case scenario assessed. The assessment includes an allowance for the redistribution of traffic due to the opening of the new link road.

Cumulative Impacts

The impact of nearby permitted developments are considered in the assessment of operational traffic, as well as the possible future primary school adjoining the site.

Mitigation:

- Implementation of a Construction Traffic Management Plan, which shall include the timing and phasing of works and deliveries.
- Operational impacts are mitigated by design measures, including appropriate levels of car parking provision and secure bike parking.
- A Residential Travel Plan will be implemented and a travel co-ordinator appointed.
- Completion of the proposed link road in phase 1 and its use as the primary construction access route would address construction traffic impacts on existing residents of Clonattin Village.

Monitoring and reinstatement:
Implementation of the Construction Management Plan includes measures for the monitoring of construction traffic. The Residential Travel Plan shall be subject to monitoring by the RTP co-ordinator.

**Conclusion**

I have considered all of the submissions and I am satisfied that impacts that are predicted to arise in relation to Traffic and Transportation would be avoided managed and mitigated by the measures which form part of the proposed scheme and the proposed mitigation measures. I am satisfied that the proposed development would not have any unacceptable direct, indirect or cumulative impacts in terms of Traffic and Transportation.

11.2.9. **Material Assets** (Chapter 12)

Potential Impacts

- There are water, drainage, electricity and telecommunications services available in the area. There are no gas services in this area. There is potential for impacts or disruption of existing services during construction.
- No significant operational impacts are identified. Increased water demand and wastewater loading arising from these zoned lands has been accounted for in capacity assessments for the area.

Cumulative Impacts

- No significant cumulative impacts are identified.

Mitigation:

- Implementation of a Construction and Environmental Management Plan.
- Required upgrades to the drainage network will be subject to a connection agreement with Irish Water.
- Works will comply with Irish Water standards and requirements.
- Best practice surface water drainage design.

- Best practice in undertaking works to ensure that significant impacts or disruption of existing services does not arise. Where possible, back-up services will be provided where relocation or diversion of existing services is required.
- Co-ordination with telecoms providers.

Residual Impacts

- Some waste generation is likely.
- No unattenuated storm water flows will be discharged off-site, reducing downstream flood risk. A flood exceedance route has been designed to avoid impacts on residential properties.
- There will be increased demand for water and wastewater treatment services but there is capacity in the networks to accommodate the development.
- Increased demand for power and telecoms services.

**Conclusion:**

I have considered all of the submissions and I am satisfied that impacts that are predicted to arise in relation to Material Assets would be avoided managed and mitigated by the measures which form part of the proposed scheme and the proposed mitigation measures. I am satisfied that the proposed development would not have any unacceptable direct, indirect or cumulative impacts in terms of Material Assets.

11.2.10. **Waste Management** (Chapter 13)

Potential Impacts

A Construction and Demolition Waste Management Plan and an Operational Waste & Recycling Management Plan have been submitted. Excavated materials and demolition waste for removal from the site, shall be classified and disposed of in accordance with relevant regulatory requirements. The volume of demolition waste is not significant. Impacts from short-term construction waste are not identified as significant subject to compliance with relevant legislation. Operational impacts are long-term not significant.

No significant cumulative impacts are identified.

Mitigation

- Implementation of the Construction and Demolition Waste Management Plan and measures including on-site segregation of materials, reuse of waste where possible, and appointment of a Waste Manager.
- Balancing cut and fill activities as much as possible.
- Provision of appropriate storage facilities at operational stage.
- Adherence to relevant legislation.

Residual Impacts

- No significant residual impacts are predicted.

Monitoring and Reinstatement:

- Waste manager will monitor construction waste and adherence to the provisions of the Waste Management Plan.
- At operational stage, the EIAR identifies that monitoring of waste generation should be undertaken but does not identify responsibility for such action.

**Conclusion**:

I have considered all of the application documentation and submissions received, and I am satisfied that impacts that are predicted to arise in relation to Waste Management would be avoided, managed and mitigated by the measures which form part of the proposed scheme. I am satisfied that the proposed development would not have any unacceptable direct, indirect or cumulative impacts in terms of Waste Management.

11.2.11. **Cultural Heritage and Archaeology** (Chapter 14)

Potential Impacts

The assessment undertaken to inform the EIAR included desk-based study, field inspection and archaeological testing on the main development site. Test excavations were not undertaken on the line of the proposed link road, however.

There are no recorded features on the application lands and studies and site investigations identified no unrecorded features of interest. The closest recorded site to the application site is a graveyard and church ruin, approx. 174m north east of the site. There is potential for impacts on unrecorded or unidentified features to be disturbed during construction works.

No significant cumulative impacts are identified.

Mitigation:

- Archaeological testing of the route of the new link road be undertaken.
- All ground disturbance to be subject to monitoring by a suitably qualified archaeologist.

No significant residual impacts are identified.

Monitoring and Reinstatement:

- Archaeological monitoring of site activities.

**Conclusion:**

I have considered all of the application documentation and submissions received, and I am satisfied that impacts that are predicted to arise in relation to Cultural Heritage and Archaeology would be avoided, managed and mitigated by the measures which form part of the proposed scheme. I am satisfied that the proposed development would not have any unacceptable direct, indirect or cumulative impacts in terms of Cultural Heritage and Archaeology.

