



An
Bord
Pleanála

Inspector's Report

ABP-317638-23

Development	Construction of 60 houses and all associated site works. The application is accompanied by a Natura Impact Statement (NIS).
Location	Ballytramon, Ardcavan, Co. Wexford
Planning Authority	Wexford County Council
Planning Authority Reg. Ref.	20230502
Applicant(s)	Jana Construction Limited.
Type of Application	Permission.
Planning Authority Decision	Refuse
Type of Appeal	First Party
Appellant(s)	Jana Construction Limited.
Observer(s)	Aidan Doyle.
Date of Site Inspection	8 th June 2024.
Inspector	Peter Nelson

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1.0 Site Location and Description

- 1.1.1. The site is located on the west side of the R742 regional road from Wexford Town to Castlebridge, approximately 1km south of Castlebridge and 5km north of Wexford Town.
- 1.1.2. Directly to the north of the site is the established residential development of Elderwood. There are a number of single-storey detached dwellings to the northeast of the site and to the south of the site is a single-storey dwelling and light industrial units.
- 1.1.3. There are marshlands to the west of the site and beyond this is the Slaney River Valley Estuary. An agricultural drain traverses the site from an east west direction. The site has a road frontage with the R741 of approximately 165m.
- 1.1.4. The site is generally flat and has a stated site size is 5.29 hectares.

2.0 Proposed Development

Permission is sought for the construction of 60 houses and all associated site works.

The proposed development will include:

- 11no. 4-bed detached two-storey dwellings.
- 30 no.4-bed semi-detached two-storey dwellings.
- 6 no. 2-bed apartments.
- 7 no. 4-bed detached two-storey dwellings.
- 2 no. three-bed, two-storey mid-terrace dwellings.
- 4 no. 2-bed, two-story end-of-terrace dwellings and eight visitor parking spaces.
- A public park designed and laid out to provide a range of amenities.
- A paved mobile coffee dock area.
- A public car park is proposed with 32. Spaces with EV charging points
- Associated works.

The proposed development is to be accessed from the existing Elderwood Estate.

3.0 Planning Authority Decision

3.1. Decision

On the 28th June, 2023, Wexford County Council refused permission for the proposed development for three reasons:

1. The proposed development, which would be located in an unzoned, unserviced rural area outside the development envelope of Wexford Town, would constitute random residential development in an area that is under strong development pressure. It is considered that the proposed development would exacerbate the haphazard and unplanned form of development in this area, would intensify urban sprawl, would militate against the preservation of the rural environment, would represent an undesirable precedent for further such developments in the area, and would be contrary to the policies set out in the Wexford County Development Plan 2022 - 2028. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Inadequate information has been provided in relation to servicing and access arrangements for the development in relation to access from the Elderwood Estate, public water, public foul sewer, and arrangements for surface water disposal. Furthermore, connection to these services would require works outside the site edged red and no permission to access this infrastructure has been submitted. The proposed development is therefore prejudicial to public health, traffic safety and contrary to the proper planning and sustainable development of the area.
3. The proposed developments will be located directly adjacent to the Slaney River Valley Special Area Conservation and Wexford Harbour and Slobbs Special Protection Area (Site Code 000781 & 004076), selected for habitats listed in Annex 1 Habitats, and species listed in Annex I and Annex II of the EU Habitats Directive. The planning authority is not satisfied on the basis of the submission made in connection with the planning application and having conducted an Appropriate Assessment based on the Natura impact Statement

submitted with the application, that the proposed development would not adversely affect the integrity of this European site in view of its conservation objectives. Furthermore, the Planning Authority is not satisfied that sufficient controls and mitigation measures have been put in place to manage the increased potential disturbance to species from residents, pedestrians and recreational activities which may arise given the proximity of the development to the SAC and SPA and the propensity for persons to diverge from the development site boundaries and thus potentially have significant adverse ecological impacts on the Slaney River Valley SAC and Wexford Harbour and Slobbs SPA habitats and species. The Planning Authority is therefore not satisfied that the proposed development would not adversely affect the integrity of the European Sites in view of the site's Conservation Objectives. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The main points raised in the planning report can be summarised as follows:

- The increased level of usage by residents associated with the development will potentially result in a significant negative impact on the existing annexe 1 habitats at the Slaney River Valley SAC & SPA and disturbance to and displacement of species using these habitats.
- Not satisfied that the application and the NIS have demonstrated that the proposed development would not adversely affect the integrity of the Natura 2000 sites.
- Overall, the design, layout and variety of house types are acceptable and would contribute to a good quality residential development.
- The proposed layout is acceptable and allows for future linkages to the lands south of the site.
- The application does not indicate who will be responsible for the maintenance of the proposed public park.

- The proposed entrance through Elderwood residential estate could be reconfigured to comply with DMURS and is, therefore, acceptable.
- Elderwood Estate has not been taken in charge and is maintained by a private management company, and the applicant has not received nor sought permission to use their road or water/sewerage infrastructure,
- Feasibility letters from Irish Water for connection to the public water mains and a public foul sewer have been submitted.
- The application does not propose any nature-based solutions for stormwater attenuation.
- The proposed development is premature, pending the adoption of the Wexford Town Development Plan.
- The proposed development would constitute random residential development in a rural area under strong development pressure.

3.2.2. Other Technical Reports

- Environment Report dated 20th June 2023 recommends permission be granted subject to conditions.
- Roads Inspection Report dated the 8th June 2023 recommends the applicant submit further information.
- Housing Report dated 26th May 2023 states that a Part V Agreement is in place for the transfer of units to the Local Authority or an Approved Housing Body.

3.3. **Prescribed Bodies**

- The Uisce Eireann report dated the 12th June 2023 confirms a Confirmation of Feasibility in relation to Water and Wastewater was issued and recommends that the applicant submit further information to assess the feasibility of the connection to the public infrastructure through third-party infrastructure.

- The Geological Survey Ireland report dated the 8th June 2023 comments that the proposed development has no envisaged impacts on the integrity of current CGSs. The proposed developments need to consider any potential impacts on specific groundwater abstractions and groundwater resources.

3.4. **Third Party Observations**

Two observations were received on the planning file. The main issues raised can be summarised as follows:

- There were no consultations with the Elderwood residents or the Elderwood Management Company regarding access through the Elderwood, a private estate not being taken in charge.
- Concerns that the Elderwood Management Company would be expected to take over the management of the new estate.
- Lack of footpaths connecting the development with Castlebridge.
- Lack of social facilities in the area.
- Increase in traffic volumes through Elderwood.
- The existing entrance to Elderwood is congested at peak times.
- No traffic management plans were submitted.
- The proposed access road may not be suitable for emergency vehicles.
- Concern regarding the potential negative impact on wildlife and biodiversity due to the proximity of the SPA/SAC.
- The proposed development is contrary to development plan policy regarding sequential development and population targets.
- The existing pumping station will not be able to deal with the additional loading.
- The development is outside the current settlement footprint.
- The proposed development would exceed development plan dwellings quotas.

- Inadequate school facilities in the area.
- Concerns relating to who will manage the proposed public park.

4.0 Planning History

P.A. Ref: 20220446

Permission was refused on the 27th May 2022 for a new agricultural entrance to the subject site for the following reason:

‘The proposed development would endanger public safety by reason of traffic hazard as:

- *220-meter sightlines have not been demonstrated.*
- *Insufficient information has been submitted with regard to the number and type of traffic movements which would use the proposed access.*
- *Insufficient information has been submitted with regard to the ground levels of the access.*
- *Insufficient information has been submitted regarding proposals for surface water management.*

As such, the proposed development would be contrary to Objective T27 and sections 18.29.2 and 18. 29.3 of the Waterford County Development Plan 2013 - 2019 (as extended) and the proper planning and sustainable development of the area.’

Adjoining Site

P.A. Ref: 20050111

Permission was granted on the 24th March 2005 for the construction of 91 dwellings and a creche.

Nearby Site

P.A. Ref: 20240044.

Permission was refused on the 13th March 2024 for the construction of 28 no. dwellings together with all associated site ancillary works. Permission was refused

for four reasons relating to the scale of the proposed development, which did not apply a sequential approach, insufficient mix of house types, residential amenities, access arrangements, inadequate information on compliance with Part V and on how the proposed development would satisfy the recommendations of the submitted flood risk assessment.

5.0 Policy Context

5.1. Development Plan

The Wexford County Development Plan 2022-2028 is the operational plan for the area. It came into effect on July 25, 2022.

Policies:

Castlebridge is designated as a Level 3a Service Settlement.

Objective CS02

To ensure that new residential development in all settlements complies with the population and housing allocation targets and the principles set out in the Core Strategy and Settlement Development Strategy in so far as practicable.

Objective CS04

To achieve more compact growth by promoting the development of infill and brownfield/ regeneration sites and the redevelopment of underutilised land within the existing built up footprint of existing settlements in preference to greenfield lands and to identify infill, brownfield and regeneration sites when preparing Local Area Plans, Settlement Plans and settlement boundaries.

Objective CS21

To ensure growth and development in the Service Settlements, Strategic Settlements, Large Villages and Small villages across the county is proportionate to the scale, size and character of the settlement and well designed so as to contribute to the regeneration of these settlements. To implement, as resources allow, interventions in the public realm, the provision of amenities, the acquisition of sites and the provision of services and ensure good quality of life and well-being for the local communities.

Objective SH01

To ensure that new residential developments contribute to and represent sustainable neighbourhoods which are inclusive and responsive to the physical or cultural needs of those who use them, are well-located relative to the social, community, commercial and administrative services and are integrated with the community within which they will be located.

Objective SH02

To ensure that all new residential developments provide a high quality living environment with attractive and efficient buildings which are located in a high quality public realm and are serviced and linked with pedestrian and cycle lanes to well-designed and located open spaces and nature and to the town or village centre and existing and planned services.

