



An  
Bord  
Pleanála

## Inspector's Report ABP-318231-23

<b>Development</b>	Demolition of existing building and construction of retirement caravan park.
<b>Location</b>	Parknacross, Riverchapel, Gorey, Co. Wexford.
<b>Planning Authority</b>	Wexford County Council
<b>Planning Authority Reg. Ref.</b>	20221733
<b>Applicant(s)</b>	Thomas O'Loughlin
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Permission
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	David and Claudia Peakin
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	21 <sup>st</sup> of August 2024
<b>Inspector</b>	Angela Brereton

## Contents

1.0 Site Location and Description .....	4
2.0 Proposed Development .....	4
3.0 Planning Authority Decision .....	5
3.1. Decision .....	5
3.2. Planning Authority Reports .....	5
3.3. Other Technical Reports .....	7
3.4. Prescribed Bodies .....	8
3.5. Third Party Observations .....	8
4.0 Planning History .....	9
5.0 Policy Context .....	10
5.1. Relevant Government Policy / Guidelines .....	10
5.2. Wexford County Development Plan 2022-2028 .....	11
5.3. Courtown & Riverchapel LAP 2015-2021 (as extended) .....	17
5.4. Natural Heritage Designations .....	19
6.0 The Appeal .....	20
6.1. Grounds of Appeal .....	20
6.2. Applicant Response .....	23
6.3. Planning Authority Response .....	26
6.4. Observations .....	26
7.0 Assessment .....	26
7.2. Principle of Development and Planning Policy .....	26
7.3. EIA Screening issues .....	29
7.4. Design and Layout .....	31

7.7. Impact on the Character and Amenities of the Area .....	34
7.8. Access issues .....	35
7.9. Drainage issues .....	38
7.10. Screening for Appropriate Assessment .....	41
8.0 Recommendation.....	42
9.0 Reasons and Considerations.....	42
10.0 Conditions .....	42
Appendix 1 – Form 1: EIA Pre-Screening	
Appendix 2 – Form 2: EIA Preliminary Examination	

## **1.0 Site Location and Description**

- 1.1. The subject site is on the western side of the R742 c.2kms to the south of Riverchapel, Courtown. The development relates to the former Ardamine House Hotel and grounds accessed via an existing entrance from the R-742. This is within the urban speed limits. There is a footpath along the subject site side of the R742, none along the opposite side.
- 1.2. Ardamine House Hotel is in poor condition and appears to be no longer in use for some time. In addition to the hotel several ancillary buildings are sited to the rear and side with a former slatted shed to the northwest. These buildings appear in poor condition. Lands to the front comprise a surfaced avenue to the former hotel and carpark area, open grassland, roadside boundary screened by trees and vegetation. There is a mature hedgerow including trees along the roadside boundary with the R742, which provide screening from the road.
- 1.3. I noted on site that there is a large commercial shed to the west of the site, that is accessed via the laneway to the west of the site. This and separately the house and sheds to the southwest are also accessed via this private laneway and are not part of the subject site. However, I note that as shown on the Site Layout Plan the entrance to the laneway to the rear of the site is to be used as a service entrance. The existing entrance from the R742 is to serve the proposed development site.
- 1.4. The subject lands are zoned for 'Tourist Accommodation' in the Courtown and Riverchapel LAP 2015-2021 (as extended). The surrounding area is characterised by holiday/tourism uses including 'Parklands Holiday Park' and residential uses. There are several caravan parks in the southern part of Courtown and Riverchapel. There are no shops or services in the immediate vicinity of the site.

## **2.0 Proposed Development**

- 2.1. Permission is sought for a Retirement based Caravan Park, at Parknacross, Riverchapel, Gorey, Co. Wexford, which is to include the following:
  - a) The part Demolition of an existing building;

- b) Construction of 39no. caravan bays with decking and individual parking spaces;
- c) Construction of central office and reception building;
- d) The construction of a central shared amenity area to include visitor parking area;
- e) Connection to existing services and completion of ancillary site works.

Dunbar Lunn civil & structural consulting engineers submitted a letter providing details of the planning application and associated plans and particulars. This includes the following:

- Infrastructure Design Report and Appendices.

### **3.0 Planning Authority Decision**

#### **3.1. Decision**

On the 15<sup>th</sup> of September 2023, Wexford County Council granted permission for the proposed development subject to 11no. conditions.

#### **3.2. Planning Authority Reports**

##### **3.2.1. Planning Reports**

The Planner had regard to the locational context of the site, planning history and policy and to the submissions made. Their Assessment included the following:

- The subject lands are zoned for tourist accommodation in the Courtown and Riverchapel LAP 2015-2021 (as extended). The surrounding area is characterised by similar holiday/tourism uses and residential uses.
- They have regard to Planning Policies relative to Tourist Accommodation in The Wexford CDP 2022-2028 and the said LAP. Also, to the Renewal Scheme for Traditional Seaside Resorts, 1995.
- They note the design and layout of the proposed chalets and have regard to Fáilte Ireland: Caravan & Camping Parks, Classification Matrix.

- They provide that the proposed design and layout is generally considered to be acceptable.
- They note that the Roads Section have requested that F.I be submitted regarding footpath linkages, pedestrian access, vehicular access, traffic management parking, EV charge points, bin stores, cycle racks and upgrade of the existing private lane etc.
- They recommend that the intended use of the building to be retained be clarified whilst also noting that a section falls under third party ownership.
- The general layout and design of the units proposed is considered to be acceptable but they recommend that F.I be requested regarding these issues.

#### Further Information request:

In summary the Council's F.I request included the following:

- To clarify the intended use of the existing building for retention located to the rear of the existing hotel. Noting that the site layout plan shows part of this building falls within the red line boundary and is owned by the applicant and the remaining section owned by a third party landowner.
- Details regarding the access, parking areas, internal footpaths/pedestrian layout, traffic calming, bin storage areas, covered cycle racks, the intended use of the building to be retained and access arrangements.
- Detailed proposals to upgrade and maintain the existing private lane which the applicant proposed to use for maintenance access.
- Details for the capacity of the line at discharge to surface water.
- Details of accessible parking spaces at Community Area and EV charge points for each unit.

#### Further Information response

Dunbar Lunn civil & structural engineers response on the behalf of the applicants includes the following:

*Use of the Building to be retained*

- The majority of Ardamine House is to be demolished due to the poor structural condition of the building, with a section to remain as shown on the Site Layout Plan. They provide details relative to the usage of that part to be retained.
- They note the existing building abuts a third party building and have no intention to carry out works within the vicinity of this building junction and the adjoining boundary wall will remain intact.

#### *Infrastructure – Roads and Drainage*

- They refer to revised drawings submitted showing the internal roads and footpath layout, the entrance gate, traffic calming and signage, pedestrian access, bin storage, cycle parking etc.
- They provide that vehicular access for the occupants of the existing building will be via the private lane (in partial ownership of the applicant) adjacent to the western site boundary. The vehicle entrance adjacent to the private lane will be for service vehicles only.
- Accessible parking spaces are to be provided at the community area and EV charging points.
- They provide details relative to the capacity of the line at discharge for surface water and refer to revised drawings showing surface water drainage.

#### Planner's response

The Planner had regard to the F.I submitted including the revised plans and the comments from the Roads Section and they considered that the applicant has adequately addressed the F.I request. They concluded that the proposal is acceptable and recommended that permission be granted subject to conditions.

### **3.3. Other Technical Reports**

#### Roads

They recommended that F.I be sought including in summary relative to the access gates, internal roads and footpath layout, pedestrian access, traffic calming, bin storage, onsite parking, EV charging arrangements, cycle parking and details for

proposed use of the section of building to be retained and relative to the use of the private access lane.

In response to the F.I they recommended that permission be granted subject to conditions.

#### Environmental Section

They do not object and recommend that the proposed works be carried out in accordance with the details and the F.I submitted. They detail a number of conditions relative to connection to public mains and sewer, disposal of waste and for control of noise and dust during construction works.

#### Disability Access Officer

They provide that a Disability Access Certificate would be required.

### **3.4. Prescribed Bodies**

#### Irish Water

Their response to the pre-connection enquiry provides that water connection and wastewater connection are feasible without infrastructure upgrade by Irish Water.

### **3.5. Third Party Observations**

Submissions have been received from local residents, their concerns have been considered in the context of the Planner's Report and are summarised as follows:

- The retirement based caravan park would be another holiday park in an area that already has an excessive amount of such.
- Lack of services and facilities to serve the retirement based development.
- Potential for adverse impact on the environment including the pNHA Ardamine Woods.
- An EIAR should have been completed.
- Will be visually obtrusive and impact adversely on the visual amenities and value of properties in the area.
- Inadequate water supply in the area to service the proposed development.