11.2.12. **The interaction between the above factors**

Having regard to the foregoing, I note the following interactions:

| | | |
|---|---|---|
| Landscape and Visual Impact | Population and Human Health | Change in the landscape character and existing views from residential areas and surrounding roads. |
| | Biodiversity | Loss of existing vegetation |

| | | |
|---|---|---|
| Traffic & Transportation | Population and Human Health | Additional traffic at construction and operation stages on the surrounding road network and associated impacts in terms of delay, noise and disturbance. |
| | Noise & Vibration<br>Air Quality and Climate | Emissions associated with additional traffic at construction and operation stages on the surrounding road network |
| | Hydrology and Water Services | Potential for spills and leakages from vehicles |
| Material Assets | Hydrology and Water Services | Increased demand for water services and loading on the municipal wastewater treatment plant. |
| | Biodiversity | Lighting impacts on nocturnal species.<br>Disturbance during construction and site clearance. |
| Land, Soil and Geology | Population and Human Health / Air Quality | Potential during construction for dust and particulate emissions to air.<br>Loss of agricultural land. |
| | Hydrology and Water Services | Potential discharge of silt laden / contaminated run-off to surface water or groundwater |
| | Biodiversity | Disturbance and loss of habitats during site clearance and construction.<br>Loss of bird nesting sites and bat roosts. |
| | Cultural Heritage | Site clearance may impact on unrecorded features of interest. |
| Hydrology and Water Services | Biodiversity | Potential discharge of silt laden / contaminated run-off to surface water or groundwater.<br>Additional loading on municipal WWTP. |
| Noise and Vibration | Population and Human Health | Noise and vibration emissions during construction activity. |

| | | |
|---|---|---|
| | | Additional traffic movement at construction and operational stages. |
| Air Quality and Climate | Population and Human Health | Potential for dust and particulate emissions to air during construction |

## 11.3. Reasoned Conclusion on the Significant Effects

Having regard to the examination of environmental information contained above, and in particular to the EIAR and other information provided by the developer, and the submissions from the planning authority, observers and prescribed bodies in the course of the application, it is considered that the main significant direct and indirect effects of the proposed development on the environment are, and will be mitigated as follows:

Impacts on surface and ground waters in respect of silt and other contaminants during construction, mitigated by:

- Implementation of the Construction and Environment Management Plan and identified measures for the control and treatment of run-off prior to discharge from the site.
- Compliance with standard guidance for the management of surface waters on construction sites and liaison with IFI.
- Maintenance of a riparian corridor along the existing stream boundary.
- Monitoring by site manager and project ecologist to ensure the effective implementation of mitigation measures.

Potential short-term impacts of construction noise on nearby sensitive receptors, mitigated by:

- Construction methodologies.
- Compliance with identified noise and vibration limit criteria.
- Adherence to identified standard best practice guidance, and monitoring in the vicinity of the site throughout construction work.

- Implementation of a Construction and Environmental Management Plan and a Noise and Vibration Management Plan, utilising best construction practice.
- Planning of construction site layout.
- Duration and timing of construction activities.

Potential impacts on biodiversity and human health from dust emissions at construction stage, mitigated by:

- Implementation of the Construction Environment Management Plan incorporating a Dust Management Plan.
- Standard construction site management measures, including dust barriers along the site perimeter.
- A dust control and monitoring statement and weekly monitoring of dust deposition to identify need for suppression measures.

Loss of habitats due to site clearance works, mitigated by:

- Implementation of the Construction Environment Management Plan.
- Maintenance and landscaping of the riparian corridor.
- Timing of works and pre-removal inspection of trees and buildings.
- Compliance with the terms of a derogation licence for removal of bat roosts and installation of bat boxes on the site.
- Protection of existing trees and hedgerows to be retained and installation of bird nesting boxes.
- Lighting design, avoiding sensitive areas of the site.
- Pre-construction surveys.
- Monitoring of works by a project ecologist.

A significant direct positive effect with regard to Population and Human Health due to the increase in housing stock that would be made available in the town and to the county.

### 11.4. **Conclusion**

The submitted EIAR has been considered with regard to the guidance provided in the Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment, Department of Housing, Planning, Community and Local Government (2018), (Draft) Revised Guidelines on the Information to be contained in Environmental Impact Assessment Reports, Environmental Protection Agency 2017, and (Draft) Advice Notes for Preparing Environmental Impact Statements September Environmental Protection Agency 2015. The assessments provided in the individual EIAR chapters are generally considered satisfactory, however, further detail regarding the design of the surface water management system would be necessary. The likely significant environmental effects arising as a consequence of the proposed development have otherwise been satisfactorily identified, described and assessed and would not require or justify refusing permission for the proposed development or requiring significant amendments to it.

## 12.0 **Screening for Appropriate Assessment**

12.1. Description of the project and local site characteristics:

The site is located on zoned lands on the eastern side of Gorey, in the townlands of Goreybridge, Clonattin Upper and Raheenagurren East. Lands to the north and northwest have been subject to previous residential development, while agricultural lands bound the site to the east and south. Access is provided from Clonattin Road to the north via Clonattin Village. The site is bounded on its southern / southeastern side by Clonattin Stream which flows south to the Banogue and Owenavorragh Rivers. The Banogue River is identified as an important salmonid water, while the downstream Owenavorrage River supports Annex II species. There are no European sites in the vicinity of the site.

The lands have been substantially disturbed in the past and habitats on the site are generally of lower value. No flora or terrestrial fauna of conservation importance have been identified on the site, and no invasive species have been identified thereon. No signs of badger activity including foraging were noted on site. No setts or otter holts have been identified thereon.