Objective SH06

To prioritise the provision of new housing in existing settlements and at an appropriate scale and density relative to the location in accordance with the National Planning Framework, the Regional Spatial and Economic Strategy for the Southern Region and the Core Strategy and the Settlement Strategy in the Plan.

Objective SH21

To require new build house and apartment schemes and building refurbishment schemes to provide a mix of unit types in accordance with Section 4.7.5 House Types to ensure that there is a range of house types available to suit the needs of the various households in the county.

Objective SH23

To ensure that new housing developments contribute to the social or recreation infrastructure of the community in which they will be located, either through the

Objective NH04

To protect the integrity of sites designated for their habitat and species importance and prohibit development which would damage or threaten the integrity of these sites. Such sites include Special Areas of Conservation (SACs) and candidate SACs, Special Protection Areas (SPAs), Natural Heritage Areas (NHAs) and proposed

NHAs, Nature Reserves, Refuges for Fauna and RAMSAR sites. To protect protected species wherever they occur⁸.

Objective NH05

In assessing planning applications located in and/or in proximity to Natura 2000 sites, whether hydraulically linked or otherwise linked or dependent (such as feeding, roosting or nesting grounds) to a designated site, regard shall be had to the detailed conservation management plans and data reports prepared by NPWS, where available, to the identified features of interest of the site, the identified conservation objectives to ensure the maintenance or restoration of the features of interests to favourable conservation status, the NPWS Article 17 current conservation status reports, the underlying site specific conditions, and the known threats to achieving the conservation objectives of the site.

Objective WQ15

To ensure that development permitted would not negatively impact on water quality and quantity, including surface water, ground water, designated source protection areas, river corridors and associated wetlands, estuarine waters, coastal and transitional waters.

Objective FRM07

To ensure that all future development proposals comply with the requirements of the Planning System and Flood Risk Management –Guidelines for Planning Authorities (DEHLG and OPW, 2009) and Circular PL2/2014, in particular through the application of the sequential approach and the Development Management Justification Test. In this regard, the Planning Authority will apply the precautionary principle and will screen all proposals for flood risk and will pay particular attention to lands within, along the edge or adjacent to Flood Zone A or B.

Section 3: Castlebridge Specific Objectives

Objective CB05

To require new developments and their associated streets and spaces to place an emphasis on creating attractive places, facilitating social interaction and provide for connectivity, enclosure, active edge and pedestrian facilities.

Objective CB07

To ensure all new developments positively contribute to the public realm, fostering a strong sense of place and an attractive place for both the local community and visitors to the area and are accessible to all users.

Objective CB12

To prioritise the development of vacant, infill and under-utilised brownfield sites in the settlement plan area to achieve compact growth and sustainable development.

Objective CB17

To ensure that new residential developments comply with the relevant objectives and development management standards in Volume 1 and Volume 2 of the County Development Plan, in particular, those pertaining to density, unit type and mix, private open space, public open space, permeability with an emphasis on walking and cycling provision, car parking and other relevant requirements.

Objective CB20

To require new developments to ensure that permeability is incorporated into the design of all new developments, in particular, opportunities to create local level linkages between developments and to increase permeability for all users, in particular pedestrians and cyclists.

To ensure that all future developments in the settlement area are screened for flood risk and comply fully with the requirements of the Planning System and Flood Risk Management - Guidelines for Planning Authorities (DEHLG and OPW, 2009) and Circular PL2/2014 and any future update of these guidelines, the County Strategic Flood Risk Assessment (Volume 11) and Chapter 9 Infrastructure in Volume 1 Written Statement.

5.2. Wexford Town and Environs Development Plan 2009-2015 (extended)

It should be noted that pursuant to the provisions of Part 8 of the Electoral, Local Government and Planning and Development Act 2013, the lifetime of the Wexford Town and Environs Development Plan 2009-2015 had been extended with the Plan continuing to have effect until 2019, (or such time as a new County Development Plan is made). This plan is outside its intended time period.

5.3. Regional Guidelines

The Regional Spatial & Economic Strategy for the Southern Region, 2020.

The strategy provides a long-term, strategic development framework for the future physical, economic and social development of the Southern Region.

Strategy 1: Compact Growth

Strengthening and growing our cities and metropolitan areas: harnessing the combined strength of our 3 cities as a counterbalance to the Greater Dublin Area, through quality development; regeneration and compact growth; building on the strong network of towns and supporting our villages.

5.4. National Policy

National Planning Framework (2018)

The National Planning Framework is the national plan that sets out the strategic path to growth and development in Ireland until 2040.

National Policy Objective 3(c): Deliver at least 30% of all new homes that are targeted in settlements other than the five Cities and their suburbs, within their existing built-up footprints.

National Policy Objective 4: To ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.

5.5. Section 28 Ministerial Guidelines

Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities 2024

5.6. Natural Heritage Designations

Wexford Harbour and Slobbs Special Protection Area adjoins the site.

Slaney River Valley Special Area of Conservation adjoins the site.

5.7. EIA Screening

5.7.1. I refer the Board to Appendix 1 – Form 1 EIA Pre-Screening and Form 2 EIA Preliminary Examination of this report.

Having regard to the nature and scale of the proposed development comprising of a residential development of 60 no. dwellings, parking and a public park, the nature of the receiving environment and the availability of public services, there is no real likelihood of significant effects on the environment arising from the proposed development. Therefore, the need for environmental impact assessment can be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

The grounds of appeal can be summarised as follows:

- The site is a backland infill site as defined by the 'Sustainable Residential in Urban Area's Guidelines' and represents an extension to the existing housing estate 'Elderwood'.
- The site is considered suitable for development in line with the overarching principles of the National Planning Framework which calls for compact growth within the footprints of established urban settlements.
- The development is in full accordance with the core strategy of the Development Plan for Castlebridge Village's growth.
- The net density of the proposed development is consistent with Circular NRUP 02/2021.
- The site forms part of the 'Castlebridge Settlement' and does not fall under the jurisdictional area of the Wexford Town and Environs Development Plan.
- The development should be assessed under the provisions of the County Development Plan.
- Figure C1 Volume 3, Section 3.3.9 of the Development Plan includes an outline of the settlement boundary and includes the subject site.

- The proposed development constitutes infill, compact development on serviced land within an existing defined settlement identified by the core strategy for the provision of 207 additional residential units until 2040.
- There are restrictions to sequential development in Castlebridge, including Natura sites, potential flooding and the batch plant factory, which acts as a barrier.
- The proposed development will promote the achievement of critical population mass to support future economic and enterprise development within and regeneration of the village.
- The proposed development contributes significantly to the public realm by providing recreational facilities of a regional scale with additional footpath connections to the village centre,
- The proposed development provides significant green infrastructure that will enhance the amenities and biodiversity within the village.
- The attached letter from MJ O Connor Solicitors provides evidence that the applicant does not require permission from anyone to connect to the existing services infrastructure associated with Elderwood.
- There is no attached AA screening report with the planner's report.
- The Senior Environmental Scientist recommends that permission be granted.
- The appeal response from the Project Ecologist states that the proposed development will not result in any likely significant impacts with any limited harm that may occur being mitigated for with standard measures and well outweighed by the many benefits associated with the proposal.
- The applicant will be responsible for the park's maintenance and upkeep until it is taken in charge by the council, which is standard practice with developer-led community infrastructure provisions.
- The site is sequentially preferable and will not impact the nearby SAC and SPA designated sites.

- The proposed development includes much-needed social and green infrastructure, which will significantly enhance amenities and biodiversity within the village.

6.2. **Planning Authority Response**

- None

6.3. **Observations**

An observation has been received from Aidan Doyle on behalf of 35 residents of Elderwood Estate. The main points raised can be summarised as follows:

- The issue of traffic in Elderwood estate and along the R741 is of concern. The proposed development will increase traffic and increase safety risks.
- The junction of the existing estate is already congested at peak times.
- No traffic management measures are proposed at the estate entrance or within the existing entrance have been proposed.
- The proposed park will attract people from outside the estate and increase traffic.
- Issues around security and waste management have not been adequately dealt with.
- The location of the park is a considerable distance from the village and will not maximise community usage of the facility.
- The proposed increase in traffic will compound the issue of poor road surfacing at the entrance to the Elderwood.
- The construction traffic will negatively impact the existing residents and heighten safety risks for the duration of the building works.
- Access to the proposed development is by a narrow, potentially congested single entrance/exit, which could impede access to fire/ambulance services.
- Concern that there will be a phase 3 development using the existing Elderwood entrance.

- A lack of footpaths and poor public lighting links the estate to the village.
- There is a prospect that the development will negatively impact the Special Area of Conservation.
- A separate management company need to be established for the new development.
- The development would remove the potential for further housing in the area for the remaining five years of the development plan. It would breach the quota allocated under the Local Development Plan.
- The proposed development will not be part of the Elderwood Estate as the applicant has claimed.
- It is noted that the original sale brochure for Elderwood referred to future housing, however, this cannot be considered a binding contract.
- The area is full of families, and no provision has been made for their safety.