- Will impact adversely on roads and traffic in the area.

## 4.0 Planning History

The Planner's Report includes reference to the following planning history. It is of note that these permissions were all granted subject to conditions to the current applicant Thomas O'Loughlin:

### *Subject site*

- Reg. Ref. 20210456 – Permission granted for the demolition of existing shed and construction of a new portal frame type storage shed, which includes a lower ground floor level, new hard standing and yard area, including the installation of stormwater attenuation and SuDS measures, and new boundary fencing.

While the shed to be demolished is within the subject site, the shed permitted has been constructed and is located outside and to the west on the opposite side of the private lane.

- Reg.Ref. 20081844 – Permission refused for - 1) A pedestrian access gate on the curtilage of existing site; herein described as Parklands Caravan Park, 2) and all ancillary siteworks necessary to complete same.
- Reg.Ref. 93/0495 – Permission granted for Retention of single storey accommodation for staff use – 4 bedrooms, bath/wc, kitchen at Parknacross, Gorey.
- Reg.Ref. 92/1329 – Permission granted for Retention of premises as a hotel and public bar facility and retention and completion of unauthorised car park at Parknacross, Gorey.
- Reg.Ref. 92/0707 – Permission granted for Retention of two-storey extension for bedrooms and part dining area to Guesthouse at Parknacross, Gorey.
- Reg. Ref. 91/0369 – Permission granted for Retention of alterations for toilets and for part change of use of reception area to a bar at Parknacross, Gorey.

Copies of these permissions are included in the History Appendix to this Report.

### *Adjoining site:*

- Reg.Ref. 20191618 – Permission granted subject to conditions to Thomas O’Loughlin for: a) an extension to an existing caravan park to accommodate an additional 40 caravans; b) construction of mini-football/all-weather pitch; c) installation of pedestrian walkway and associated site works; d) renovation of existing toilet/shower building to provide new cinema and gym facilities; e) extension to existing licensed restaurant, including new external smoking area; f) removal/extinguishment of existing pedestrian access bridge to adjoining housing estate on eastern boundary; h) connection to existing services and permission for retention of: g) 6no. additional caravans to the approved site layout as granted under Reg.Ref. 20140200 and h) an extension to kitchen/storage area as granted under Reg.Ref. 20150302, within the Parknacross Caravan Holiday Park.

This was a split decision where permission was granted for the above but refused for retention of 6no. additional caravans to the approved site layout as granted under

- Reg.Ref. 20140200 – Permission granted subject to conditions to Thomas O’Loughlin for: i) proposed extension to existing parklands caravan park , comprising of 71no. bays; previous Reg. Refs 20130229; 20140008; 20140076; and in summary - proposed services and ancillary works.

These applications concerned Parklands Holiday Park to the northwest of the subject site.

## 5.0 Policy Context

### 5.1. Relevant Government Policy / Guidelines

- National Planning Framework – Project Ireland 2040
- Southern Region Spatial and Economic Strategy (RSES)
- Climate Action Plan 2024
- Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024)
- Design Manual for Urban Roads and Streets, (2019)

- Traffic and Transport Assessment Guidelines (2014)
- Development Management, Guidelines for Planning Authorities (2007)
- The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009).

#### Other Guidelines

- Housing Options for Our Ageing Population (DHPLG -2019) and The Age Friendly Principles Guidelines for Planning Authorities (Age Friendly Ireland, 2021).

## 5.2. **Wexford County Development Plan 2022-2028**

### Volume 1

#### *Core Strategy*

Figure 3-1 Core Strategy Map. Table 3-2 provides the County Wexford Settlement Hierarchy. Courtown & Riverchapel is listed as a Level 3a Service Settlement.

Section 3.6.2 refers and provides the Development Approach. This includes:

- Tailor population growth for each settlement having regard to their existing baseline populations, existing and possible potential for economic development and infrastructural capacities. In allocating population regard was also had to the rate and pace of past development and the need to deliver social and community facilities to keep pace with recent development e.g. Courtown Harbour and Riverchapel.
- Promote economic and enterprise development appropriate in scale to the settlements, such as expanding the potential of the marine economy and tourism in Courtown and Riverchapel, the port and port-related development in Rosslare Harbour and developing the tourism potential of Rosslare Strand, Bunclody Town and Ferns,
- Ensure that new development contributes to the creation of attractive, liveable, well-designed, high-quality settlements and the local communities enjoy a high-quality of life and well-being.

- Protect and enhance amenities, heritage, green infrastructure and biodiversity in these settlements.

*The lifetime of the Courtown and Riverchapel Local Area Plan has been extended by five years to 2026 and provides the spatial planning framework for this settlement.*

### *Sustainable Housing*

#### Section 4.4 – Sustainable Housing Strategy.

*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.*

Section 4.9.6 refers to Modular Homes and Pre-fabricated Homes.

### *Tourism Development*

Section 7.3 refers to Policy Context – People, Place and Policy – Growing Tourism to 2025. This includes reference to the County Wexford Tourism Development Strategy 2019-2023.

Section 7.5 Tourism Development Spatial Strategy and regard to Sustainable Tourism. Objectives include:

*Objective TM05: To continue to develop tourism products and tourist related infrastructure and to carry out enhancements to the public realm in towns and villages and environmental improvements to ensure that the county is an attractive place to visit and stay.*

*TM12: To balance the development of tourism facilities, infrastructure and accommodation in our towns, villages and rural areas with the needs of the communities, the need to provide for housing and year round facilities and vitality for the resident population and the sustainable year round use of existing infrastructure such as wastewater treatment infrastructure.*

*TM12: To ensure that new tourism development is sustainable in terms of use of resources and resilient in terms climate change.*

Section 7.6 refers to Locations for Tourism including regard to within Towns and Villages.

Objective TM16: *To facilitate the development of a variety of high quality tourist accommodation within towns and villages, subject to compliance with Section 7.7.5 Tourist Accommodation and Chapter 4 Sustainable Housing, and normal planning and environmental criteria.*

Section 7.6.3 refers Tourism in Coastal Areas. Objectives TM21 – TM29 refer.

TM 21: *To consider proposals for tourism in the coastal zone subject to compliance with the Habitats Directive and in accordance with the locational and other objectives in Chapter 12 Coastal Zone Management and Marine Spatial Planning and Chapter 6 Economic Development and normal planning and environmental criteria.*

TM22: *To prohibit tourism development that would significantly diminish the natural heritage, scenic and recreational amenity and economic value of the county's coastline and coastal areas.*

TM24: *To ensure that tourism development in coastal areas is sensitively designed and considers views from scenic routes, paths and trails and from the popular sea transport routes.*

Section 7.7.5 refers to Tourist Accommodation. This includes:

*Tourist accommodation should be located within towns and villages in order to be in close proximity to services, public transport and amenities.*

*Proposals for tourist accommodation in towns and villages must be proportionate in size, appropriate in scale, siting and design to its host settlement. The Council will also consider cumulative impacts and will not consider proposals which give rise to the proliferation of this use in a settlement.*

Regard is had to Camping, Motorhome Parks, Glamping and Caravan Parks and also to Holiday Chalets.

Tourist Accommodation Objectives TM48 – TM60 includes:

Objective TM53: *To consider, on a case-by-case basis, proposals for new holiday chalet/caravan/mobile home parks within existing settlements where there is not a proliferation of such developments and subject to them having a critical mass of*

*onsite amenities and facilities (such as pools/playgrounds/indoor activity centres/restaurants) over and above what would have traditionally been the case for such developments. The Council will not consider proposals which would result in a reduction in the capacity in the public waste-water treatment system that would be detrimental to the delivery of necessary permanent housing. All such developments shall be required to have the highest standards of accommodation (minimum specifications shall be provided and will be conditioned as part of the development), layout, design and landscaping.*

*Objective TM54: To consider, on a case-by-case basis, proposals to extend an existing authorised holiday caravan/mobile home park. The Council will consider the location of the park (within or outside of an existing settlement and the appropriateness of the increased scale of the park at that location), its existing layout, design, visual and environmental quality and the number of existing parks in its vicinity. The Council will not consider proposals where they give rise to a proliferation of this use in a settlement, rural or coastal area, and are unlikely to give favourable consideration to the extension of such facilities outside of settlements unless they are on self-contained sites with a critical mass of onsite amenities (such as pools/playgrounds/indoor activity centres/restaurants) or connected by footpath, lighting etc. to a settlement. The Council will not consider proposals which would result in a loss of capacity in the public waste water treatment system that would be detrimental to the need for permanent housing in the area.*

*Objective TM55: To facilitate the development of sites for camping and glamping and campervans/touring caravans/motor homes subject to site suitability and normal planning and environmental considerations.*

Chapter 15 refers to Sustainable Communities and Social Infrastructure Strategy

Section 15.5.2 provides the Strategy and this includes:

*To ensure that the principles of accessibility, age friendly, inclusive and sustainable community development are central to spatial planning and the design of developments in the county.*

*To facilitate the delivery of social and community infrastructure to meet the needs of the existing and future population of the county.*

Strategic Objectives include:

Objective SC01: *To facilitate the development of healthy sustainable communities where people can live, work and enjoy access to a wide range of community, health and educational facilities suitable for all ages, needs and abilities.*

Section 15.6.1 refers to Groups with Specific Design/Planning Needs. This includes reference to older people and that their needs must be considered in the planning and design of the built environment and in the location of social and community facilities.