The proposed development comprises the demolition of existing structures and construction of 363 no. residential units (262 no. houses and 101 no. apartments), creche and associated site works. A linear open space is provided as a riparian strip alongside the Clonattin stream. It is proposed to connect to the existing surface water attenuation system serving Clonattin Village, which discharges restricted flow to the adjoining stream. It is proposed to connect to mains sewerage services which discharge to the Courtown Waste Water Treatment plant. The plant has capacity to cater for the proposed development.

There is no reference in application documentation to consultations with prescribed bodies.

12.2. Identification of relevant Natura 2000 sites.

| Natura Site (code) | List of Qualifying Interest/Special Conservation Interest | Conservation Objectives | Separation | Connections | Considered further in screening? |
|---|---|---|---|---|---|
| **(004143) Cahore Marshes SPA** | – Wigeon,<br>– Golden Plover<br>– Lapwing<br>– Greenland White-fronted Goose | To maintain or restore the favourable conservation condition of the bird species listed | 13.5km | There is no direct or indirect pathway | No |
| | – Wetland and Waterbirds | To maintain or restore the favourable conservation condition of the wetland habitat as a resource for the regularly-occurring migratory water birds | | | |
| **(000781) Slaney River Valley SAC** | – Estuaries<br>– Mudflats and sandflats not covered at low tide<br>– Harbour Seal<br>– Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation | To maintain the favourable conservation condition defined by identified attributes and targets | 4km | There is no direct or indirect hydrological or biodiversity pathway | No |

| | | | | | |
|---|---|---|---|---|---|
| | – Otter<br>– Sea Lamprey<br>– Brook Lamprey<br>– River Lamprey<br>– Twaite Shad<br>– Atlantic Salmon<br>– Old sessile oak woods with Ilex and Blechnum<br>– Alluvial forests with Alnus glutinosa and Fraxinus excelsior | To restore the favourable conservation condition as defined by identified attributes and targets | | | |
| | – Atlantic salt meadows<br>– Mediterranean salt meadows | To maintain and or restore favourable conservation status. (No site specific objectives) | | | |
| | – Margaritifera margaritifera | The status of the Margaritifera margaritifera as a qualifying Annex II species for the Slaney River Valley SAC is currently under review, which will determine whether a site-specific conservation objective is set for this species. | | | |
| **(001742) Kilpatrick Sandhills SAC** | – Annual vegetation of drift lines | To maintain the favourable conservation condition defined by identified attributes and targets: | 9km | There is no direct or indirect | No |

| | | | | | |
|---|---|---|---|---|---|
| | – Embryonic shifting dunes<br>– Shifting dunes along the shoreline with Ammophila arenaria (white dunes)<br>– Fixed coastal dunes with herbaceous vegetation (grey dunes)<br>– Atlantic decalcified fixed dunes | To restore the favourable conservation condition defined by identified attributes and targets: | | hydrological or biodiversity pathway | |
| **(000700) Cahore Polders and Dunes SAC** | – Annual vegetation of drift lines | To maintain the favourable conservation condition defined by identified attributes and targets | 13.9km | There is no direct or indirect hydrological or biodiversity pathway | No |
| | – Embryonic shifting dunes<br>– Shifting dunes along the shoreline with Ammophila arenaria (white dunes)<br>– Fixed coastal dunes with herbaceous vegetation (grey dunes)<br>– Humid dune slacks | To restore the favourable conservation condition defined by identified attributes and targets | | | |

The identified attributes and targets for the qualifying interests are summarised in Appendix II.

3. Assessment of Likely Significant Effects

| (a) Identify all potential direct and indirect impacts that may have an effect on the conservation objectives of a European site taking into account the size and scale of the project: |
|---|
| During construction and site clearance there is potential for surface water runoff from site works containing silt or other contaminants, to temporarily discharge to Clonatttin Stream. The hydrological connection to downstream European Sites is indirect and weak. Separation distances means that water quality in the European sites will not be negatively affected by any contaminants such as silt from site clearance and other construction activities due to dilution and settling out over such a distance. The construction phase will not result in significant environmental impacts that could affect European Sites within the wider catchment area.<br><br>Wastewater at operational stage will connect to the urban drainage systems and will discharge to Gorey/Courtown WWTP which ultimately discharges under licence to the sea. 2019 AEP for this plant indicates that it is operating in compliance with its discharge licence. Surface water at operational stage will be subject to attenuation and restricted rates of discharge and the treatment via hydrocarbon / petrol Interceptors. The hydrological connections are indirect and weak and the separation distance is significant such that there is no real likelihood of any significant effects on European Sites in the wider catchment area. |
| In-combination |
| All extant developments are similarly served by urban drainage systems and the municipal WWTP, and have been subject to screening for appropriate assessment. An Appropriate Assessment Screening Report was prepared for the LAP which included the residential zoning objective for the subject site. No likely significant effects on the water quality of any European sites were identified.<br><br>No likely significant in-combination effects are identified |
| (b) Likely changes to the European site(s): |
| The application site is not located within or adjacent to any European site, and there is no risk of habitat loss or fragmentation or any effects on qualifying species either directly or as a result in ex-situ effects on such species. The development will connect to |

| |
|---|
| existing urban drainage systems and a municipal wastewater treatment plant which has capacity to cater for the proposed development. The significant distance between the proposed development site and any European Sites, and the very weak and indirect ecological pathway is such that the proposal will not result in any likely changes to the European sites that comprise part of the Natura 2000 network. |
| (c) Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening? |
| No |