6.4. **Further Responses**

None

7.0 **Assessment**

Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the local authority, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Principle of Development
- Servicing and Access
- Other Matters

7.1. **Principle of Development**

- 7.1.1. The first reason for refusal states that the proposed development, which would be located in an unzoned, unserviced rural area outside the development envelope of Wexford Town, would constitute random residential development in an area that is under strong development pressure.
- 7.1.2. The proposed site is just outside the boundary in the Wexford Town and Environs Plan 2009-2015 (as extended). In this plan which is outside its intended time period, the adjoining site was zoned 'Commercial/Mixed Use'. The Planning Report states that the application is premature pending the adoption of the Wexford Town Development Plan which will allocate projected populations increase to suitable locations. The new Local Area Plan for Wexford Town is currently at pre-draft stage.
- 7.1.3. The applicant states that the Planners Report makes no reference to Castlebridge Village or the Core Strategy designation as a Level 3a Service Settlement.
- 7.1.4. I note that Figure C-1 Flood Risk in Castlebridge, of the Wexford County Development Plan 2022-2028 shows a settlement boundary for Castlebridge. Part of the subject site is included in the settlement boundary. Given that the proposed development is an extension of an existing residential development that is within Castlebridge, I will have regard to the Wexford County Development Plan 2022-2028 policies relating to the Castlebridge settlement.
- 7.1.5. Volume 3, Section 3 of the Wexford County Development Plan 2022-2028 details Specific Objectives for Castlebridge. Castlebridge is designated as a Level 3(a) Service Settlement in the Core Strategy Settlement Hierarchy. The settlement performs important functions including retail, education, residential, service and amenity functions.
- 7.1.6. One of the development approaches for Castlebridge as stated in the Development Plan Core Strategy is to prepare a Settlement Plan with land use zoning for Castlebridge. This plan has not yet been prepared.
- 7.1.7. It is also a stated development approach of the Level 3 (a) Settlements to focus on moderate population growth and to apply the sequential approach to the development of land, requiring residential development to take place within the existing footprint of the settlement.

- 7.1.8. Castlebridge has been allocated 30% population growth for the period 2016-2040. It is a stated objective to seek the development of land for residential development within or adjacent to the village centre. The Core Strategy Population Allocations, as contained in the development plan allows for an allocation of 103 residential units in Castlebridge from 2021 -2027.
- 7.1.9. The appellant contends that the site is a backland infill site as defined by the “Sustainable Residential Development in Urban Area’s Guidelines”. Given the scale of the site and the extent of the site’s road frontage I do not consider the site can be considered as a backland infill site.
- 7.1.10. In the appeal documents the applicant states that recent permission commenced will provide for a total of 74 units. The proposed development of 60 units will result in a total of 134 units. This represents an over provision of the Development Plan residential unit allocation for Castlebridge which is 103 units.
- 7.1.11. The applicant has submitted, with the appeal, a phasing plan and requests the Board to condition the application accordingly to phase the development in line with the population aspirations of the development plan if such an approach is desirable.
- 7.1.12. It is a stated Core Settlement Development Approach for Castlebridge to ‘focus on moderate population growth’ and ‘apply the sequential approach to the development of land, requiring residential development to take place within the existing footprint of the settlements. The leap frogging of infill/brownfield lands to undeveloped or greenfield lands will not be considered.’
- 7.1.13. In the appeal the applicant claims that from a sequential perspective there are a number of restrictions with regards to development potential within Castlebridge. These include the surrounding Natura Sites, potential flooding restrictions and the existing batch plant factory.
- 7.1.14. I draw the Boards’ attention to a recent planning decision made by Wexford County Council on 13th March 2024 for the development of 28 no. dwellings on a site which is opposite to the existing Elderwood Estate and closer to the village centre. One of the reasons for refusal related to the excessive number of units proposed and the lack of a sequential approach.

- 7.1.15. I consider that there are adequate sites available for moderate population growth that are located closer to the village centre and primary school and are totally within the Castlebridge settlement.
- 7.1.16. I also consider that a development of this scale on land partially outside the settlement of Castlebridge on unzoned land would constitute random residential development in an area that is under strong development pressure. The proposed development of 60 housing units is considered excessive having regard to the location of the site at the southern edge of Castlebridge and would be contrary to the policy of the Wexford County Development Plan 2022-2028 to sequentially prioritise development sites closer to the village centre.

7.2. Servicing and Access

- 7.2.1. The second reason for refusal states that inadequate information was provided with the application in relation to servicing and access arrangements for the development in relation to access from the Elderwood Estate, public water, public foul sewer, and arrangements for surface water disposal.
- 7.2.2. The applicant has submitted a letter from a MJ O Connor Solicitors confirming that the lands sold to Jana Construction Limited have unfettered access to the infrastructural of the Elderwood Estate including access over the roads, access to all conduits which are already within the estate or those which might still be developed within 21 years of November 2011. The Solicitor states that: 'These rights exist appurtenant to the lands owned by Jana Construction Limited and no further easements or consents are required for such services'. The stated services include public water, public foul sewer and surface water as well as access over roads.
- 7.2.3. The Uisce Eireann report on the planning file states that the Confirmation of Feasibility confirms that at the date of publication, 15th November 2022, capacity existed in the Uisce Eireann network to accommodate the proposed development. I note that the Uisce Eireann 2023 Water Supply Capacity Register for Castlebridge states that there is potential capacity available and that Level of Service improvement is required. This means that capacity constraints exist and that connections applications will be assessed on an individual bases considering their specific load requirements.

- 7.2.4. While the Uisce Eireann report, on the application, states that there is potential capacity , it states that in order to assess the feasibility of the connection to the public water/wasterwater infrastructure through third party infrastructure, Uisce Eireann requires detailed drawings for the existing drainage and watermain for the existing Elderwood Estate, a condition and capacity assessment of the existing Elderwood wasterwater pumping station (WWPS), a binding operation and maintenance agreement between the applicant and the owner-operator of the WWPS serving the Elderwood Estate which will apply until such times as the WWPS may be taken in charge. I note that as of June 2024 the Elderwood Estate has not been taken in charge.
- 7.2.5. As part of the appeal the applicant has submitted a drawing which details the proposed watermain and foul drainage crossing of the stream. It is stated that the drawing includes the requirements of Uisce Eireann standard details in relation to water and wastewater to be provided. Also attached are as built drawings and a CCTV survey which were submitted to Wexford County Council as part of the taking in charge process. As part of this process, a foul sewage overflow storage tank, with a volume of 44.5m² was installed. A legal agreement in regard to the transfer of common areas, including the existing pumping station, between Noonan Construction and the Elderwood Castlebridge Company Limited. The agreement allows for rights reserved to Noonan Construction for the future development of the lands which are now in the applicant's ownership. I am satisfied that there is now adequate information for Uisce Eireann to enter into a water and wastewater agreement if deemed acceptable. If the Board is deemed to grant permission, I recommend that a condition be attached requiring that prior to commencement of development, the developer shall enter into water and/or wastewater connection agreements with Uisce Eireann.
- 7.2.6. In the observation submitted on the appeal, concern is raised about the proposed capacity of the existing entrance and access roads of Elderwood Estate to accommodate the extra traffic from the proposed development. I note that the Planning Authorities Roads Report commented that the existing site lines at the Elderwood Estate are adequate and that any points raised in the request for further information do not relate to works in the Elderwood Estate. The Traffic and Transport Assessment Report submitted with the application concludes that the 'established

road network and the access junction are more than adequate to accommodate the worst case traffic associated with the proposed development fully occupied'.

- 7.2.7. Having regard to the above, I am satisfied that the existing unaltered access roads and entrance to Elderwood Estate are adequate to accommodate the proposed development and will not be prejudicial to traffic safety.

7.3. **Other Matters**

Density

- 7.3.1. In the appeal the applicant states that the proposed development has a net density of 21 units per hectare. Objective SH15 of the Wexford Development Plan is to ensure the density of residential development is appropriate to the location of the proposed development having regard to the benefits of ensuring that land is efficiently used and in accordance with the Sustainable Residential Development in Urban Areas (DEHLG, 2009). These guidelines have been replaced by the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities 2024.
- 7.3.2. It is a policy and objective of these Guidelines that densities in the range 25 dph to 40 dph (net) shall generally be applied at the edge of small to medium sized towns. With a population of over 1,600 Castlebridge would be considered a small town. The proposed development, if acceptable, would not therefore meet the density requirements of the Guidelines. As I consider the principle of this scale of development at this time in this location is not appropriate, I recommend that the proposed development's low net density not be included as a reason for refusal.

Design

- 7.3.3. I consider the layout of the proposed development is dominated by roads and contains unnecessary roads such as that between plots 17 and 18. The prevalence of side and rear boundary walls facing on public roads would present an unattractive and hostile layout. The road layout would not give priority to the needs of pedestrians and other vulnerable road users, over that of vehicle traffic within the scheme. I consider that the proposed development would be contrary to the provisions of the

Design Manual for Urban Roads and Street issued by the Department of the Environment, Community and Local Government in 2013.

- 7.3.4. While I have reservations regarding the proposed layout, given the substantive reason for refusal, I recommend that this not be included as a reason for refusal.

Public Park

- 7.3.5. In the appeal the applicant states that the proposed development includes 4 landscape area, 2 of which are of a regional scale and designed as a social recreational asset for the wider community. A public car park of 32 spaces with EV charging points and a seating area are proposed. Given the location of the subject site at the edge of the Castlebridge settlement, the distance from the village centre and school, the lack of footpaths and in the absence of a Settlement Plan with land use zoning for Castlebridge, I consider that it has not been demonstrated that this is a suitable location for a public park for the village. I therefore consider that the park would be car dependant and would represent a haphazard form of development which would not ensure a coherent urban settlement structure. Again, given the substantive reason for refusal I recommend that this not be included as a reason for refusal.

8.0 Appropriate Assessment

8.1. Appropriate Assessment Introduction

- 8.1.1. The Planning Authority was not satisfied on the basis of the submission made in connection with the planning application and having conducted an Appropriate Assessment based on the Natura impact Statement submitted with the application, that the proposed development would not adversely affect the integrity of this European site in view of its conservation objectives.
- 8.1.2. Furthermore, the Planning Authority was not satisfied that sufficient controls and mitigation measures have been put in place to manage the increased potential disturbance to species from residents, pedestrians and recreational activities which may arise given the proximity of the development to the SAC and SPA and the propensity for persons to diverge from the development site boundaries and thus

potentially have significant adverse ecological impacts on the Slaney River Valley SAC and Wexford Harbour and Slobbs SPA habitats and species.

- 8.1.3. The following is an Appropriate Assessment for the proposed development.