*The quality of life of older people can be improved through planning and design of the built environment, particularly, housing, community and care facilities, accessible transportation including public transport and footpaths.*

*The first County Wexford Age Friendly Strategy 2017-2021 aims to ensure that the county is a great place in which to grow old. The Strategy is based around nine themes: outdoor spaces and buildings, transportation, housing, social participation, respect and socialisation, civic participation and employment, communication and information, community support and health services and safety and security.*

*The strategy and objectives in this chapter provide the spatial planning framework to support the implementation of the Age Friendly Strategy.*

Section 15.6.2 refers to Universal Access and Design.

This notes that all components of a development must be considered in the design process including:

*Access for people with disabilities, older people and others who may be temporarily impaired, must be incorporated into the design of buildings, public spaces, car parking, footpaths and general facilities and services.*

Social Inclusion Objectives relate including the following:

SC11: *To facilitate the provision of care facilities for groups with specific planning and design needs, including older people, people with disabilities both physical and intellectual. These care facilities include independent living options, sheltered housing, day-care facilities, nursing homes and specialised care units. The preferred location for this type of development is within, or in close proximity to, towns and*

*villages and is subject to compliance with normal planning and environmental criteria.*

*and ensure that these facilities are located in areas that are easy to get to by either public or private transport, and are universally accessible.*

Section 15.7.3 refers to the provision of Healthcare Facilities. Objectives include regard to such and Community Facilities Objectives.

#### Volume 2 Development Management Manual

Section 3 refers to Residential Developments and Section 3.9 to Nursing Homes/Residential Care Homes. This provides the criteria relative to the standard of accommodation and surrounds and includes: *The development should comply with the relevant standards set out in the National Standards for Residential Care Settings for Older People in Ireland (Health Information and Quality Authority, 2016) or any updated version of these guidelines or new guidelines.*

Section 3.11 – Retirement Villages

Section 4 relates to Community Infrastructure, Facilities and Services.

Section 4.3 refers to Healthcare Facilities.

Section 4.7 to Changing Places Facilities

Section 6 refers to Transport and Mobility and includes:

*The Design Manual for Urban Roads and Streets recognises the different ‘movement functions’ or roles which particular routes play and sets out a hierarchy of route types and characteristics. It identifies three route types: Arterial, Link and Local Routes.*

Section 6.2 refers to Assessment of Road Traffic Safety. Section 6.2.1 to Traffic and Transport Assessment. Table 6-1 to Mandatory Thresholds for Traffic and Transport Assessments. Table 6-2 to Advisory Thresholds for TTAs. Table 6-3 to Sub-Threshold Criteria for TTAs.

Section 6.2.2 refers to Road Safety Audits and Section 6.2.3 to Road Safety Impact Assessment. Section 6.2.4 to Workplace Travel Plans.

Section 6.2.5 to Design Speed and Section 6.2.6 to Siting and Design of Access/Egress Points. Details are given as to measuring sightlines, relative to access and road type.



Table 6-6 notes that the R742 from Wexford to Gorey (which is adjacent to the site) is designated as a Class 2 Regional Road.

Regard is had in Section 6.3.1 to the Car Parking Standards, Table 6-7 refers.

Table 6-8 provides the Accessible Car Parking Standards.

Table 6-10 provides the Bicycle Parking Standards.

### 5.3. **Courtown & Riverchapel LAP 2015-2021 (as extended)**

As has been noted in Section 3.6.2 of Volume 1 of the Wexford CDP the lifetime of this plan has been extended up to 2026.

#### Tourism and Economic Activity

Section 6 notes the popularity of Courtown and Riverchapel as holiday resorts in the south-east region. Section 6.2 sets out the goals for the Tourism Strategy. Section 6.3 sets out the General Tourism Objectives and include:

Objective TE01: *To develop and maximise the tourism potential of Courtown and Riverchapel by facilitating the expansion of existing, and the provision of new sustainable tourism products, facilities and infrastructure, subject to compliance with normal planning and environment criteria and compliance with EU Directives.*

Objective TE06: *To encourage the provision of high quality tourism accommodation on the lands zoned for Holiday Caravan/Mobile Home Parks and Tourist Accommodation.*

Section 6.4 refers to a range of Tourism Accommodation. This includes regard to Caravan and mobile home parks. Section 6.5 contains the Tourist Accommodation Objectives. Objectives TA01 – TA09 relate.

Objective TA02: Planning applications for new tourist accommodation developments on the lands zoned 'Tourist Accommodation' on Map 9 will be required to:

- demonstrate that the development respects its landscape setting and will not have an adverse impact on the visual amenities of the area. This shall be demonstrated in a visual impact assessment submitted by the applicant with the planning application;
- be developed in a well designed and planned manner;

- demonstrate that the development can be appropriately accessed without unduly detracting from the residential amenities of adjoining properties; and
- comply with all other normal planning and environmental criteria.

### Community Facilities

Section 8 refers and notes that the provision of good quality accessible, socially inclusive, community facilities is essential.

Objective CE03: *To facilitate the provision of multi-user community facilities to serve the needs of the local population at suitable location's which are accessible to the residents of both Courtown and Riverchapel.*

### Recreation and Open Space

Section 9.2.2 refers to Recreation Facilities for Older People.

### Access and Movement

Section 10 refers to Access and Movement and includes regard to Roads and to Footpaths and Linkages.

Objective AM01: *To ensure that all future developments are designed in accordance with the Design Manual for Urban Streets and Roads..*

Objective AM06: *To restrict development where the local roads network is deficient including considerations of capacity, width, alignment, surface or structural condition.*

### Natural Heritage

Section 12.3.1 refers to Designated Sites. This notes that while there are no Natura 2000 sites within or immediately adjoining the plan area there are a number of these sites within 15km. These sites include the Kilpatrick Sandhills SAC located approximately 10km along the coast to the north; the Cahore Polders and Dunes SAC and the Cahore Marshes SPA , located approximately 10km along the coast to the south; and the Slaney River Valley located approximately 10km inland to the west. Objective NH01 refers to AA.

### Infrastructure

Section 13 relates to Water and Wastewater Infrastructure.

Objective WW01: *To promote the provision by Irish Water of adequate water and waste water treatment infrastructure to serve the needs of the existing and future population of the plan area and ensure that such infrastructure is provided prior to, or in tandem with, new development.*

#### Land Use Zoning

The site is within the LAP boundary line and as shown on Map 9 is zoned for 'Tourist Accommodation'.

Section 16 has regard to the Land Use Zoning Objectives.

HCMP: Zoning Objective: *'To control and provide for the improvement of existing caravan/mobile home parks'.*

*The purpose of this zoning is to regulate the future development of caravan/mobile home parks in the plan area. Any future proposals on these lands will be required to demonstrate that the development will positively contribute to the visual amenities of the area, improve the quality and standard of accommodation and where possible, improve and provide additional associated facilities.*

TA: Zoning Objective: *'To provide for the development of additional tourism accommodation'.*

*The purpose of this zoning is to allow for the provision of appropriately scaled and designed tourism accommodation and to secure the delivery of the coastal path and linkages to adjoining residential areas.*

The Zoning Matrix notes that Holiday Caravan/Mobile Home and Chalets are 'open to consideration' on lands zoned for Tourist Accommodation.

Map 10 includes the Objectives and shows the area along the public road frontage of the site has an Objective: 'Location where footpath and lighting are required.'.

#### **5.4. Natural Heritage Designations**

The proposed Natural Heritage Area: Ardamine Wood is c. 200m to the east of the site.

The site is some distance away from the designated Natura 2000 sites. It is c. 3.5kms from the Cahore Marshes SPA, c.4.5km from the Cahore Polders and Dunes SAC, c.14km to the east of the Slaney River Valley SAC.