4. Screening Determination Statement

| The assessment of significance of effects: |
|---|
| On the basis of the information on file, which is considered adequate to undertake a screening determination and having regard to:<br>• the nature and scale of the proposed development on zoned, serviced lands,<br>• the intervening land uses and distance from European sites,<br>• the lack of direct connections with regard to the Source-Pathway-Receptor model,<br>it is concluded that the proposed development, individually or in-combination with other plans or projects, would not be likely to have a significant effect on the above listed European sites or any other European site, in view of the sites' conservation objectives. An appropriate assessment is not, therefore, required. |
| Conclusion |
| It is clear that no likelihood of significant effects arises. |
| Recommendation |
| The proposal can be screened out. Appropriate assessment not required. |

## 13.0 **Conclusion and Recommendation**

The proposed development comprises the development of zoned lands in Gorey, extending the existing urban area at a scale which accords with the provisions of the Gorey Town and Environs LAP 2017 – 2023 and the Wexford County Development Plan 2013 - 2019. I note also the planning history relating to the lands.

The density and form of development is acceptable in principle and is generally in keeping with the existing surrounding pattern of development. Satisfactory levels of residential amenity are achieved.

The Gorey Town and Environs LAP, and the Clonattin Neighbourhood Framework Plan contained therein, provides for north-south connections between Clonattin Road and Courtown Road to act as main routes / Avenues between these radial routes. The proposed layout does not satisfactorily accommodate the objectives of the LAP and will result in through traffic traversing local residential roads and streets. The layout lacks a clear hierarchy of routes, as outlined in the LAP and in the Design Manual for Urban Roads and Streets (DMURS).

The northern development blocks (Block A and B) do not provide a satisfactory form or layout of development, lacking strong, active frontage and a satisfactory public realm at this important location at the entrance to the development and fail to satisfactorily integrate with adjoining development. It is an objective of the LAP / Neighbourhood Framework Plan that Clonattin Village be provided with local services and facilities, and new local community spaces. The proposed development does not facilitate this objective and the location of the proposed childcare facility at the southern end of the lands would not support its achievement.

Surface water drainage relies upon arrangements put in place as part of previous adjoining developments. Subject to no increase in the rate of discharge to the Clonattin Stream, significant impacts arising from the proposed development would not be anticipated. Final technical attenuation design details would require agreement in this regard.

It is recommended that permission be refused for the proposed development in accordance with Section 9(4) of the Act, for the reasons and considerations set out below.

## 14.0 **Recommended Order**

Application for permission under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016, in accordance with plans and

particulars, lodged with An Bord Pleanála on the 5th Day of February 2021 by Axis Construction Limited, care of McGill Planning, Chartered Town Planners, 45 Herbert Lane, Dublin 2.

**Proposed Development:**

The development will consist of the demolition of the existing dwelling and shed on site (c.334.27sqm); construction of 363 no. residential units, comprising 42 no. 1 bed apartments, 59 no. 2 bed apartments, 134 no. 3 bed houses, 124 no. 4 bed houses and 4 no. 5 bed houses, in a range of building typologies ranging in height from 2 to 3 storeys. The proposed development also includes a single storey creche (c. 513 sq.m), new public open spaces, provision of 690 no. car parking spaces and 222 no. cycle parking spaces.

The proposal includes for new vehicular and pedestrian accesses and upgrades along Clonattin Village Road to the north, and a new access road (including bridge) to the R472 Courtown Road to the south via the existing access road serving the cinema (with associated upgrades to the existing road and at the junction with the Courtown Road). All associated site development works (including site reprofiling), landscaping, boundary treatments and services provision including ESB substations,

On lands to the south of Clonattin Village, and north of the R742 Courtown Road, in the townlands of Goreybridge, Clonattin Upper and Raheenagurren East, Gorey, Co. Wexford.

**Matters Considered**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included all submissions and observations received by it in accordance with statutory provisions.

**Decision**

Refuse permission for the above proposed development based on the reasons and considerations set out below.

## 15.0 **Reasons and Considerations**

1. The Gorey Town and Environs Local Area Plan 2017, and the Clonattin Neighbourhood Framework Plan contained therein, identifies specific objectives and infrastructure requirements for these lands, which include new orbital connections between Clonattin Road and Courtown Road (R742) to the south.

   The design and layout of the proposed link to the Courtown Road (R742) is unsatisfactory and fails to have regard to the strategic role and movement function of this route identified in the Local Area Plan or to the provisions of the Design Manual for Urban Roads and Streets (DMURS) for such routes. Similarly, the layout of development does not facilitate the provision of Clonattin Upper Avenue on the western part of the lands, as identified in the Local Area Plan and Neighbourhood Framework Plan. The proposed development would therefore result in an unsatisfactory standard of development and would be detrimental to the amenities of future residents of the development, contrary to the proper planning and sustainable development of the area.

2. The design and layout of Block A and Block B of the proposed development results in a poor design solution for this important location at the entrance to the development from Clonattin Road to the north, which is dominated by roads and surface car parking and which fails to establish a satisfactory sense of place and an appropriate level of active frontage. Furthermore, Block B fails to integrate satisfactorily with existing adjacent development and results in a poor quality of public realm at this location. The development would therefore be contrary to the provisions and criteria identified in the *Urban Design Manual – a Best Practice Guide*, and the *Design Manual for Urban Roads and Streets* (DMURS) for such development. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. It is an objective of the Gorey Town and Environs Local Area Plan 2017, and the Clonattin Neighbourhood Framework Plan contained therein, to provide for local services and community uses at an upgraded local community space at

Clonattin Village. The proposed development is almost entirely residential in nature and fails to provide, or facilitate the provision of, such facilities and services. Furthermore, the location of the proposed childcare facility at a peripheral location on the lands would undermine the achievement of this objective. The proposed development would therefore fail to comply with the objectives of the Local Area Plan for the delivery of a sustainable neighbourhood at this location and would be contrary to the proper planning and sustainable development of the area.