8.2. Appropriate Assessment Screening

- 8.2.1. The planning application is accompanied by a Natura Impact Statement including an Appropriate Assessment Screening, an Ecological Impact Assessment and a Construction Environmental Management Plan.
- 8.2.2. The site is adjoining the Slaney River Valley Special Area of Conservation (Code 0781) and the Wexford Harbour and Slobbs Special Protection Area (Code 004076).
- 8.2.3. The site is adjacent to the Castlebridge Saltmarsh. Qualifying Interest habitats for the Slaney River Valley SAC are adjacent to the site including Tidal Mudflats and Sandflats, Estuaries, Atlantic Salt Meadows and Mediterranean salt meadows.
- 8.2.4. There is a direct hydrological connectivity to both of the protected sites through an agricultural field drain that flows into the marshland west of the site. The marshland then drains into the Lower Slaney Estuary transitional waterbody which enters the Wexford Harbour coastal waterbody.
- 8.2.5. The applicant has applied the source-pathway-receptor model in determining possible impacts and effects of the proposed residential development. Sources of impacts include potential release of poisonous, noxious or polluting matters, waste matter including silt, cement, concrete, oil, petroleum spirit, chemicals, solvents, sewage and other matter.
- 8.2.6. Given the hydrological pathway and the appeal sites proximity to the SAC, I consider that there is potential for these indirect impacts to negatively alter the quality of the existing environment, negatively affecting qualifying interest habitats which are present in close proximity to the appeal site. These include Estuaries, Tidal Mudflats and Sandflats, Atlantic salt meadows and Mediterranean Salt Meadows.
- 8.2.7. The site also adjoins the Wexford Harbour and Slobbs Special Protection Area. The Wexford Harbour and Slobbs SPA is selected as a Special Protection Area because it regularly supports over 20,000 waterbirds during the non-breeding season making

this a site of international importance. It is one of the two most important sites in the world for Greenland White-Fronted Geese.

- 8.2.8. The appeal site is hydrologically connected to Wexford Harbour and Slobbs SPA through surface water flowing into drainage ditches. Given the proximity of the appeal site to the SPA, there is also an ornithological connection with the appeal site.
- 8.2.9. I consider that there is potential for indirect impacts from human disturbance from the proposed development and/or water pollution which would negatively alter the quality of the existing environment and have impacts on habitats and species that are dependent on high water quality.
- 8.2.10. The Raven Special Protection Area (Code 004019) is an important bird site, being part of the Wexford Slobbs and Harbour complex. Of critical significance is that it forms the principal night roost for the internationally important Wexford Harbour population of Greenland White-fronted Goose
- 8.2.11. Given the strong hydrological and ornithological connection between Wexford Harbour and the Raven I consider that there is potential for indirect impacts from human disturbance from the proposed development and/or water pollution which would negatively alter the quality of the existing environment, and have impacts on habitats and species that are dependent on high water quality.
- 8.2.12. I have considered the appeal site's hydrological connectivity to the Raven Point Nature Reserve SAC, the Long Bank SAC and Black Bank SAC and consider that there is no potential for significant impact on the qualifying interest of these sites given their distance from the appeal site and the scale of the water body. I am satisfied that these protected sites do not need to be brought through to the Appropriate Assessment Stage.
- 8.2.13. I note that the applicant has considered the Screen Hills Special Area of Conservation. As there is no potential connectivity with the proposed development, I consider that this SAC does not need to be brought through to the Appropriate Assessment Stage.
- 8.2.14. I conclude that the proposed development would have a likely significant effect 'alone' on qualifying features of Slaney River Valey Special Area of Conservation

(Code 0781), the Wexford Harbour and Slobs Special Protection Area (Code 004076) and the Raven Special Protection Area (Code 004019) from effects associated with potential water pollution and human disturbance. An appropriate assessment is required on the basis of the effects of the project 'alone'. Further assessment in combination with other plans and projects is not required at this time.

8.2.15. Measures intended to reduce or avoid significant effects have not been considered in the screening process.

8.3. **Appropriate Assessment**

8.3.1. The requirements of Article 6(3) as related to appropriate assessment of a project under part XAB, sections 177U and 177V of the Planning and Development Act 2000 (as amended) are considered fully in this section. The areas addressed in this section are as follows:

- Compliance with Article 6(3) of the EU Habitats Directive
- Screening the need for appropriate assessment
- The Natura Impact Statement and associated documents
- Appropriate assessment of implications of the proposed development on the integrity of each European site

8.4. **Compliance with Article 6(3) of the EU Habitats Directive.**

8.4.1. The Habitats Directive deals with the Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union. Article 6(3) of this Directive requires that any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. The competent authority must be satisfied that the proposal will not adversely affect the integrity of the European site before consent can be given.

- 8.4.2. The proposed development is not directly connected to or necessary to the management of any European site and therefore is subject to the provisions of Article 6(3).

8.5. The Natura Impact Statement.

- 8.5.1. The application included a Natura Impact Assessment (NIS) dated 15th March 2023, and prepared by Neo Environment Limited, examines and assess potential adverse effects of the proposed development on the following European Sites.
- 8.5.2. The planning application also includes an Ecological Impact Assessment including a bird survey, and a Construction Environmental Management Plan. I am satisfied that the NIS and supporting documents were prepared in line with current practice and provides an assessment of potential impact of the proposed development on the conservation targets of the Qualifying Interest of the Slaney River Valey Special Area of Conservation (Code 0781), the Wexford Harbour and Slobbs Special Protection Area (Code 004076) and the Raven Special Protection Area (Code 004019) and the mitigation measure proposed to prevent potential impacts.
- 8.5.3. The applicants NIS concluded that with the implementation of the design measures and proposed mitigation measures, along with ongoing monitoring to ensure compliance, it is considered that the proposed development will not have a significant effect upon any qualifying features, and therefore the integrity, of the Natura sites connected with the application site.
- 8.5.4. Having reviewed the NIS, documents, and first party appeal I am satisfied that the information allows for a complete assessment of any adverse effects of the development on the conservation objectives of the following European sites alone, or in combination with other plans and projects.

8.6. Appropriate Assessment of implications of the proposed development

- 8.6.1. The following is a summary of the objective scientific assessment of the implications of the project on the qualifying interest features of the European sites using the best scientific knowledge in the field. All aspects of the project which could result in

significant effects are assessed and mitigation measures designed to avoid or reduce any adverse effects are considered and assessed.

8.6.2. I have referred to the to the following guidance in my assessment.

- DoEHLG (2009). Appropriate Assessment of Plans and Projects in Ireland:
- Guidance for Planning Authorities. Department of the Environment, Heritage and Local Government, National Parks and Wildlife Service. Dublin
- EC (2002) Assessment of plans and projects significantly affecting Natura 2000 sites. Methodological guidance on the provisions of Article 6(3) and 6(4) of the Habitats Directive 92/43/EC
- EC (2018) Managing Natura 2000 sites. The provisions of Article 6 of the Habitats Directive 92/43/EEC]

8.6.3. The following Sites are subject to Appropriate Assessment;

- Slaney River Valey Special Area of Conservation (Code 0781)
- Wexford Harbour and Slobs Special Protection Area (Code 004076)
- Raven Special Protection Area (Code 004019)

8.6.4. A description of the sites and their Conservation and Qualifying Interests/Special Conservation Interests, including any relevant attributes and targets for these sites, are set out in the NIS and summarised in tables 1,2,3 of this report as part of my assessment. I have also examined the Conservation Objectives supporting documents for these sites available through the NPWS website ().

8.7. **Aspects of the proposed development.**

The main aspects of the proposed development that could adversely affect the conservation objectives of European sites include;

- Impacts to water quality and wetland habitats through construction related pollution events.
- Human Disturbance to Qualifying Interests.

8.8. Slaney River Valley SAC.

- 8.8.1. There is a direct hydrological connection to the SAC from the application site. The pathway is via the drainage ditch that traverses the site. Due to the site's location in the Inner Harbour the qualifying interest habitats that have the potential to be adversely affected by the proposed development are Estuaries, Mudflats and sandflats not covered by seawater at low tide, Atlantic salt meadows (*Glaucopuccinellietalia maritimae*), Mediterranean salt meadows (*Juncetalia maritimi*) and Water courses of plain to montane levels with the *Ranunculion fluitantis* and *Callitriche-Batrachion* vegetation. The conservation objective is to maintain the favourable conservation condition of these habitats.
- 8.8.2. The SAC contains two terrestrial habitats: Old Sessile Oak Woods and Alluvial Forests. These qualifying interests do not occur within or adjacent to the application site. As there is no connectivity between the site and these habitats, I consider that there is no potential for the conservation objectives of these habitats to be undermined by the proposed development.
- 8.8.3. The NIS notes that several of the qualifying species of the SAC are restricted to aquatic habitats, these being freshwater pearl mussel, sea lamprey, brook lamprey, river lamprey, twait shad and salmon. These species are sensitive to contamination of this aquatic environment. The qualifying habitats are also potentially at risk from pollution entering the waterways. Measures are proposed to prevent significant effect on all of the qualifying Interests through a deterioration in the water quality.
- 8.8.4. The NIS notes that there is no suitable habitat for Harbour Seal within or surrounding the application site and therefore there will be no direct habitat loss for this species as a result of the development. The Map no.7 contained in the NWPS Slaney River Valley Conservation Objectives shows that the Breeding Sites, Moulting Sites and Resting sites are all in the outer Harbour.
- 8.8.5. The majority of the development site is comprised of improved Agricultural Grassland and Spoil and Bare Soil that are bounded by Treelines, Hedgerows and artificial Drainage Ditches. While the site does not provide suitable habitat for otter holt building, otters are highly mobile with large territories between 2km and 40km. The NIS states that the otters may commute within close proximity to the proposed development. To prevent disturbance the applicant proposes to erect security fences

with mammal gates or a 10cm gap at base to allow free movement of otter through the site. It is also proposed that all excavations be securely covered or having a suitable means of escape provided at the end of each working day. Excavations are to be checked prior to construction commences each day. I do not consider that otters will be adversely affected during the operational phase of the development.