## **6.0 The Appeal**

### **6.1. Grounds of Appeal**

A Third Party Appeal has been submitted by local residents David and Claudia Peakin. Their Grounds of Appeal are summarised as follows:

#### Issues raised

- Their previous objections have not been satisfactorily addressed by the Council's decision letter or the engineers report.
- There were 18 different observations/objections raised by themselves and other interested parties but they have been summarily disregarded.
- Major issues like the oversupply of caravan parks in the local area, lack of infrastructure, environmental concerns being so close to Ardamine Woods (PHNA) and the vulnerable coast have not been given any attention in any report.

#### Traffic issues

Their objections and rationale for this appeal can be summarised as follows:

- This planning application would endanger public safety due to potential traffic volumes. The application contained no Traffic Impact Assessment (TIA) i.e.:
  - No information in relation to existing traffic volumes
  - No information in relation to any shuttle bus service or whether Bus Eireann serves the development site
  - No estimate of the Average Annual Daily Trips (AADT) figure.
- The appellants reside in the area and consider that the proposed development would be a significant traffic generator in a rural area, on a rural road creating a further traffic hazard in the area.

### Over Supply

- In the village of Courtown and surrounding areas up to Ardamine and Pulshone head there are an excessive number of mobile home parks. Many of these are unkept and lower the tone of the village and surrounding areas.
- They provide that there are 1800 mobile homes and over ten large Caravan/Mobile Parks which are mainly empty throughout the year.
- They refer to the number of surrounding caravan parks and query why another mobile home/retirement park is being requested.
- They note the proximity to surrounding caravan parks and that this proposal will result in joining up 2 other nearby parks i.e. Parklands Caravan Park and O'Loughlin's Caravan Park, both of which are owned by the applicant.
- This will create a large stretch of caravan parks in a rural setting putting the already struggling infrastructure under further pressure.
- The engineers report states that the application is only for 39 pitches and it falls below the 100 pitches for an EIAR. This statement fails to take into account the fact that the area is already bordered by 2 other Caravan parks creating in effect 1 large de facto Caravan park of several hundred pitches.

### Lack of Services

- The proposed caravan park is outside of the main local villages/towns (Riverchapel/Courtown/Gorey) with no regular transport links to cater for a retirement village.
- They note the lack of a pharmacy or GP practice availability to serve the area and provide that the retirement village would have no access to local medical care, a key consideration for any retirement based development.

### Retirement Concept

- They consider that the proposal has not given any thought or consideration to what the objective is i.e. Retirement Village.
- They submit that the proposal to cater for a specific age category should be located in a population centre to reduce car dependency and improve the range of services and facilities available to potential vulnerable residents.

- A retirement mobile home park would be impractical in wintertime and be extremely costly to heat for the elderly residents.
- They query that if marketed as a Retirement Home, whether HIQA has been consulted. Whether there will be an appropriate nursing staff/medical professionals present.
- They submit that Occupational Therapists who work for the HSE in Gorey have outlined several concerns about the proposal relative to accessibility for older people.

#### Impact on the Environment

- The proposed development is located less than 1km beside a pNHA in Ardamine Woods. Any proposal for this area would require a full EIA to be completed.
- The proposed development is located alongside the rapidly eroding coastline and the importance of protecting Wexford's coastal areas cannot be overstated as they are recognised as one of the most vulnerable areas in the Country.
- The importance of protecting the coastline as recommended by the EU is highlighted in the Wexford CDP 2022-2028 in Chapter 12: Coastal Zone Management and Marine Spatial Planning. This also has regard to Climate Change and coastal erosion and to seascape and landscape and to views.

#### Drainage infrastructure and Flooding

- Any further development will impact on an already inadequate water supply which is under strain in the area which will impact negatively on the surrounding properties. They note there have been issues with holiday homes in the area.
- The risk of flooding due to poor drainage from surface water is not adequately addressed by the applicant. This land is known to be marshy in nature and prone to flooding.

### Impact on Amenities

- The Pre-Assessment meeting with the Council highlights that the land would be suitable for 'Cluster of chalet type structures – for short-term letting and to be maintained and owned in single ownership'. This would indicate that it would not be suitable as a permanent type caravan park such as being proposed. This would result in a very long stretch of several hundred mobile homes on a quiet rural road.
- This proposal would have a negative impact on the value and amenities of the adjacent properties, traffic, the urban nature of the development and the construction nuisance.
- Given an overabundance of caravans in the area and the lack of demand there is a real possibility of a failed development, resulting in further unkept derelict caravans/chalets.
- The property in question has been a derelict hotel for over a decade for 2 new companies have been registered from this address since 2017. The hotel has remained closed with no rationale provided.
- They consider that the proposed development would appear prominent and obtrusive in the surrounding landscape and would seriously detract from the visual amenities of this rural area.

## **6.2. Applicant Response**

Dunbar Lunn civil & structural engineers have made a response on behalf of the First Party to the Grounds of Appeal.

This includes the following:

### Transport Impact Access and Public Transport Links

- The proposed development is to be served by an existing entrance from the R742, with the subject lands zoned Tourist Accommodation (TA), within the bounds of the Courtown and Riverchapel LAP 2015-2021 (as extended).
- The proposed development will comprise 39no. chalet type holiday homes, for retired or semi-retired people.

- There are approximately 200 dwellings situated directly to the southeast of the subject development, not including the adjoining holiday park situated adjacent the southern boundary of the site or the housing contained in the housing estates further south.
- The assertion that the proposed development would have a negative impact on the existing regional road or would endanger public safety is completely unfounded.
- The First Party provide details of public transport in the area.

#### Surrounding Caravan Parks

- The Riverchapel and Ardamine areas are traditionally associated with the mobile holiday home industry. They attract a large number of Irish tourists and are well maintained with a repeat customer base, and a large number of mobile home leases spanning several generations of families.

#### Proposed Medical Facilities & Accessibility Issues

- The applicant is under no obligation to consult HIQA at the planning stage of the development.
- The local bus link, is also in place to bring people to Gorey, to the existing GP practices and facilities.
- They provide details relative to the use of the proposed reception/office building and note that it will be compliant with accessibility as per the Building Regulations.
- Residents will have the option of a wheelchair ramp being made available, to their holiday home, and specific requirements in regard to access, circulation and sanitary/showering facilities within the holiday will be provided for.

#### Proposed Natural Heritage Area – Ardamine Woods

- The assertion that the proposed development would have a negative impact on the pNHA is unfounded, with the main body of mature trees within the proposed area being c.300m to the southeast of the site.



- The subject site is c. 32m above sea level, and a minimum of 225m from the sealine, and is screened on the eastern boundary by mature trees and a dense hedgerow line.
- The topographical nature of the site, with the natural fall being from east to west, provides further visual screening from all vistas on the eastern side.
- The statement made by the appellants relative to being at odds with the Draft CDP policy on Climate Action in Coastal Areas (Section 12.2) is unfounded.

#### Water Supply to Development

- A pre connection enquiry was made to Irish Water by the applicant and a Confirmation of Feasibility was issued by IW, dated the 7<sup>th</sup> of Sept, 2021.
- They note that most holiday homes are heated/serviced by propane gas.
- That there is no indication of flooding shown on the floodmaps.

#### Pre-Assessment Meeting with the Council

- The development is to be comprised by chalet type holiday homes within several cluster formations (as shown on the drawings), distinctly different from the standard holiday home park layout.
- As per condition no.2, the development is to be used for holiday rentals and will be retained under the single ownership of the Owner/Applicant.
- The applicant intends that rental agreements for holiday homes will be for a minimum of a 5 year period.
- Therefore, the proposal will not comprise 'standard holiday type development'. They note waiting lists for mobile home rentals in the area.
- A modern section of the former hotel building, formerly Ardamine House Hotel is to be retained and is currently in use as an office and accommodation for staff within the employment of the applicant.

#### Conclusion

- The concept of retirement mobile home parks has developed in the UK and has been very popular with the retired. The proposed development will be the first of its kind in Ireland.

- Failte Ireland states the need for such accommodation and it will bring increased nos. of tourists to the area. The economy of the Courtown/Riverchapel area requires further tourism investment.
- This site is in keeping with the Wexford CDP since 2015 and its designation is for tourist accommodation. They provide a quote from the previous CDP.

### 6.3. **Planning Authority Response**

There is no response from the Planning Authority on file to the Grounds of Appeal.

### 6.4. **Observations**

None noted on file.

## 7.0 **Assessment**

7.1. Having examined the application details and all other documentation on file, including all of the observations received in relation to the appeal, and inspected the site, and having regard to relevant local/regional/national policies and guidance, I consider that the main issues in this appeal are as follows:

- Principle of Development – Compliance with Policy
- Environmental Impact Assessment issues
- Design and Layout
- Impact on the Character and Amenities of the Area
- Access and Parking
- Infrastructural/Drainage/Flood Risk
- Screening for Appropriate Assessment

### 7.2. **Principle of Development and Planning Policy**

7.2.1. The site is located within the southern end of the settlement boundary of Courtown and Riverchapel Local Area Plan 2015 -2021 (as extended). It has been in use by Ardamine House hotel, but it appears that that this use has ceased for some time

and the former hotel building and adjacent structures are now in poor condition. This proposal is for the part demolition of these buildings to provide as shown on the drawings submitted a 'Retirement based Caravan Park' with 39no. caravan bays with decking, and a centrally based office and reception building.