Conor McGrath
Senior Planning Inspector

04/05/2021

**Appendix 1:**

The application was accompanied by the following documents:

- Completed SHD planning application form
- Part V Pack
- Environmental Impact Assessment Report
- Vol 1 Main Statement
- Vol 2 Appendices
- Vol 3 Non-Technical Summary
- EIAR Portal Confirmation (Appendix E)
- Irish Water Design Submission Letter and Confirmation of Feasibility Letter
- Letters of Consent from landowners
- Newspaper and site Notice
- Planning Report
- Statement of Consistency
- Material Contravention Statement
- Statement of Response to An Bord Pleanála Opinion
- Cover Letters to Statutory Consultees
- Cover Letter to An Bord Pleanála
- Cover Letter to Wexford County Council
- Appropriate Assessment Screening
- Operational Waste & Recycling Management Plan
- Construction & Demolition Waste Management Plan
- Photo-montage Report
- Architectural Drawings
- Housing Quality Assessment Accommodation Schedule
- Site Statistics
- Design and Access Statement
- Building Lifecycle Report.
- Engineering Drawings
- Existing Site Photos
- DMURS Statement of Consistency
- Engineering Services Report

- Site Specific Flood Risk Assessment
- Traffic impact Assessment
- Residential Travel Plan
- Construction and environment Management plan
- Road Infrastructure Design report
- Stage 1 Quality Audit
- Arboricultural Development Report
- Landscape Drawings including Tree Protection and Tree Constraints Plan
- Landscape Development Report
- Site Services Drawings
- Public Lighting Report
- Sustainability and Energy Statement

**Appendix II**

**Conservation Objectives – Attributes and Targets**

**1. Cahore Marshes SPA 004143**

Conservation Objectives:

- To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA
- To maintain or restore the favourable conservation condition of the wetland habitat as a resource for the regularly-occurring migratory waterbirds that utilise it

**2. Slaney River Valley SAC 000781**

Conservation Objective: To restore the favourable conservation condition of Sea lamprey as defined by identified attributes and targets.

| Attribute | Target |
|---|---|
| Distribution: extent of anadromy | Greater than 75% of main stem length of rivers accessible from estuary |
| Population structure of juveniles | At least three age/size groups present |
| Juvenile density in fine sediment | At least 1/m² |
| Extent & distribution of spawning habitat | No decline in extent and distribution of spawning beds. Improved dispersal of spawning beds into areas upstream of barriers |
| Availability of juvenile habitat | More than 50% of sample sites positive |

Conservation Objective: To restore the favourable conservation condition of Brook lamprey, defined by identified attributes and targets:

| Attribute | Target |
|---|---|
| Distribution | Access to all water courses down to first order streams. |
| Population structure of juveniles | At least three age/size groups present |

| | |
|---|---|
| Juvenile density in fine sediment | Mean catchment density of at least 2/m² |
| Extent & distribution of spawning habitat | No decline in extent and distribution of spawning beds. |
| Availability of juvenile habitat | More than 50% of sample sites positive |

Conservation Objective: To restore the favourable conservation condition of River lamprey, defined by identified attributes and targets:

| **Attribute** | **Target** |
|---|---|
| Distribution: extent of anadromy | Greater than 75% of main stem and major tributaries down to second order accessible from estuary |
| Population structure of juveniles | At least three age/size groups present |
| Juvenile density infine sediment | Mean catchment of at least 2/m² |
| Extent & distribution of spawning habitat | No decline in extent and distribution of spawning beds. |
| Availability of juvenile habitat | More than 50% of sample sites positive |

Conservation Objective: To restore the favourable conservation condition of Twaite shad, defined by identified attributes and targets:

| **Attribute** | **Target** |
|---|---|
| Distribution: extent of anadromy | Greater than 75% of main stem and length of rivers accessible from estuary |
| Population structure – age classes | More than one age class present |
| Extent & distribution of spawning habitat | No decline in extent and distribution of spawning habitats. |
| Water quality – O2 levels | No lower than 5mg/l |
| Spawning habitat quality Filamentous algae, macrophytes, sediment | Maintain stable gravel substrate with very little fine material, fee of filamentous algal (macroalgal) growth and macrophyte growth |

Conservation Objective: To restore the favourable conservation condition of Atlantic Salmon, defined by identified attributes and targets:

| Attribute | Target |
|---|---|
| Distribution: extent of anadromy | 100% of river channels down to second order accessible from estuary |
| Adult spawning fish | Conservation Limit (CL) for each system consistently exceeded |
| Salmon fry abundance | Maintain or exceed 0+ fry mean catchment-wide abundance threshold value. Currently set at 17 salmon fry/5 min sampling |
| Out-migrating smolt abundance | No significant decline |
| Number and distribution of redds | No decline and distribution of spawning redds due to anthropogenic causes |
| Water quality | At least Q4 at all sites sampled by EPA |

Conservation Objective: To maintain the favourable conservation condition of Estuaries, defined by identified attributes and targets:

| Attribute | Target |
|---|---|
| Habitat area | The permanent habitat area is stable or increasing, subject to natural processes. |
| Community distribution | The following community types should be maintained in, or restored to, a natural condition: Mixed sediment community complex; Estuarine muds dominated by polychaetes and crustaceans community complex; and Sand dominated by polychaetes community complex. |