Following the implementation of the proposed design and construction mitigation measure I consider that the construction and operation of this proposed development will not adversely affect the integrity of the Slaney River Valley SAC.

- 8.8.6. See Table 1 in Appendix 2 for a summary of the Appropriate Assessment for Slaney River Valley Special Area of Conservation

8.9. The Wexford Harbour and Slobs Special Protection Areas.

- 8.9.1. There is a direct hydrological connection from the application site to this SPA. The pathway is via the drainage ditch that traverses the site. Given the proximity of the site to the SPA there is an ornithological connection.
- 8.9.2. Wexford Harbour and Slobs SPA is one of the most important ornithological sites in the country supporting internationally important populations of Greenland White-fronted Goose, Light-bellied Brent Goose, Black-tailed Godwit and Bar-tailed Godwit. In addition, it has 26 species of wintering waterbirds with populations of national importance and nationally important numbers of breeding Little Tern. Also of significance is that several of the species which occur regularly are listed on Annex I of the E.U. Birds Directive, i.e., Little Egret, Whooper Swan, Bewick's Swan, Greenland White-fronted Goose, Hen Harrier, Golden Plover, Bar-tailed Godwit, Ruff, Wood Sandpiper, Little Tern and Short-eared Owl. The site is an important centre for research, education and tourism. Wexford Wildfowl Reserve, located within Wexford Harbour and Slobs SPA, is a Ramsar Convention site, a Biogenetic Reserve and a Statutory Nature Reserve. Parts of the Wexford Harbour and Slobs SPA are also designated as Wildfowl Sanctuaries.
- 8.9.3. The NIS states that the site is composed of Improved Agricultural Grassland and Spoil and Bare Ground which is of limited value to the qualifying species of the SPA. The proposed site does not include any intertidal habitats.

- 8.9.4. The majority of the qualifying interest species occur in wetland habitats with the Mallard, Oystercatcher, Lapwing, Black tailed Godwit, Black-headed Gull, Lesser Black-backed Gulls, Goldeneye, Great Crested Grebe and Curlew, Redshank have been recorded in the SPA area at Castlebridge.
- 8.9.5. In the NWPS Wexford Harbour Slobs SPA and The Raven SPA: Conservation Objectives Supporting Document Brent Geese were not recorded on the site.
- 8.9.6. The qualifying interests which have been recorded as roosting within the Ferrybank (Wexford Bridge)-Castlebridge area are Black Headed Gull, Black tailed Godwit, Curlew, Little Egret, Oyster Catcher and Mallard.
- 8.9.7. A bird survey has been submitted with the NIS. The results of the wintering bird surveys undertaken between November 2022 and February 2023 indicate that the proposed site predominantly supports common and widespread bird species typical of the farmland habitats present. The survey shows that the development site does not support assemblages of wintering wildfowl. Two qualify interest species, 55 no. Golden Plover and a single little egret was observed flying over but not using the site.
- 8.9.8. I consider that the proposed mitigation works listed below will prevent significant effect on all of the qualifying Interests through a deterioration in the water quality.
- 8.9.9. The Planning Authority was not satisfied that sufficient controls and mitigation measures have been put in place to manage the increased potential disturbance to species from residents, pedestrians and recreational activities which may arise given the proximity of the development to the SAC and SPA and the propensity for persons to diverge from the development site boundaries. The planning report states that there is concern regarding the water attenuation pond and surrounding green area would be very attractive for dog walkers and there is a potential impact that the proximity of dogs to feeding or nesting birds in the SPA which may lead to disturbance and displacement of species such as otters and birds using the aquatic habitats.
- 8.9.10. In the appeal the applicant has submitted a revised site plan (dwg. no. P18), showing a relocated attenuation area and stock proof fencing separating the site from the surrounding land. As the adjoining lands in the SPA/SPA are marsh lands I do not consider the area beyond the fencing to be an easily accessible area for dog

walking. The site also provides a public park, smaller amenity areas and a nature conservation park which would be more accessible for dog walking.

- 8.9.11. Following the implementation of the proposed design and construction mitigation measures I consider that the construction and operation of this proposed development will not adversely affect the integrity of the Wexford Harbour and Slob SPA.
- 8.9.12. See Table 2 in Appendix 2 for a summary of the Appropriate Assessment for the Wexford Harbour and Slob SPA.

8.10. The Raven Special Protection Area.

- 8.10.1. The Raven SPA extends from north of Rosslare Point to Blackwater Harbour on the coast of County Wexford. The seaward boundary of the site extends a maximum distance of approximately 4.5 km from the shoreline to encompass important areas of shallow water utilised by some of the species of special conservation interest. The site is a Special Protection Area (SPA) under the E.U. Birds Directive, of special conservation interest for the following species: Red-throated Diver, Cormorant, Greenland White-fronted Goose, Common Scoter, Grey Plover and Sanderling. The E.U. Birds Directive pays particular attention to wetlands and, as these form part of this SPA, the site and its associated waterbirds are of special conservation interest for Wetland & Waterbirds.
- 8.10.2. The Raven is an important bird site, being part of the Wexford Slob and Harbour complex. The site has a hydrological connected to the Wexford Slob and Harbour through an agricultural field drain and therefore has a hydrological connection to the Raven Special Protection Area.
- 8.10.3. Given the distance from the appeal site I do not consider that there will be potential adverse effects on the qualifying interest bird species from human disturbance.
- 8.10.4. Again, given the distance from the appeal site and following the implementation of the proposed construction mitigation measures, I consider that the construction and operation of this proposed development will not adversely affect the integrity of the Raven Special Protection Area.

8.10.5. See Table 3 in Appendix 2 for a summary of the Appropriate Assessment for The Raven Special Protection Area.

8.11. Mitigation Measures

A summary of the mitigation measures proposed are listed below.

Integral Design Measures			
Feature	Potential Impact	Phase of Development	Measures Implemented
Aquatic Environment	Pollution	Construction	<ul style="list-style-type: none"> • 2m Buffer from field drain • Stormwater attenuation Pond • Silt & Petrol Interceptor
Otter	Exclusion from foraging habitat	Construction	Security fencing with mammal gates or gap to allow for free movement of otter through the site
Otter Bird Species	Human Disturbance		Security fencing

Standard Best Practice Measures			
Feature	Potential Impact	Phase of Development	Measures Implemented
Aquatic Environment Bird Species	Pollution	Construction	<p>Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc.</p> <p>Best practice biosecurity measure to be implemented throughout the construction phase.</p>
Otter	Accidental trapping within excavations	Construction	<p>All excavations securely covered, or a means of escape provided at end of day.</p> <p>Excavations check each day.</p>

A detailed set of Mitigation Measures relating to the following is included in the NIS:

Pollution Prevention from:

- Noise and Vibration
- Dust

- Surface Water and Ground Water
- Foul Water
- Water Supply
- Flood Risk
- Storage of fuels and chemicals
- Refuelling
- Excavation and Earthworks
- Concrete.

8.12. **In Combination Effects:**

- 8.12.1. I note that in the NIS a search of Wexford County Council planning portal was undertaken to identified key planning applications beyond the application site.
- 8.12.2. There have a been a number of residential developments granted in the Castlebridge vicinity. These include permission granted in July 2019 for a residential development of 18 units 0.5km north of the site (P.A. 20190778), a residential development of 32 units granted in June 2019 0.5km north of the site.
- 8.12.3. I have considered the effects of the proposed project in combination with these and other plans and projects in the vicinity of the SPA and SACs and I consider that the proposed development would not have a significant effect on the protects site when examined in combination with other projects, plan or proposals.

8.13. **Integrity Test.**

- 8.13.1. Following the appropriate assessment and the consideration of mitigation measures, I am able to ascertain with confidence that the project would not adversely affect the integrity of The Slaney River Valley SAC, The Wexford Harbour and Slobbs SPA and the Raven SPA in view of the Conservation Objectives of these sites.
- 8.13.2. This conclusion has been based on a complete assessment of all implications of the project alone and in combination with plans and projects.

8.14. **Appropriate Assessment Conclusion**

- 8.14.1. The proposed development of 60 dwellings has been considered in light of the assessment requirements of Sections 177U and 177V of the Planning and Development Act 2000 as amended.
- 8.14.2. Having carried out screening for Appropriate Assessment of the project, it was concluded that it may have a significant effect on The Slaney River Valley SAC, The Wexford Harbour and Slobbs SPA and the Raven SPA. Consequently, an Appropriate Assessment was required of the implications of the project on the qualifying features of those sites in light of their conservation objectives.
- 8.14.3. Following an Appropriate Assessment, it has been ascertained that the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of the European sites No 000781, 004076, 004019 or any other European site, in view of the sites' Conservation Objectives.
- 8.14.4. This conclusion is based on:
- A full and detailed assessment of all aspects of the proposed project including proposed mitigation measures and ecological monitoring in relation to the Conservation Objectives of The Slaney River Valley SAC, The Wexford Harbour and Slobbs SPA and the Raven SPA.
 - Detailed assessment of in combination effects with other plans and projects including historical projects, current proposals and future plans.
 - No reasonable scientific doubt as to the absence of adverse effects on the integrity of The Slaney River Valley SAC, The Wexford Harbour and Slobbs SPA and the Raven SPA.
 - No reasonable scientific doubt as to the absence of adverse effects on the integrity of The Slaney River Valley SAC, The Wexford Harbour and Slobbs SPA and the Raven SPA.