- 7.2.2. As noted in the Planning Policy Section of this Report above, there are a number of policies and objectives both at National and Local levels, that support the provision of suitably designed and sustainable accommodation to meet the needs of older people. Chapter 15 of Volume 1 of the Wexford CDP 2022-2028 refers to Sustainable Communities and Social Infrastructure Strategy. Section 15.3 provides the Policy Content and includes:

*The RSES supports the development of age-friendly communities including independent living and community facilities. RPO 182 supports our ageing population, in particular, Smart Ageing and ensuring that local planning, housing, transport/accessibility and leisure policies meet the needs and opportunities of an ageing population...*

- 7.2.3. Section 6 of the Courtown & Riverchapel LAP 2015-2021 (as extended) provides that Courtown and Riverchapel are historically popular holiday resorts and the area remains one of the leading tourist destinations in both the county and the South-East region. It is provided that the objectives of the plan are designed to strengthen the tourism role of Courtown and Riverchapel while protecting and improving the quality of all available resources.
- 7.2.4. The site is within the redline boundary for the Courtown & Riverchapel LAP. As has been noted in Section 3.6.2 of Volume 1 of the Wexford CDP 2022-2028 the lifetime of this plan has been extended up to 2026. Map 9 of the LAP shows that the site is zoned 'Tourist Accommodation (TA)'. The adjoining lands to the northwest and south are zoned 'Holiday Caravan/Mobile Homes Parks (HCMP)'. Those immediately north and on the opposite side of the road are zoned 'Existing residential'. The objectives for these land use zonings as per Section 16 of the LAP have been noted in the Policy Section above. The Zoning Matrix includes that Holiday Caravan/Mobile Homes Parks (HCMP) are 'open to consideration within the separate 'Tourist Accommodation' Zoning. Therefore, the principle of the proposed development is acceptable on this site.

- 7.2.5. The issue as raised by the Third Party is whether this proposal will have an adverse impact on the environment and visual amenity of the area and add to the proliferation of caravan parks existent in the area. Or whether it is seen as sustainable in offering a different type of tourist facility i.e. as retirement chalets for holiday accommodation for older people. The First Party provide that the subject development offers a different approach and amenity to the area than the traditional mobile home park, which cater for a family holiday, and will offer an amenity to the semi-retired/retired sector of society.
- 7.2.6. Regard is had to Tourist Accommodation Objectives in Section 7.7.5 of Chapter 7 of Volume 1 of the Wexford CDP 2022-2028 including consideration on a 'case by case basis' within existing settlements where there is not a proliferation of such as per TM53 and TM54 (as quoted in the Policy Section above).
- 7.2.7. It is also of note that Objective TA05 of the Courtown & Riverchapel LAP 2015-2021 (as extended) seeks: *To encourage the redevelopment of existing or derelict hotel sites and the development of new hotel, guesthouse and B&B accommodation on appropriately zoned lands subject to the development being of scale and design appropriate to its setting and compliance with all normal planning and environmental criteria.*
- 7.2.8. It is of note that the issue of possible refurbishment of the former hotel premises has not been raised in this application. However, the issue of lack of facilities to serve the retirement tourist accommodation including that of the existing caravan parks and proposed development is raised, by the third party in particular relative to accessibility, a lack of public transport and access to medical facilities in the area. Their concerns regarding access, traffic generation, impact on the environment and character of the area are also considered further in this assessment. Regard is had to the documentation submitted and it needs to be ascertained as to whether the proposed development would be considered to be in the interests of the proper planning and development of the area.

### 7.3. EIA Screening issues

7.3.1. Class 12(d) of Schedule 5 Part 2 of the Planning and Development Regulations 2001 (as amended) provides that mandatory EIA is required for the following classes of development:

- Permanent camp sites and caravan sites where the number of pitches would be greater than 100.

Class 13(a) of Schedule 5 Part 2 of the said Regulations includes:

- Any change or extension of development already authorised, executed or in the process of being executed (not being a change or extension referred to in Part 1) which would:-
  - (i) result in the development being of a class listed in Part 1 or paragraphs 1 to 12 of Part 2 of this Schedule, and
  - (ii) result in an increase in size greater than – - 25 per cent, or - an amount equal to 50 per cent of the appropriate threshold, whichever is the greater.

7.3.2. The proposed development in summary seeks permission for a retirement based caravan park for 39 no. caravan bays, the part demolition of the former hotel and accommodation building, construction of a central office and reception building and all associated works.

7.3.3. The no. of bays is below the threshold for EIA i.e.100. The Planner's Report advised that an EIA is not required as the proposal is for 39 pitches. Details submitted provide that although there are existing caravan parks in the vicinity, the proposed development is on a separate site and will provide for a retirement caravan park on the site of the former hotel grounds and is not considered to be an extension to an existing caravan park.

7.3.4. It is noted that the issue of the need for EIA has been raised by the Third Party in view of the number of caravan parks in the area and of their concerns regarding the impact on the nearby (c. 200-300m) pHNA Ardamine Wood and the coastal environment. The First Party response to the appeal provides that the subject development offers a different approach to tourism in the area than the traditional

mobile home park, which caters for a family holiday, that it will provide 39no. static 'chalet type' caravan site areas and offer an amenity to the semi-retired/retired sector of society.

7.3.5. I note that section 12(d) refers to caravan sites, and the number of pitches and does not distinguish between types or proposed usage (the public notices describe this as a 'Retirement based Caravan Park'). I refer the Board to the Planning history of caravan parks in the area including the number of pitches in Parklands Holiday Park to the north and west, (which is also in the ownership of the applicant). However, the subject application is not specified as an extension to that park, rather as a separate entity/concept on the former hotel site which is not directly connected so as to be seen as an extension to Parklands Holiday Park. The proposed development falls well below the development threshold and mandatory EIA is therefore not required.

7.3.6. I have given consideration to the requirement for sub-threshold EIA. The site is located on land zoned for 'Tourist Accommodation' in the Courtown and Riverchapel LAP 2015-2021 (as extended) and is to connect to existing services. The proposed development will not have an adverse impact in environmental terms on surrounding land uses. The site is not designated for the protection of the landscape or of natural or cultural heritage. The proposed development would not give rise to waste, pollution or nuisances that differ from that arising from other caravan parks or residential in the neighbourhood. It would not give rise to a risk of major accidents or risks to human health. The proposed development would use the public water and drainage services of Irish Water and Wexford County Council, upon which its effects would be marginal.

7.3.7. Having regard to: -

- The nature and scale of the proposed development, which is under the mandatory threshold in respect of Class 12(d) - Infrastructure Projects of the Planning and Development Regulations 2001 (as amended),
- The location of the site within an urban area and on lands that are serviced,
- The location of the site outside of any sensitive location specified in Article 109 of the Planning and Development Regulations 2001 (as amended),
- The character and pattern of development in the vicinity,

- The guidance set out in the “Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development”, issued by the Department of the Environment, Heritage and Local Government (2003), and
- The criteria set out in Schedule 7 of the Planning and Development Regulations 2001 (as amended).

I have concluded that, by reason of the nature, scale and location of the subject site, the proposed development would not be likely to have significant effects on the environment and that on preliminary examination an environmental impact assessment report for the proposed development was not necessary in this case.

- 7.3.8. Reference is had to Appendix 1- Form 1 (EIA Pre-Screening) and Appendix 2 – Form 2 (EIA Preliminary Examination) attached to this Report. I conclude that the need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

#### **7.4. Design and Layout**

- 7.4.1. Regard is had to the existing development as shown on the ‘Site Survey’ drawing submitted and the proposed cluster development for the ‘Retirement Caravan Park’ as shown on the Proposed Site Layout Plan. The latter will involve a more extensive coverage of the site (stated area 2.2ha) than that now existent. It is noted that it is proposed to use the existing site entrance from the R742 to access the site and also the service entrance from the private access road at the rear.