Conservation Objective: To maintain the favourable conservation condition of Mudflats and sandflats not covered by seawater at low tide, defined by identified attributes and targets:

| Attribute | Target |
|---|---|
| Habitat area | The permanent habitat area is stable or increasing, subject to natural processes. |
| Community distribution | The following community types should be maintained in, a natural condition: Estuarine muds dominated by polychaetes and crustaceans community complex; and Sand dominated by polychaetes community complex. |

Conservation Objective: To restore the favourable conservation condition of Otter, which is defined by the following list of attributes and targets

| Attribute | Target |
|---|---|
| Distribution | No significant decline |
| Extent of terrestrial habitat | No significant decline. Area mapped and calculated as 64.7ha above high water mark 453.4ha along river banks/ around ponds |
| Extent of marine habitat | No significant decline. Area mapped and calculated as 534.7ha |
| Extent of freshwater habitat (river) | No significant decline. Length mapped and calculated as 264.1km |
| Extent of freshwater habitat (lake/lagoon) | No significant decline. Area mapped and calculated as 0.4ha |
| Couching sites and holts | No significant decline |
| Fish biomass available | No significant decline |
| Barriers to connectivity | No significant increase |

Conservation Objective: To maintain the favourable conservation condition of Harbour Seal, defined by identified attributes and targets:

| Attribute | Target |
|---|---|
| Access to suitable habitat | Species range within the site should not be restricted by artificial barriers to use. |
| Breeding behaviour | The breeding sites should be maintained in a natural condition |
| Moulting behaviour | The moult haul-out sites should be maintained in a natural condition |
| Resting behaviour | The resting haul-out sites should be maintained in a natural condition |
| Disturbance | Human activities should occur at levels that do not adversely affect the harbour seal population at the site. |

Conservation Objective: To maintain the favourable conservation condition of Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation, defined by identified attributes and targets.

| Attribute | Target |
|---|---|
| Habitat distribution | No decline, subject to natural processes |

| | |
|---|---|
| Habitat area | Area stable at 12.6km or increasing, subject to natural processes. |
| Hydrological regime: river flow | Maintain appropriate hydrological regimes |
| Hydrological regime: tidal influence | Maintain natural tidal regime |
| Substratum composition: particle size range | For the tidal sub-type, the substratum of the channel must be dominated by particles of sand to gravel, with silt at the river margins |
| Water quality: nutrients | The concentration of nutrients in the water column must be sufficiently low to prevent changes in species composition or habitat condition |
| Vegetation composition: typical species | Typical species of the relevant habitat sub-type reach favourable status |
| Floodplain connectivity: area | The area of active floodplain at and upstream of the habitat must be maintained |

Conservation Objective: To restore the favourable conservation condition of old sessile oakwoods with Ilex and Blechnum in the Slaney River Valley SAC, defined identified attributes and targets:

| **Attribute** | **Target** |
|---|---|
| Habitat area | Area stable or increasing, subject to natural processes, at least 146.17ha for sub-sites surveyed. |
| Habitat distribution | No decline |
| Woodland size | Area stable or increasing. Where topographically possible, "large" woods at least 25ha in size and “small” woods at least 3ha in size |
| Woodland structure: cover and height | Diverse structure with relatively closed canopy containing mature trees; sub-canopy layer with semi- mature trees and shrubs; and well-developed herb layer |
| Woodland structure: community diversity and extent | Maintain diversity and extent of community types |
| Woodland structure: natural regeneration | Seedlings, saplings and pole age-classes occur in adequate proportions to ensure survival of woodland canopy |
| Woodland structure: dead wood | At least 30m³/ha of fallen timber greater than 10cm diameter; 30 snags/ha; both categories should include stems greater than 40cm diameter |
| Woodland structure: veteran trees | No decline |
| Woodland structure: indicators of local distinctiveness | No decline |

| | |
|---|---|
| Vegetation composition: native tree cover | No decline. Native tree cover not less than 95% |
| Vegetation composition: typical species | A variety of typical native species present, depending on woodland type, including oak (Quercus petraea) and birch (Betula pubescens) |
| Vegetation composition: negative indicator species | Negative indicator species, particularly non-native invasive species, absent or under control |

Conservation Objective: To restore the favourable conservation condition of Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion) in the Slaney River Valley SAC, defined by identified attributes and targets

| **Attribute** | **Target** |
|---|---|
| Habitat area | Area stable or increasing, subject to natural processes, at least 18.7ha for -sites surveyed. |
| Habitat distribution | No decline |
| Woodland size | Area stable or increasing. Where topographically possible, "large" woods at least 25ha in size and “small” woods at least 3ha in size |
| Woodland structure: cover and height | Diverse structure with relatively closed canopy containing mature trees; sub-canopy layer with semi- mature trees and shrubs; and well-developed herb layer |
| Woodland structure: community diversity and extent | Maintain diversity and extent of community types |
| Woodland structure: natural regeneration | Seedlings, saplings and pole age-classes occur in adequate proportions to ensure survival of woodland canopy |
| Hydrological regime: Flooding depth/height of water table | Appropriate hydrological regime necessary for maintenance of alluvial vegetation |
| Woodland structure: dead wood | At least 30m³/ha of fallen timber greater than 10cm diameter; 30 snags/ha; both categories should include stems greater than 40cm diameter (20cm for alder) |
| Woodland structure: veteran trees | No decline |
| Woodland structure: indicators of local distinctiveness | No decline |
| Vegetation composition: native tree cover | No decline. Native tree cover not less than 95% |

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|---|---|
| Vegetation composition: typical species | A variety of typical native species present, depending on woodland type, including alder (Alnus glutinosa), willows (Salix spp) and, locally, oak (Quercus robur) and ash (Fraxinus excelsior) |
| Vegetation composition: negative indicator species | Negative indicator species, particularly non-native invasive species, absent or under control |

The status of the freshwater pearl mussel as a qualifying species for the Slaney River Valley SAC is currently under review. The outcome of this review will determine whether a site-specific conservation objective is set for this species.