9.0 Recommendation

I recommend that permission be refused for the development for the reason below:

10.0 Reasons and Considerations

1. The proposed development of 60 housing units is considered excessive having regard to the location of the site at the southern edge of the Castlebridge. It is the policy of the Wexford County Development Plan 2022-2028 to sequentially prioritise development sites closer to the village centre. As such the proposed development would be contrary to objectives CS02, CS04, CS21, SH06 and TV34 of Volume 1 and Section 3.4.2 of Volume 3 of the Wexford County Development Plan 2022-2028 and to the proper planning and sustainable development of the area.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Peter Nelson

Planning Inspector

25th July 2024

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference	317638 - 23			
Proposed Development Summary	The proposed development comprises of 60 dwellings, a public park, a paved mobile coffee dock area and public car park of 32 spaces with EV charging.			
Development Address	Ballytramon, Ardavan, Co. Wexford			
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	X	
		No		
2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?				
Yes			EIA Mandatory EIAR required	
No	X		Proceed to Q.3	
3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?				
		Threshold	Comment (if relevant)	Conclusion
No		N/A		No EIAR or Preliminary Examination required
Yes	X	Class 10 Infrastructure (b) (i)		Proceed to Q.4

4. Has Schedule 7A information been submitted?

No	X	Preliminary Examination required
Yes		Screening Determination required

Inspector: _____

Date: _____

Form 2

EIA Preliminary Examination

An Bord Pleanála Case Reference	317638	
Proposed Development Summary	The proposed development comprises of 60 dwellings, a public park, a paved mobile coffee dock area and public car park of 32 spaces with EV charging.	
Development Address	Ballytramon, Ardavan, Co. Wexford	
The Board carries out a preliminary examination [Ref. Art. 109(2)(a), Planning and Development Regulations 2001 (as amended)] of, at least, the nature, size or location of the proposed development having regard to the criteria set out in Schedule 7 of the Regulations.		
	Examination	Yes/No/ Uncertain
Nature of the Development Is the nature of the proposed development exceptional in the context of the existing environment?	The proposed development is adjacent to and an extension of the existing residential development: Elderwood. Therefore, the nature of the proposed development is not exceptional in the context of the existing environment.	No.
Will the development result in the production of any significant waste, emissions or pollutants?	The proposed residential development of 60 dwellings and a park will not result in the production of significant waste, emissions or pollutants.	No
Size of the Development Is the size of the proposed development exceptional in the context of the existing environment?	The development of 60 residential units and a park is not of a size that is exceptional in the context of the existing environment which includes the Elderwood residential estate at the edge of Castlebridge Town.	No.
Are there significant cumulative considerations having regard to other existing and/or permitted projects?	There are not significant cumulative considerations in the area as a result of other existing or permitted projects.	No.
Location of the Development		

<p>Is the proposed development located on, in, adjoining or does it have the potential to significantly impact on an ecologically sensitive site or location?</p> <p>Does the proposed development have the potential to significantly affect other significant environmental sensitivities in the area?</p>	<p>The site is located adjacent of the Slaney River Valley SAC and The Wexford Harbour and Slobbs SPA. Given the nature and scale of the development the proposed development does not have the potential to significantly impact on the ecologically sensitive sites.</p> <p>Given the scale and nature of the development, the proposed development does not have the potential to significantly affect other significant environmental sensitivities in the area.</p>	
Conclusion		
<p>There is no real likelihood of significant effects on the environment.</p> <p>EIA NOT REQUIRED</p>	<p>There is significant and realistic doubt regarding the likelihood of significant effects on the environment.</p>	<p>There is a real likelihood of significant effects on the environment.</p>

Inspector: _____

Date: _____

DP/ADP: _____

Date: _____

(only where Schedule 7A information or EIAR required)

Appendix 2: Appropriate Assessment

Table 1: AA summary for Slaney River Valley Special Area of Conservation					
Slaney River Valley Special Area of Conservation Code:000781 Summary of key issues that could give rise to adverse effect: <ul style="list-style-type: none"> • Impacts to water quality during construction. • Human Disturbance. 					
Summary of Appropriate Assessment					
Qualify Interest	Conservation Objectives, Targets and Attributes	Potential adverse effects	Summary Mitigation measures	In - combination Effects	Can adverse effects on integrity be excluded?
Estuaries [1130]	To maintain the favourable conservation condition of Estuaries	Decrease in water quality during construction.	Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc. Best practice biosecurity measure to be implemented throughout the construction phase. <ul style="list-style-type: none"> • 2m Buffer from field drain • Stormwater attenuation Pond 	None	Yes

			<ul style="list-style-type: none"> Silt & Petrol Interceptor 		
Mudflats and sandflats not covered by seawater at low tide [1140]	<p>To maintain the favourable conservation condition of Mudflats and sandflats not covered by seawater at low tide.</p> <p>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.</p>	Decrease in water quality during construction.	<p>Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc. Best practice biosecurity measure to be implemented throughout the construction phase.</p> <ul style="list-style-type: none"> 2m Buffer from field drain Stormwater attenuation Pond Silt & Petrol Interceptor 	None	Yes
Atlantic salt meadows (Glauco-Puccinellietalia maritima) [1330]	<p>The extent of this habitat is assessed as favourable. There are no indications of any loss of</p>	Decrease in water quality	<p>Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc. Best practice biosecurity measure to be implemented throughout the construction phase.</p>	None	Yes

	habitat due to erosion, natural changes and land-use changes during the current monitoring period.		<ul style="list-style-type: none"> • 2m Buffer from field drain • Stormwater attenuation Pond • Silt & Petrol Interceptor 		
Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410]	The overall conservation status of this site is assessed as unfavourable-inadequate	Decrease in water quality	<p>Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc. Best practice biosecurity measure to be implemented throughout the construction phase.</p> <ul style="list-style-type: none"> • 2m Buffer from field drain • Stormwater attenuation Pond • Silt & Petrol Interceptor 	None	Yes
Water courses of plain to montane levels with the <i>Ranunculus fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation [3260]	To maintain the favourable conservation condition of Water courses of plain to montane levels with the <i>Ranunculus fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation	Decrease in water quality during construction.	<p>Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc. Best practice biosecurity measure to be implemented throughout the construction phase.</p> <ul style="list-style-type: none"> • 2m Buffer from field drain • Stormwater attenuation Pond • Silt & Petrol Interceptor 	None	Yes
Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles [91A0]	To restore the favourable conservation condition of old sessile oakwoods	Not in zone of influence of site		None	Yes
Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i> , <i>Alnion incanae</i> , <i>Salicion albae</i>) [91E0]	To restore the favourable conservation condition of Alluvial forests	Not in zone of influence of site		None	Yes

Lutra lutra (Otter) [1355]	To restore the favourable conservation condition of Otter, Distribution: No significant decline Extent of terrestrial habitat: No significant decline. Extent of marine habitat: No significant decline.	Decrease in water quality during construction. Noise during construction. Human disturbance during operation.	Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc. Best practice biosecurity measure to be implemented throughout the construction phase. <ul style="list-style-type: none"> 2m Buffer from field drain Stormwater attenuation Pond Silt & Petrol Interceptor Security fencing with mammal gates or gap to allow for free movement of otter through the site. All excavations securely covered, or a means of escape provided at end of day. Excavations check each day.	None	Yes
Freshwater Pearl Mussel Margaritifera margaritifera [1029]	Status of Freshwater pearl mussel under review	Species not present in zone of influence.		None	Yes
Petromyzon marinus (Sea Lamprey) [1095]	To restore the favourable conservation condition of Sea lamprey. Distribution target: greater of main stem length of rivers accessible from estuary.	Decrease in water quality during construction.	Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc. Best practice biosecurity measure to be implemented throughout the construction phase. <ul style="list-style-type: none"> 2m Buffer from field drain Stormwater attenuation Pond Silt & Petrol Interceptor 	None	Yes
Lampetra planeri (Brook Lamprey) [1096]	To restore the favourable conservation condition of Brook lamprey. Distribution target: access to all	Decrease in water quality during construction.	Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc. Best practice biosecurity measure to be implemented throughout the construction phase. <ul style="list-style-type: none"> 2m Buffer from field drain 	None	Yes

	watercourses down to first order streams.		<ul style="list-style-type: none"> Stormwater attenuation Pond Silt & Petrol Interceptor 		
Lampetra fluviatilis (River Lamprey) [1099]	To restore the favourable conservation condition of River lamprey. Distribution: greater than 75% of main stem and major tributaries down to second order accessible from estuary	Decrease in water quality during construction.	<p>Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc. Best practice biosecurity measure to be implemented throughout the construction phase.</p> <ul style="list-style-type: none"> 2m Buffer from field drain Stormwater attenuation Pond Silt & Petrol Interceptor 	None	Yes
Salmo salar (Salmon) [1106]	To restore the favourable conservation condition of Salmon. Distribution target: 100% of river channels down to second order accessible from estuary	Decrease in water quality during construction.	<p>Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc. Best practice biosecurity measure to be implemented throughout the construction phase.</p> <ul style="list-style-type: none"> 2m Buffer from field drain Stormwater attenuation Pond Silt & Petrol Interceptor 	None	Yes
Phoca vitulina (Harbour Seal) [1365]	To maintain the favourable conservation condition of Harbour Seal. Access to suitable habitat, Species range within the site should not be restricted by	Breeding sites, moult and resting halt-out sites in the outer harbour. No potential for restriction of suitable sites or displacement from the proposed development	<p>Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc. Best practice biosecurity measure to be implemented throughout the construction phase.</p> <ul style="list-style-type: none"> 2m Buffer from field drain Stormwater attenuation Pond Silt & Petrol Interceptor 	None	Yes

	artificial barriers to site use.				
Overall Conclusion: Integrity Test					
Following the implementation of mitigation, the construction and operation of this proposed development will not adversely affect the integrity of this European site and no reasonable doubt remains as to the absence of such.					