##### Proposed Demolition Works

- 7.4.2. As has been noted this proposal includes for the part demolition of the existing former hotel structure and existing buildings on this site. As part of the Council’s F.I request it was noted that the site layout plan showed part of this building falls within the red line boundary and is owned by the applicant and remaining section is owned by a third party landowner. The applicant was asked to clarify the intended use of the part of the existing building proposed for retention.
- 7.4.3. Their response included that the majority of the original Ardamine House Hotel is to be demolished due to the poor structural standard of the building. That the section of

the building to be retained was a later addition/extension to the hotel and is being used for staff accommodation for the existing Parklands Holiday Park. This is shown on the Site Layout Plan submitted at F.I stage. They have attached a letter from the applicant to confirm the usage.

7.4.4. I would have no objection to the proposed partial demolition of the existing hotel and other buildings on the site, including the derelict shed which now appear in poor condition. I note the retention of part of the building for the continued use as staff accommodation for the adjacent Parklands Holiday Park and would have no objection to this usage. As noted in the First Party response to the appeal, a more modern section of the building adjacent to the rear access lane which is to be maintained is currently in use as an office and accommodation for staff within the employment of the applicant.

7.4.5. As shown on the revised Site Layout Plan the existing neighbouring dwelling and outbuilding to the southwest, with access to the private lane, which are in third party ownership outside the redline boundary of the site are not to be altered. The F.I response provides that the existing building abuts onto a neighbouring dwelling, which is in the ownership of a third party. Noting that the applicant has no intention to carry out works within the vicinity of the building junction, and that the adjoining boundary wall will remain unaltered. They also provide that a 2.1m high boundary wall is to be constructed as necessary adjacent to the neighbouring site, to the southeast corner area adjoining a section of the building to be demolished.

#### Proposed Retirement Caravan Park

7.4.6. The Site Layout Plan submitted shows the cluster, cul-de-sac type arrangement in the proposed layout for the 39no. bays for the proposed caravan park. Unlike the existing development on site, which provides for the hotel building set to the rear of the site and accessed via a long avenue this proposal will utilise the site area by providing a pitch layout in a cluster cul-de-sac type development. It is proposed to utilise the existing access from the R742. However, the avenue/parkland format that served the hotel will no longer remain. The applicant provides that the proposed development will consist of a low-density park layout, with a premium type 'chalet' caravan unit, on-site community building and secured access/egress from the



proposed park. That the concept will be in a completely different format to surrounding parks within the LAP.

- 7.4.7. Details including floor plans and elevations showing the chalets have been submitted. These are to be 2no. bedroom and c. 52sq.m. and to include a deck area and parking spaces for 2no. cars. As shown on the elevations they are to be 3.35m in height and details of external finishes are given. It is provided that all chalet deck areas are to be constructed southward facing. A 3D rendered image of the chalet type cabin proposed is included. All chalet type caravans are proposed to be accessible by design, with ramped access and wheelchair lift options being made available to residents dependent on their preferences and requirements.
- 7.4.8. Details submitted provide that the chalet type structures are for short time letting and are to be maintained and owned in single ownership. It is also stated that although the majority of the units will be occupied by owner based long stay residents, short stay accommodation will also be offered on a weekly basis, in regard to a number of the chalet sites. Therefore, it appears that these chalets will be for temporary holiday use, predominantly as a retirement caravan park. I would note condition no. 2 of the Council's permission. In the interests of clarity, if the Board decides to permit, I would recommend that they include a condition regarding the tenure and usage.

#### Community Building

- 7.4.9. It is also proposed to provide a common community building adjacent to a bowls area located in a more central location on the site. This building is shown c.129sq.m and is to be single storey shown c.5.74m in height. As shown on the floor plans submitted it is to include an assembly room, toilets, reception, coffee dock, offices and storage area. Details are given of the proposed external finishes and a decking area is included.
- 7.4.10. As submitted with the application it is noted that the community building, will provide a reception/office-based facility, coffee shop, outdoor seating/meeting area, and provide a facility for visiting practitioners, eg. physiotherapists, general practitioner outcalls etc.
- 7.4.11. I would have no objection to the proposed design and layout of this building, which is to serve the retirement caravan park. I do note however the third party concerns that

these facilities will need to be provided for separately, in an area that is already over stretched. However, this is a separate issue.

#### Landscaping

7.5. There are mature boundaries and parkland around the existing site of the former Ardamore House hotel. There are trees along the roadside boundary with the R742, which provide screening and should be retained. A landscaping scheme has been submitted and it is proposed to reinforce the mature tree lined boundaries and include internal amenity areas, enclosed by planting/landscaping to promote further bio-diversity.

7.6. I would consider in the interest of visual amenity that it is important that these trees be retained for screening purposes. If the Board decides to permit, I would recommend, that it be conditioned that a landscaping scheme be submitted to include that the trees and hedgerows along the boundaries, including that those along the roadside boundary with the R742, be retained and augmented.

#### **7.7. Impact on the Character and Amenities of the Area**

7.7.1. The site is bounded by residential dwellings to the north, an existing caravan park to the south and northwest, the existing R742 to the east and by a private access road to the west. The existing building that was used as the former Ardamine House Hotel is as noted above is located well set back on the site towards the western site boundary. It appears not to have been in use as a hotel for some time and it and the other derelict buildings on site are in poor condition and as noted above, I would have no objection to their demolition. The retention of part of the rear of the building for staff accommodation is also proposed.

7.7.2. The information submitted with the application describes the proposed development as consisting of a low-density park layout, with a premium 'chalet' caravan unit, on-site community building and secured access/egress from the proposed park. It appears that it will be well ordered and that the proposed design and layout is low profile and will not detract from the visual amenities of the area.

7.7.3. The visual impact of a large number of caravan parks is noted when driving along this section of the R742. Some of these appear not to be well ordered and in poor condition. The permanent loss of the former hotel facility for local residents and

existing caravan users is noted. However, the site has not been in use for such a facility for some time, and the existing hotel buildings are in poor condition. As has been noted, this area is on appropriately zoned land, within the boundaries of the Courtown and Riverchapel LAP. While connected to the town by footpaths, the site is c.2kms from the town centre and some distance from shops and facilities. While as documented there is limited public transport available, travel will be very much car based.

- 7.7.4. The Third Party are concerned that there is potential for adverse impact on the environment including the pNHA Ardamine Woods. This is however, not connected to the subject site. It is located on the opposite side of the road some distance to the east and southeast c.200-300m away. It is not a designated Natura 2000 site, therefore is not included in the Screening for Appropriate Assessment Section below. They are also concerned about the impact on the coastal environment.
- 7.7.5. The First Party response to the appeal submits that the proposed development will not have a negative on the pNHA Ardamine Woods. They also note that the subject site is approx.32m above sea level, and a minimum of 225m from the sealine, and is screened on the eastern boundary by mature trees and a dense hedgerow line. That the topographical nature of the site, with the natural fall of the subject lands being from east to west, provides further visual screening from all vistas on the eastern site.
- 7.7.6. I would consider that in view of the boundary screening, the distance from the pNHA Ardamine Woods and being on the opposite side of the road to the coast, that the proposal will not impact adversely on the visual amenities of the area. Taking into account that it is proposed that the site will be fully serviced it will not impact adversely on the coastal environment.

## **7.8. Access issues**

- 7.8.1. It is proposed to access the proposed development from the public road i.e. the R742 to the east of the site and to service the site from the existing private access road to the west. The Site Layout Plan shows that the existing entrance off the R742 is to be retained.

- 7.8.2. It is noted that the Council's Further Information request included those issues raised by their Roads Section. As shown on the revised plans the existing 900mm high entrance walls and piers are to remain with a proposed radio-controlled automatic gate set back from the existing roadside edge. It is noted that F.I stage this is revised to 14m to allow for safe parking of vehicles while accessing or egressing the proposed park site.
- 7.8.3. The F.I response provided that the standard road width for caravan parks, being 4m wide, has been increased for the proposed site to 5m wide, which has an internal road speed of 15kph, with pedestrian throughout, as is the industry standard. They note that the proposed road layout, incorporates numerous tee junctions sweeping bends and cul-de-sacs at the individual clusters, to discourage excessive speeding within the park, and with the maximum straight section of road being approximately 60m, provides further discouragement of excessive speeding.
- 7.8.4. That as requested the proposed footpaths within the site leading from the junction to the common area and community building will be 2m in width. They provide that taking into account the concerns of the Health and Safety Authority's recommendations received by the applicant on an adjoining existing caravan park, following a recent inspection and audit, it is their intension to denote a 1.8m pedestrian priority walking zone on the roadway using a skid resistant epoxy coating. Noting that they have updated the road section drawing to include the proposed pedestrian markings. They have also updated the site layout to include further traffic calming measures and signage proposed. As requested in the F.I they have also, included pedestrian shortcuts between the individual site clusters, 3no. in total to enable residents easier pedestrian access throughout the proposed park.
- 7.8.5. They include a revised drawing which indicates the proposed bicycle storage area, with a covered cycle rack details. The F.I submitted also provides for accessible parking spaces (2no.) at the community area. They note that the original site layout plan submitted shows an EV charge point adjacent all proposed caravan sites, together with 2no. communal points adjacent to the community building and that this is also shown on the updated plan.
- 7.8.6. They provide details of communal bin storage areas within the proposed development, 5no. in total, noting that all locations proposed are easily accessible to

the residents, adjoin the roadway and will be enclosed/separated as per the detailed elevations shown on the drawings attached.