**3. (001742) Kilpatrick Sandhills SAC**

Conservation Objective: To maintain the favourable conservation condition of Annual vegetation of drift lines in Kilpatrick Sandhills SAC, defined identified attributes and targets:

| Attribute | Target |
|---|---|
| Habitat area | Area stable or increasing, subject to natural processes, including erosion and succession. For the sub-site mapped:Kilpatrick - 0.03ha |
| Habitat distribution. | No decline or change in habitat distribution, subject to natural processes |
| Physical structure: functionality and sediment supply | Maintain the natural circulation of sediment and organic matter, without any physical obstructions |
| Vegetation structure: zonation | Maintain the range of coastal habitats including transitional zones, subject to natural processes including erosion and succession |
| Vegetation composition: typical species and subcommunities | Maintain the presence of species-poor communities with typical species: sea rocket (Cakile maritima), sea sandwort (Honckenya peploides), prickly saltwort (Salsola kali) and oraches (Atriplex spp.) |
| Vegetation composition: negative indicator species | Negative indicator species (including non-native species) to represent less than 5% cover |

Conservation Objective: To restore the favourable conservation condition of Embryonic shifting dunes in Kilpatrick Sandhills SAC, defined by identified attributes and targets

| Attribute | Target |
|---|---|
| Habitat area | Area stable or increasing, subject to natural processes, including erosion and succession. For the sub-site mapped:Kilpatrick - 0.25ha |
| Habitat distribution. | No decline or change in habitat distribution, subject to natural processes |
| Physical structure: functionality and sediment supply | Maintain the natural circulation of sediment and organic matter, without any physical obstructions |
| Vegetation structure: zonation | Maintain the range of coastal habitats including transitional zones, subject to natural processes including erosion and succession |
| Vegetation composition: plant health of foredune grasses | More than 95% of sand couch grass (Elytrigia juncea) and/or lyme-grass (Leymus arenarius) should be healthy (i.e. green plant parts above ground and flowering heads present) |
| Vegetation composition: typical species and subcommunities | Maintain the presence of species-poor communities with typical species: sand couch grass (Elytrigia juncea) and/or lyme-grass (Leymus arenarius) |
| Vegetation composition: negative indicator species | Negative indicator species (including non-native species) to represent less than 5% cover |

Conservation Objective: To restore the favourable conservation condition of Shifting dunes along the shoreline with Ammophila arenaria (white dunes) in Kilpatrick Sandhills SAC, defined by identified attributes and targets

| Attribute | Target |
|---|---|
| Habitat area | Area stable or increasing, subject to natural processes, including erosion and succession. For the sub-site mapped: Kilpatrick - 0.36ha |
| Habitat distribution. | No decline or change in habitat distribution, subject to natural processes |
| Physical structure: functionality and sediment supply | Maintain the natural circulation of sediment and organic matter, without any physical obstructions |
| Vegetation structure: zonation | Maintain the range of coastal habitats including transitional zones, subject to natural processes including erosion and succession |

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|---|---|
| Vegetation composition: plant health of dune grasses | More than 95% of marram grass (Ammophila arenaria) and/or lymegrass (Leymus arenarius) should be healthy (i.e. green plant parts above ground and flowering heads present) |
| Vegetation composition: typical species and subcommunities | Maintain the presence of species-poor communities dominated by marram grass (Ammophila arenaria) and/or lymegrass (Leymus arenarius) |
| Vegetation composition: negative indicator species | Negative indicator species (including non-native species) to represent less than 5% cover |

Conservation Objective: To restore the favourable conservation condition of Fixed coastal dunes with herbaceous vegetation (grey dunes)* in Kilpatrick Sandhills SAC, defined by identified attributes and targets:

| **Attribute** | **Target** |
|---|---|
| Habitat area | Area stable or increasing, subject to natural processes, including erosion and succession. For the sub-site mapped:Kilpatrick – 12.93ha |
| Habitat distribution. | No decline or change in habitat distribution, subject to natural processes |
| Physical structure: functionality and sediment supply | Maintain the natural circulation of sediment and organic matter, without any physical obstructions |
| Vegetation structure: zonation | Maintain the range of coastal habitats including transitional zones, subject to natural processes including erosion and succession |
| Vegetation structure: bare ground | Bare ground should not exceed 10% of fixed dune habitat, subject to natural processes |
| Vegetation structure: sward height | Maintain structural variation within sward |
| Vegetation composition: typical species and subcommunities | Maintain range of subcommunities with typical species listed in Delaney et al. |
| Vegetation composition: negative indicator species | Negative indicator species (including non-native species) to represent < 5% cover |
| Vegetation composition: scrub/trees | No more than 5% cover or under control |