Table 2. AA summary for the Wexford Harbour and Slobbs SPA					
Wexford Harbour and Slobbs SPA Code:004076 Summary of key issues that could give rise to adverse effect: <ul style="list-style-type: none"> • Impacts to water quality during construction. • Human Disturbance. 					
Summary of Appropriate Assessment					
Qualify Interest	Conservation Objectives, Targets and Attributes	Potential adverse effects	Summary Mitigation measures	In - combination Effects	Can adverse effects on integrity be excluded?
Little Grebe (<i>Tachybaptus ruficollis</i>) [A004]	To maintain the favourable conservation condition of Little Grebe There should be no significant decrease in the numbers or range of areas used by waterbird	Decrease in water quality during construction. Human Disturbance	Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc. Best practice biosecurity measure to be implemented throughout the construction phase. <ul style="list-style-type: none"> • 2m Buffer from field drain • Stormwater attenuation Pond • Silt & Petrol Interceptor Proposed Stockproof fencing to western boundary.	None	Yes

	species, other than that occurring from natural patterns of variation				
Great Crested Grebe (Podiceps cristatus) [A005]	To maintain the favourable conservation condition of Great Crested Grebe. There should be no significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation	Decrease in water quality during construction. Human Disturbance	Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc. Best practice biosecurity measure to be implemented throughout the construction phase. <ul style="list-style-type: none"> • 2m Buffer from field drain • Stormwater attenuation Pond • Silt & Petrol Interceptor Proposed Stockproof fencing to western boundary.	None	Yes
Cormorant (Phalacrocorax carbo) [A017]	To maintain the favourable conservation condition of Cormorant There should be no significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation.	Decrease in water quality during construction. Human Disturbance	Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc. Best practice biosecurity measure to be implemented throughout the construction phase. <ul style="list-style-type: none"> • 2m Buffer from field drain • Stormwater attenuation Pond • Silt & Petrol Interceptor Proposed Stockproof fencing to western boundary.	None	Yes

Grey Heron (<i>Ardea cinerea</i>) [A028]	To maintain the favourable conservation condition of Grey Heron. There should be no significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation.	Decrease in water quality during construction. Human Disturbance	Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc. Best practice biosecurity measure to be implemented throughout the construction phase. <ul style="list-style-type: none"> • 2m Buffer from field drain • Stormwater attenuation Pond • Silt & Petrol Interceptor Proposed Stockproof fencing to western boundary.	None	Yes
Bewick's Swan (<i>Cygnus columbianus bewickii</i>) [A037]	To maintain the favourable conservation condition of Bewick's Swan. There should be no significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation.	Decrease in water quality during construction. Human Disturbance	Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc. Best practice biosecurity measure to be implemented throughout the construction phase. <ul style="list-style-type: none"> • 2m Buffer from field drain • Stormwater attenuation Pond • Silt & Petrol Interceptor Proposed Stockproof fencing to western boundary.	None	Yes
Whooper Swan (<i>Cygnus cygnus</i>) [A038]	To maintain the favourable conservation	Decrease in water quality	Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc.	None	Yes

	condition of Whooper Swan. There should be no significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation.	during construction. Human Disturbance	Best practice biosecurity measure to be implemented throughout the construction phase. <ul style="list-style-type: none"> 2m Buffer from field drain Stormwater attenuation Pond Silt & Petrol Interceptor Proposed Stockproof fencing to western boundary.		
Light-bellied Brent Goose (Branta bernicla hrota) [A046]	To maintain the favourable conservation condition of Light-bellied Brent Goose. There should be no significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation.	Decrease in water quality during construction. Human Disturbance	Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc. Best practice biosecurity measure to be implemented throughout the construction phase. <ul style="list-style-type: none"> 2m Buffer from field drain Stormwater attenuation Pond Silt & Petrol Interceptor Proposed Stockproof fencing to western boundary.	None	Yes
Shelduck (Tadorna tadorna) [A048]	To maintain the favourable conservation condition of Shelduck. There should be no	Decrease in water quality during construction. Human Disturbance	Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc. Best practice biosecurity measure to be implemented throughout the construction phase. <ul style="list-style-type: none"> 2m Buffer from field drain 	None	Yes

	significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation.		<ul style="list-style-type: none"> Stormwater attenuation Pond Silt & Petrol Interceptor Proposed Stockproof fencing to western boundary.		
Wigeon (Anas penelope) [A050]	To maintain the favourable conservation condition of Wigeon. There should be no significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation.	Decrease in water quality during construction. Human Disturbance	Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc. Best practice biosecurity measure to be implemented throughout the construction phase. <ul style="list-style-type: none"> 2m Buffer from field drain Stormwater attenuation Pond Silt & Petrol Interceptor Proposed Stockproof fencing to western boundary.	None	Yes
Teal (Anas crecca) [A052]	To maintain the favourable conservation condition of Teal. There should be no significant decrease in the numbers or range of areas used by waterbird	Decrease in water quality during construction. Human Disturbance	Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc. Best practice biosecurity measure to be implemented throughout the construction phase. <ul style="list-style-type: none"> 2m Buffer from field drain Stormwater attenuation Pond Silt & Petrol Interceptor Proposed Stockproof fencing to western boundary.	None	Yes

	species, other than that occurring from natural patterns of variation.				
Mallard (Anas platyrhynchos) [A053]	To maintain the favourable conservation condition of Mallard. There should be no significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation.	Decrease in water quality during construction. Human Disturbance	Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc. Best practice biosecurity measure to be implemented throughout the construction phase. <ul style="list-style-type: none"> • 2m Buffer from field drain • Stormwater attenuation Pond • Silt & Petrol Interceptor Proposed Stockproof fencing to western boundary.	None	Yes
Pintail (Anas acuta) [A054]	To maintain the favourable conservation condition of Pintail. There should be no significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation.	Decrease in water quality during construction. Human Disturbance	Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc. Best practice biosecurity measure to be implemented throughout the construction phase. <ul style="list-style-type: none"> • 2m Buffer from field drain • Stormwater attenuation Pond • Silt & Petrol Interceptor Proposed Stockproof fencing to western boundary.	None	Yes

Scaup (<i>Aythya marila</i>) [A062]	To maintain the favourable conservation condition of Scaup. There should be no significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation.	Decrease in water quality during construction. Human Disturbance	Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc. Best practice biosecurity measure to be implemented throughout the construction phase. <ul style="list-style-type: none"> • 2m Buffer from field drain • Stormwater attenuation Pond • Silt & Petrol Interceptor Proposed Stockproof fencing to western boundary.	None	Yes
Goldeneye (<i>Bucephala clangula</i>) [A067]	To maintain the favourable conservation condition of Goldeneye. There should be no significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation.	Decrease in water quality during construction. Human Disturbance	Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc. Best practice biosecurity measure to be implemented throughout the construction phase. <ul style="list-style-type: none"> • 2m Buffer from field drain • Stormwater attenuation Pond • Silt & Petrol Interceptor Proposed Stockproof fencing to western boundary.	None	Yes
Red-breasted Merganser (<i>Mergus serrator</i>) [A069]	To maintain the favourable conservation	Decrease in water quality during construction.	Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc.	None	Yes

	condition of Red-breasted Merganser. There should be no significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation.	Human Disturbance	Best practice biosecurity measure to be implemented throughout the construction phase. <ul style="list-style-type: none"> • 2m Buffer from field drain • Stormwater attenuation Pond • Silt & Petrol Interceptor Proposed Stockproof fencing to western boundary.		
Hen Harrier (<i>Circus cyaneus</i>) [A082]	To maintain the favourable conservation condition of Red-breasted Merganser.	Decrease in water quality during construction. Human Disturbance	Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc. Best practice biosecurity measure to be implemented throughout the construction phase. <ul style="list-style-type: none"> • 2m Buffer from field drain • Stormwater attenuation Pond • Silt & Petrol Interceptor Proposed Stockproof fencing to western boundary.	None	Yes
Coot (<i>Fulica atra</i>) [A125]	To maintain the favourable conservation condition of Coot. There should be no significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from	Decrease in water quality during construction. Human Disturbance	Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc. Best practice biosecurity measure to be implemented throughout the construction phase. <ul style="list-style-type: none"> • 2m Buffer from field drain • Stormwater attenuation Pond • Silt & Petrol Interceptor Proposed Stockproof fencing to western boundary.	None	Yes

	natural patterns of variation.				
Oystercatcher (<i>Haematopus ostralegus</i>) [A130]	To maintain the favourable conservation condition of Oystercatcher. There should be no significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation.	Decrease in water quality during construction. Human Disturbance	Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc. Best practice biosecurity measure to be implemented throughout the construction phase. <ul style="list-style-type: none"> • 2m Buffer from field drain • Stormwater attenuation Pond • Silt & Petrol Interceptor Proposed Stockproof fencing to western boundary.	None	Yes
Golden Plover (<i>Pluvialis apricaria</i>) [A140]	To maintain the favourable conservation condition of Golden Plover. There should be no significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation.	Decrease in water quality during construction. Human Disturbance	Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc. Best practice biosecurity measure to be implemented throughout the construction phase. <ul style="list-style-type: none"> • 2m Buffer from field drain • Stormwater attenuation Pond • Silt & Petrol Interceptor Proposed Stockproof fencing to western boundary.	None	Yes