- 7.8.7. That pedestrian access for staff to the existing building to be retained, which is to be through a small pedestrian entrance with a coded key lock provided to the existing building. Vehicular access for the inhabitants of the existing building will be via the existing private lane adjacent to the western boundary of the proposed site. They provide that the vehicle entrance adjacent the private lane will be for park maintenance and holiday park maintenance and refuse collection vehicles only.
- 7.8.8. The Third Party is concerned that the proposed development will result in significant traffic generation. Also, that there is a lack of public transport available to serve the subject site, particularly considering that it is for retirement purposes. That it will be car dominated. In response the First Party provide that the scale of this proposal on this former hotel site, will not have a negative impact on the regional road R742. They note that the existing bus route stop closest the subject site is directly adjacent the southeast corner of the site, directly across from the Seascapes housing development. They provide details of the link to the timetable.
- 7.8.9. It is of note that the Council's Road Section does not object to the proposal or to the internal roads layout and pedestrian access as shown in the F.I submitted and recommends a grant of permission subject to conditions. If the Board decides to permit, I would recommend that appropriate conditions relative to the access, internal roads layout, traffic calming and footpaths be included. Also, that the main entrance only be used by the residents using the site, as distinct from the service entrance to the laneway to the west.

#### Right of Way issues

- 7.8.10. The Council's Roads Section and subsequently the F.I request asked that details be provided of proposals to upgrade and maintain the existing private lane which the applicant proposes to use for maintenance access. The F.I response noted that although the right of way is established for the applicant to use the existing private lane (to the west of the site), the lane is only under partial ownership of the applicant. That, furthermore, the private laneway is subject to passage of heavy farm machinery, and due to the constrained/narrow width available in places, being c. 3m in clear width in certain locations, the inclusion of a 2m wide footpath throughout the

private laneway would inhibit cars and machinery from using the private laneway. That, taking into account the advice of their Landscape Designer and due to the presence of advanced Ash Die-back disease within the western hedgerow, they propose to install a 2m wide footpath adjacent the western boundary adjoining the applicant's lands, as originally proposed for holiday park staff only. They also note that the applicant carries out repair of the private laneway to the rear of the site on a regular basis.

- 7.8.11. It is of note that any issue of ownership or boundary disputes regarding private rights of way etc. are civil matters and I do not propose to adjudicate on these issues. In this case note is had to the provisions of S.34(13) of the Planning and Development Act 2000 (as amended): "*A person shall not be entitled solely by reason of a permission under this section to carry out any development*". Under Chapter 5.13 'Issues relating to title of land' of the 'Development Management - Guidelines for Planning Authorities' (DoECLG June 2007) it states, inter alia, the following: "*The planning system is not designed as a mechanism for resolving disputes about title to land or premises or rights over land; these are ultimately matters for resolution in the Courts...*"

## **7.9. Drainage issues**

- 7.9.1. Drainage layout plans have been submitted, outlining the proposed foul and storm drainage proposals, which will discharge to an adjoining mains and stormwater pipework respectively. It is provided that the stormwater will be subject to SuDS measures, including source control measures such as infiltration drains, permeable paving, and water butts provided for all chalets. A silt/oil/petrol interceptor is to be provided to treat discharge prior to leaving the site.
- 7.9.2. An Infrastructure Design Report has been submitted with the application. This provides details on Storm Drainage, Foul Drainage and Water Supply, and in summary includes the measures noted below.

### Storm Drainage

- 7.9.3. The storm water from the roof, roads and hardstanding areas will be collected via rainwater pipes, filter drains and gully pots respectively. A gravity storm water drainage system is to be constructed around the proposed development as shown

on the attached drawings. All stormwater discharge from the proposed development is to be attenuated within the site before discharge. Details of attenuation calculations for a 100-year return period are given.

- 7.9.4. The proposed development will be served by an attenuation tank and flow control device. All stormwater runoff from the site will be limited to the discharge rate given and calculations have been included in Appendix A. The attenuated surface water will be discharged to the Aughboy River via existing surface water pipework and open drainage on the applicant's adjoining lands to the west of the development. All surface water discharges from the site will be subject to treatment from a silt/oil interceptor, prior to discharge from the proposed site area. Attached details of the interceptor are provided in Appendix E.
- 7.9.5. Details are provided of the proposed drainage design for the storm drainage pipework and having regard to capacities and velocities. This includes that no calculations are undertaken for a 30 year period, as no internal overland storage can be accommodated within the site. Calculations for the storm drainage design are contained in Appendix B.
- 7.9.6. As part of the Council's F.I request the applicants were asked to provide details for the capacity of the line at discharge for surface water. Revised drawings have been submitted to include the existing storm water discharge pipework, within the adjoining yard which they provide is in the ownership of the applicant. They provide details of this pipework and the discharge rate.
- 7.9.7. It is proposed to provide permeable paving within all visitor parking areas and private parking areas within the proposed development, with high level overflows installed back to the proposed surface water network within the development. Regard is also had to a storage infiltration layer to be installed.
- 7.9.8. It is proposed to construct filter drains to the edge of all internal access road within the development. They note that no allowance has been made for storage or infiltration of water to ground within the permeable paving or the filter drain when calculating the attenuation volume required.

### Foul Drainage

- 7.9.9. It is proposed to provide a separate foul drainage network to collect the foul discharge from the proposed development. This foul drainage network is to discharge to an existing foul sewer within the existing access road to the west of the proposed development. The proposed new foul sewer is to discharge by gravity to the existing foul sewer. They refer to the drainage drawings submitted and provide details of the foul drainage design and layout and refer to the plans submitted and to the calculations in Appendix C. They provide that notification will be issued to both Irish Water and the Local Authority prior to connection to the existing foul sewer.

### Water Supply

- 7.9.10. It is proposed to supply the development with mains water and to connect to the existing public watermain located within the existing public road to the east of the proposed development. The location and depth of the existing watermain is to be confirmed prior to connection with notification issued to both Irish Water and the Local Authority and Irish Water. Details of proposed layout are included in the drawings submitted.
- 7.9.11. They provide details of the water main pipework to be constructed within the site. They note that a meter control box and water service valve are to be placed in the footpath) or area where public access is to be provided) to monitor water usage for all individual dwellings.

### Irish Water pre-connection Enquiry and Response

- 7.9.12. It is noted that pre-connection enquiry was submitted to Irish Water for a wastewater and water supply connection for a 90 unit development in August 2021. In response Irish Water advised that water connection and wastewater connection is feasible without infrastructure upgrade by Irish Water. The Infrastructure Design Report provides that an updated pre-connection was sent to Irish Water for the revised 39 unit development. That a connection agreement application will be submitted to Irish Water prior to any drainage works commencing on the site. A copy of correspondence from Irish Water is included in Appendix D.



### Flooding issues

- 7.9.13. The Third Party query the risk of flooding due to poor drainage from surface water is not adequately addressed by the applicant. Noting that this land is known to be marshy in nature and prone to flooding.
- 7.9.14. The Planner's Report provides that as shown on the OPW Flood Map this site is located in Category C. Therefore, having regard to 'The Planning System and Flood Risk Management Guidelines' 2009, a Flood Risk Justification Test is not required. In this respect regard is also had to the plans relative to Storm Drainage as per the 'Infrastructure Design Report' submitted and as noted above relative to surface water drainage proposals. Therefore, it is not considered that flooding is a significant issue on this site.

### Conclusion

It is noted that the Council's Environment or Road Sections do not object to the proposed development and recommend permission subject to conditions. If the Board decides to permit, I would recommend that appropriate drainage conditions be included.

### **7.10. Screening for Appropriate Assessment**

- 7.10.1. I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000, as amended.
- 7.10.2. The proposed development comprises the construction of 39no. caravan bays with decking together with all ancillary works, located on serviced lands within the boundaries of the Courtown and Riverchapel Local Area Plan 2015-2021 (as extended).
- 7.10.3. No nature conservation concerns were raised in the planning appeal.
- 7.10.4. No streams/watercourses are identified on site.
- 7.10.5. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European site. The reason for this conclusion is as follows:

- The nature of the works proposed which are located on serviced lands.

- The distance to the nearest European sites, and the absence of any hydrological or other pathways.