Conservation Objective: To restore the favourable conservation condition of Atlantic decalcified fixed dunes (Calluno-Ulicetea)* in Kilpatrick Sandhills SAC, defined identified attributes and targets:

| Attribute | Target |
|---|---|
| Habitat area | Area stable or increasing, subject to natural processes, incl erosion and succession. |
| Habitat distribution | No decline or change in habitat distribution, subject to natural processes |
| Physical structure: functionality and sediment supply | Maintain the natural circulation of sediment and organic matter, without any physical obstructions |
| Vegetation structure: zonation | Maintain the range of coastal habitats including transitional zones, subject to natural processes including erosion and succession |
| Vegetation structure: bare ground | Bare ground should not exceed 10% of fixed dune habitat, subject to natural processes |
| Vegetation structure: sward height | Maintain structural variation within sward |
| Vegetation composition: typical species and subcommunities | Maintain range of subcommunities with typical species listed in Delaney et al. |
| Vegetation composition: negative indicator species | Negative indicator species (including non-native species) to represent < 5% cover |
| Vegetation composition: scrub/trees | No more than 5% cover or under control |

**4. (000700) Cahore Polders and Dunes SAC**

Conservation Objective: To maintain the favourable conservation condition of Annual vegetation of drift lines in Cahore Polders and Dunes SAC, defined identified attributes and targets:

| Attribute | Target |
|---|---|
| Habitat area | Area stable or increasing, subject to natural processes, including erosion and succession. |
| Habitat distribution. | No decline or change in habitat distribution, subject to natural processes |
| Physical structure: functionality and sediment supply | Maintain the natural circulation of sediment and organic matter, without physical obstructions |
| Vegetation structure: zonation | Maintain the range of coastal habitats including transitional zones, subject to natural processes including erosion and succession |
| Vegetation composition: typical species and subcommunities | Maintain the presence of species-poor communities with typical species: sea rocket (Cakile maritima), sea sandwort (Honckenya peploides), prickly saltwort (Salsola kali) and oraches (Atriplex spp.) |
| Vegetation composition: negative indicator species | Negative indicator species (including non-native species) to represent < 5% cover |

Conservation Objective: To restore the favourable conservation condition of Embryonic shifting dunes in Cahore Polders and Dunes SAC, defined by identified attributes and targets

| Attribute | Target |
|---|---|
| Habitat area | Area stable or increasing, subject to natural processes, including erosion and succession. For the sub-site mapped:Cahore Point North 4.66ha |
| Habitat distribution. | No decline or change in habitat distribution, subject to natural processes |
| Physical structure: functionality and sediment supply | Maintain the natural circulation of sediment and organic matter, without any physical obstructions |
| Vegetation structure: zonation | Maintain the range of coastal habitats including transitional zones, subject to natural processes including erosion and succession |
| Vegetation composition: plant health of foredune grasses | > 95% of sand couch grass (Elytrigia juncea) and/or lyme-grass (Leymus arenarius) should be healthy (i.e. green plant parts above ground and flowering heads present) |
| Vegetation composition: typical species and subcommunities | Maintain the presence of species-poor communities with typical species: sand couch grass (Elytrigia juncea) and/or lyme-grass (Leymus arenarius) |
| Vegetation composition: negative indicator species | Negative indicator species (including non-native species) to represent < 5% cover |

Conservation Objective: To restore the favourable conservation condition of Shifting dunes along the shoreline with Ammophila arenaria (white dunes) in Cahore Polder and Dunes SAC, defined by identified attributes and targets

| Attribute | Target |
|---|---|
| Habitat area | Area stable or increasing, subject to natural processes, including erosion and succession. For the sub-site mapped:Cahore Point North 14.41ha |
| Habitat distribution. | No decline or change in habitat distribution, subject to natural processes |
| Physical structure: functionality and sediment supply | Maintain natural circulation of sediment and organic matter, without any physical obstructions |
| Vegetation structure: zonation | Maintain the range of coastal habitats including transitional zones, subject to natural processes including erosion and succession |

| | |
|---|---|
| Vegetation composition: plant health of dune grasses | > 95% of marram grass (Ammophila arenaria) and/or lymegrass (Leymus arenarius) should be healthy (i.e. green plant parts above ground and flowering heads present) |
| Vegetation composition: typical species and subcommunities | Maintain the presence of species-poor communities dominated by marram grass (Ammophila arenaria) and/or lymegrass (Leymus arenarius) |
| Vegetation composition: negative indicator species | Negative indicator species (including non-native species) to represent < 5% cover |

Conservation Objective: To restore the favourable conservation condition of Fixed coastal dunes with herbaceous vegetation (grey dunes)* in Cahore Polder and Dunes SAC, defined by identified attributes and targets:

| **Attribute** | **Target** |
|---|---|
| Habitat area | Area stable or increasing, subject to natural processes, including erosion and succession. For the sub-site mapped:Cahore Point North 96.44ha |
| Habitat distribution. | No decline or change in habitat distribution, subject to natural processes |
| Physical structure: functionality and sediment supply | Maintain the natural circulation of sediment and organic matter, without any physical obstructions |
| Vegetation structure: zonation | Maintain the range of coastal habitats including transitional zones, subject to natural processes including erosion and succession |
| Vegetation structure: bare ground | Bare ground should not exceed 10% of fixed dune habitat, subject to natural processes |
| Vegetation structure: sward height | Maintain structural variation within sward |
| Vegetation composition: typical species and subcommunities | Maintain range of subcommunities with typical species listed in Delaney et al. |
| Vegetation composition: negative indicator species | Negative indicator species (including non-native species) to represent less than 5% cover |
| Vegetation composition: scrub/trees | No more than 5% cover or under control |