Grey Plover (<i>Pluvialis squatarola</i>) [A141]	To maintain the favourable conservation condition of Grey Plover. There should be no significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation.	Decrease in water quality during construction. Human Disturbance	Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc. Best practice biosecurity measure to be implemented throughout the construction phase. <ul style="list-style-type: none"> • 2m Buffer from field drain • Stormwater attenuation Pond • Silt & Petrol Interceptor Proposed Stockproof fencing to western boundary.	None	Yes
Lapwing (<i>Vanellus vanellus</i>) [A142]	To maintain the favourable conservation condition of Lapwing. There should be no significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation.	Decrease in water quality during construction. Human Disturbance	Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc. Best practice biosecurity measure to be implemented throughout the construction phase. <ul style="list-style-type: none"> • 2m Buffer from field drain • Stormwater attenuation Pond • Silt & Petrol Interceptor Proposed Stockproof fencing to western boundary.	None	Yes
Knot (<i>Calidris canutus</i>) [A143]	To maintain the favourable conservation	Decrease in water quality	Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc.	None	Yes

	condition of Knot. There should be no significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation.	during construction. Human Disturbance	Best practice biosecurity measure to be implemented throughout the construction phase. <ul style="list-style-type: none"> • 2m Buffer from field drain • Stormwater attenuation Pond • Silt & Petrol Interceptor Proposed Stockproof fencing to western boundary.		
Sanderling (<i>Calidris alba</i>) [A144]	To maintain the favourable conservation condition of Sanderling. There should be no significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation.	Decrease in water quality during construction. Human Disturbance	Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc. Best practice biosecurity measure to be implemented throughout the construction phase. <ul style="list-style-type: none"> • 2m Buffer from field drain • Stormwater attenuation Pond • Silt & Petrol Interceptor Proposed Stockproof fencing to western boundary.	None	Yes
Dunlin (<i>Calidris alpina</i>) [A149]	To maintain the favourable conservation condition of Dunlin. There should be no significant decrease in the numbers or	Decrease in water quality during construction. Human Disturbance	Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc. Best practice biosecurity measure to be implemented throughout the construction phase. <ul style="list-style-type: none"> • 2m Buffer from field drain • Stormwater attenuation Pond 	None	Yes

	range of areas used by waterbird species, other than that occurring from natural patterns of variation.		<ul style="list-style-type: none"> Silt & Petrol Interceptor Proposed Stockproof fencing to western boundary.		
Black-tailed Godwit (<i>Limosa limosa</i>) [A156]	To maintain the favourable conservation condition of Black-tailed Godwit. There should be no significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation.	Decrease in water quality during construction. Human Disturbance	Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc. Best practice biosecurity measure to be implemented throughout the construction phase. <ul style="list-style-type: none"> 2m Buffer from field drain Stormwater attenuation Pond Silt & Petrol Interceptor Proposed Stockproof fencing to western boundary.	None	Yes
Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157]	To maintain the favourable conservation condition of Bar-tailed Godwit. There should be no significant decrease in the numbers or range of areas used by waterbird species, other than	Decrease in water quality during construction. Human Disturbance	Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc. Best practice biosecurity measure to be implemented throughout the construction phase. <ul style="list-style-type: none"> 2m Buffer from field drain Stormwater attenuation Pond Silt & Petrol Interceptor Proposed Stockproof fencing to western boundary.	None	Yes

	that occurring from natural patterns of variation.				
Curlew (<i>Numenius arquata</i>) [A160]	To maintain the favourable conservation condition of Curlew. There should be no significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation.	Decrease in water quality during construction. Human Disturbance	Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc. Best practice biosecurity measure to be implemented throughout the construction phase. <ul style="list-style-type: none"> • 2m Buffer from field drain • Stormwater attenuation Pond • Silt & Petrol Interceptor Proposed Stockproof fencing to western boundary.	None	Yes
Redshank (<i>Tringa totanus</i>) [A162]	To maintain the favourable conservation condition of Redshank. There should be no significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation.	Decrease in water quality during construction. Human Disturbance	Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc. Best practice biosecurity measure to be implemented throughout the construction phase. <ul style="list-style-type: none"> • 2m Buffer from field drain • Stormwater attenuation Pond • Silt & Petrol Interceptor Proposed Stockproof fencing to western boundary.	None	Yes

Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179]	To maintain the favourable conservation condition of Black-headed Gull. There should be no significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation.	Decrease in water quality during construction. Human Disturbance	Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc. Best practice biosecurity measure to be implemented throughout the construction phase. <ul style="list-style-type: none"> • 2m Buffer from field drain • Stormwater attenuation Pond • Silt & Petrol Interceptor Proposed Stockproof fencing to western boundary.	None	Yes
Lesser Black-backed Gull (<i>Larus fuscus</i>) [A183]	To maintain the favourable conservation condition of Lesser Black-backed Gull. There should be no significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation.	Decrease in water quality during construction. Human Disturbance	Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc. Best practice biosecurity measure to be implemented throughout the construction phase. <ul style="list-style-type: none"> • 2m Buffer from field drain • Stormwater attenuation Pond • Silt & Petrol Interceptor Proposed Stockproof fencing to western boundary.	None	Yes
Little Tern (<i>Sterna albifrons</i>) [A195]	To maintain the favourable conservation	Decrease in water quality during construction.	Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc.	None	Yes

	condition of Little Tern	Human Disturbance	Best practice biosecurity measure to be implemented throughout the construction phase. <ul style="list-style-type: none"> • 2m Buffer from field drain • Stormwater attenuation Pond • Silt & Petrol Interceptor Proposed Stockproof fencing to western boundary.		
Greenland White-fronted Goose (<i>Anser albifrons flavirostris</i>) [A395]	To maintain the favourable conservation condition of Greenland White-fronted Goose. There should be no significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation.	Decrease in water quality during construction. Human Disturbance	Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc. Best practice biosecurity measure to be implemented throughout the construction phase. <ul style="list-style-type: none"> • 2m Buffer from field drain • Stormwater attenuation Pond • Silt & Petrol Interceptor Proposed Stockproof fencing to western boundary.	None	Yes
Wetland and Waterbirds [A999]	To maintain the favourable conservation condition of the wetland habitat in Wexford Harbour and Slob SPA. The permanent area occupied by the wetland habitat (see map 3) should be	Decrease in water quality during construction. Human Disturbance	Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc. Best practice biosecurity measure to be implemented throughout the construction phase. <ul style="list-style-type: none"> • 2m Buffer from field drain • Stormwater attenuation Pond • Silt & Petrol Interceptor Proposed Stockproof fencing to western boundary.	None	Yes

	stable and not significantly less than the area of 4,241ha, other than that due to natural patterns of variation				
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Overall Conclusion: Integrity Test

Following the implementation of mitigation, the construction and operation of this proposed development will not adversely affect the integrity of this European site and no reasonable doubt remains as to the absence of such.

Table 3: AA summary for The Raven SPA

<p>The Raven Special Protection Area</p> <p>Code:004019</p> <p>Summary of key issues that could give rise to adverse effect:</p> <ul style="list-style-type: none"> Impacts to water quality during construction. 					
<p>Summary of Appropriate Assessment</p>					
<p>Qualify Interest</p>	<p>Conservation Objectives, Targets and Attributes</p>	<p>Potential adverse effects</p>	<p>Summary Mitigation measures</p>	<p>In - combination Effects</p>	<p>Can adverse effects on integrity be excluded?</p>
<p>Red-throated Diver (Gavia stellata) [A001]</p>	<p>To maintain the favourable conservation condition of Red-throated Diver. There should be no significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation</p>	<p>Decrease in water quality during construction.</p>	<p>Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc. Best practice biosecurity measure to be implemented throughout the construction phase.</p> <ul style="list-style-type: none"> 2m Buffer from field drain Stormwater attenuation Pond Silt & Petrol Interceptor 	<p>None</p>	<p>Yes</p>

Cormorant (<i>Phalacrocorax carbo</i>) [A017]	To maintain the favourable conservation condition of Cormorant. There should be no significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation	Decrease in water quality during construction.	Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc. Best practice biosecurity measure to be implemented throughout the construction phase. <ul style="list-style-type: none"> • 2m Buffer from field drain • Stormwater attenuation Pond • Silt & Petrol Interceptor 	None	Yes
Common Scoter (<i>Melanitta nigra</i>) [A065]	To maintain the favourable conservation condition of Common Scoter. There should be no significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation	Decrease in water quality during construction.	Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc. Best practice biosecurity measure to be implemented throughout the construction phase. <ul style="list-style-type: none"> • 2m Buffer from field drain • Stormwater attenuation Pond • Silt & Petrol Interceptor 	None	Yes
Grey Plover (<i>Pluvialis squatarola</i>) [A141]	To maintain the favourable conservation condition of Grey Plover. There should be no significant decrease in the numbers or range of areas used by waterbird	Decrease in water quality during construction.	Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc. Best practice biosecurity measure to be implemented throughout the construction phase. <ul style="list-style-type: none"> • 2m Buffer from field drain • Stormwater attenuation Pond • Silt & Petrol Interceptor 	None	Yes

	species, other than that occurring from natural patterns of variation				
Sanderling (<i>Calidris alba</i>) [A144]	To maintain the favourable conservation condition of Sanderling. There should be no significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation	Decrease in water quality during construction.	Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc. Best practice biosecurity measure to be implemented throughout the construction phase. <ul style="list-style-type: none"> • 2m Buffer from field drain • Stormwater attenuation Pond • Silt & Petrol Interceptor 	None	Yes
Greenland White-fronted Goose (<i>Anser albifrons flavirostris</i>) [A395]	To maintain the favourable conservation condition of Greenland White-fronted Goose. There should be no significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation	Decrease in water quality during construction.	Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc. Best practice biosecurity measure to be implemented throughout the construction phase. <ul style="list-style-type: none"> • 2m Buffer from field drain • Stormwater attenuation Pond • Silt & Petrol Interceptor 	None	Yes
Wetland and Waterbirds [A999]	To maintain the favourable conservation condition of the wetland habitat.	Decrease in water quality during construction.	Best practice pollution prevention measures implemented to prevent contaminants entering surface water etc.	None	Yes

	The permanent area occupied by the wetland habitat should be stable and not significantly less than the area of 4,207ha, other than that due to natural patterns of variation		Best practice biosecurity measure to be implemented throughout the construction phase. <ul style="list-style-type: none"> • 2m Buffer from field drain • Stormwater attenuation Pond • Silt & Petrol Interceptor 		
Overall Conclusion: Integrity Test					
Following the implementation of mitigation, the construction and operation of this proposed development will not adversely affect the integrity of this European site and no reasonable doubt remains as to the absence of such.					