7.10.6. I conclude on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.

7.10.7. Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) under Section 177V of the Planning and Development Act 2000, as amended, is not required.

## **8.0 Recommendation**

I recommend that permission be granted subject to the conditions below.

## **9.0 Reasons and Considerations**

Having regard to the provisions of the Wexford County Development Plan 2022-2028, to the locational context of the site within serviced land zoned for 'Tourist Accommodation' within the boundaries of the Courtown and Riverchapel Local Area Plan 2015-2021 (as extended), to the nature of the proposed development and to the pattern of development in the surrounds, it is considered that subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or the amenities of property in the vicinity and would constitute an acceptable form of development at this location. The proposed development, would, therefore, be in accordance with the proper planning and sustainable development of the area.

## **10.0 Conditions**

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application and as amended by further plans and particulars submitted on the 23<sup>rd</sup> of August 2023 and by the further plans and particulars received by An Bord Pleanála on the 9<sup>th</sup> of November 2023 except as may otherwise be required in order to comply with the following conditions. Where

such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interests of clarity.

2. Prior to the commencement of development the developer shall submit a letter for the written agreement of the planning authority to confirm that the 39no. retirement caravan park shall be used for holiday rentals, in the ownership of the owner only.

**Reason:** In the interests of clarity and the proper planning and sustainable development of the area.

3. The site including the area around central community centre and bowls green shown on the approved plans shall be landscaped in accordance with the Landscaping Scheme submitted by Aisling Landscapes. This shall include the preservation and augmentation of trees and hedgerows along the site boundaries. The landscape scheme shall be implemented fully in the first planting season following completion of the development, and any trees or shrubs which die or are removed within three years of planting shall be replaced in the first planting season thereafter. This work shall be completed before any of the caravan bays are made available for occupation.

**Reason:** In the interests of visual amenity and in order to ensure landscaping of the site.

4. Final details of all proposed site boundary treatments including any boundary walls and fencing shall be agreed in writing with the planning authority prior to the commencement of development.

**Reason:** In the interest of visual and residential amenities.

5. (a) The access from the public road, and internal road and vehicular circulation network serving the proposed development, including turning bays, parking areas, footpaths and kerbs, signage and traffic

calming measures, shall be in accordance with the detailed construction standards of the planning authority for such works and design standards outlined in the Design Manual for Urban Roads and Streets (DMURS), issued by the Department of the Environment, Community and Local Government in March 2019, as amended. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

(b) The existing access from the R742 Regional Road only be used by the holiday makers using the site, as distinct from the service entrance to the laneway to the west.

**Reason:** In the interest of amenity and of traffic and pedestrian safety.

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

**Reason:** In the interest of public health.

7. The developer shall enter into water supply and wastewater connection agreements with Irish Water, prior to commencement of development. A Confirmation of Feasibility for connection to the Irish Water network shall be submitted to the planning authority prior to the commencement of development.

**Reason:** In the interest of public health.

8. Public lighting shall be provided in accordance with a scheme which shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. Such lighting shall be provided prior to the making available for occupation of any of the caravan bays.

**Reason:** In the interests of amenity and public safety.

9. Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management

Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness, these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

**Reason:** In the interest of sustainable waste management.

10. Within three months of the date of this Order, the applicant shall submit to, and agree in writing with, the planning authority the following:
  - (i) A Construction Management Plan to provide details of intended construction practice for the development means to manage surface water on site, hours of working, traffic management measures and off-site disposal of construction waste. The development shall be managed in accordance with the Construction Management Plan.
  - (ii) Detailed arrangements for the management of surface water during the operational phase of the development, means to monitor discharges and measures to be taken in the event of a decline in water quality.
  - (iii) An Operational Management Plan, including arrangements for the management of traffic to and within the site, control of visitor numbers, caravan site rules, details of site manager and contact numbers (including out of hours) and any arrangements for the removal of on-site structures outside of the operating period.
  - (iv) A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials and for the ongoing operation of these facilities. Thereafter, waste arising on site shall be managed in accordance with the agreed plan.

(v) Detailed design of the proposed car parking spaces and caravan pitches for the site as shown in the Site Layout Plan (drawing number 19.030.P.02A) submitted to An Bord Pleanála on the 23rd day of August, 2023.

**Reason:** In the interests of public safety and residential amenity and in the interest of protecting the environment

11. No amplified music shall be permitted on site between the hours of 2100 and 0800.

**Reason:** In the interest of residential amenities.

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

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

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.

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Angela Brereton  
Planning Inspector

30<sup>th</sup> of September, 2024

## Appendix 1 - Form 1

### EIA Pre-Screening

**[EIAR not submitted]**

<b>An Bord Pleanála Case Reference</b>	ABP-318231-23		
<b>Proposed Development Summary</b>	Retirement based caravan park which will include a) the part demolition of existing building previously in use as a hotel and b) the construction of 39no. caravan bays with decking and reception building, c) construction of central office and reception building, d) the construction of central shared amenity area to include visitor parking area, e) connection to existing services and completion of ancillary site works.		
<b>Development Address</b>	Parknacross, RiverChapel, Gorey, Co. Wexford		
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b> (that is involving construction works, demolition, or interventions in the natural surroundings)		<b>Yes</b>	✓
		<b>No</b>	No further action required
<b>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?</b>			
<b>Yes</b>		Class.....	EIA Mandatory EIAR required
<b>No</b>	✓		Proceed to Q.3
<b>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]?</b>			
		<b>Threshold</b>	<b>Comment (if relevant)</b>
			<b>Conclusion</b>
<b>No</b>		N/A	No EIAR or Preliminary Examination required
<b>Yes</b>	✓	Class/Threshold.....	Proceed to Q.4



4. Has Schedule 7A information been submitted?		
No	✓	Preliminary Examination required
Yes		Screening Determination required

Inspector: \_\_\_\_\_ Date: \_\_\_\_\_

## Appendix 2 - Form 2

### EIA Preliminary Examination

<b>An Bord Pleanála Case Reference</b>	ABP-318231 -23	
<b>Proposed Development Summary</b>	Retirement based caravan park which will include a) the part demolition of existing building previously in use as a hotel and b) the construction of 39no. caravan bays with decking and reception building, c) construction of central office and reception building, d) the construction of central shared amenity area to include visitor parking area, e) connection to existing services and completion of ancillary site works.	
<b>Development Address</b>	Parknacross, RiverChapel, Gorey, Co. Wexford	
<b>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.</b>		
	<b>Examination</b>	<b>Yes/No/ Uncertain</b>
<b>Nature of the Development</b> Is the nature of the proposed development exceptional in the context of the existing environment?  Will the development result in the production of any significant waste, emissions or pollutants?	The proposed development to include 39no. caravan bays (stated area 2.2ha) is within the Courtown and Riverchapel Local Area Plan 2015-2021 (as extended) boundaries and is zoned 'Tourist Accommodation' and the site is adjoining 'Existing Residential' to the north and land zoned for Holiday Caravan/Mobile Homes Parks (HCMP) development to the northwest.  The proposed development is to connect to public services. As per the documentation submitted, including regard to Construction Management it will not result in significant emissions or pollutants.	No       No
<b>Size of the Development</b> Is the size of the proposed development exceptional in the context of the existing environment?  Are there significant cumulative considerations having regard to other existing and/or permitted projects?	This proposal is for the construction of 39no.caravan bays (stated area 2.2ha) and is well below the threshold of 100 pitches as per Class 12(d) of Schedule 5 of Part 2 of the Planning and Development Regulations 2001 (as amended).  Please refer to the Planning History Section of this Report. No significant cumulative considerations	No       No

<p><b>Location of the Development</b></p> <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>Tourist Accommodation Development to provide a retirement based caravan park for 39no. bays on a serviced site on zoned lands within the Courtown and Riverchapel LAP boundaries and the proposal includes regard to surface water drainage and the incorporation of SuDS. Not located on an ecologically sensitive site or location.</p> <p>The proposal includes the implementation of SuDS in surface water drainage. This has been assessed in the documentation and shown on the drawings submitted, and it is concluded that it will not have a significant effect.</p>	<p>No</p> <p>No</p>
<p><b>Conclusion</b></p>		
<p><b>There is no real likelihood of significant effects on the environment.</b></p> <p>EIA not required</p>	<p><b>There is significant and realistic doubt regarding the likelihood of significant effects on the environment.</b></p> <p><del>Schedule 7A information required to enable a Screening Determination to be carried out.</del></p>	<p><b>There is a real likelihood of significant effects on the environment.</b></p> <p><del>EIAR required.</del></p>

Inspector: \_\_\_\_\_ Date: \_\_\_\_\_

DP/ADP: \_\_\_\_\_ Date: \_\_\_\_\_

(only where Schedule 7A information or EIAR required)