



An
Bord
Pleanála

Inspector's Report

ABP-321005-24

Development	Permission for development consisting of the provision of an assisted living/retired community scheme of 18 units and all associated site works.
Location	Seamount, Courtown, Co. Wexford
Planning Authority	Wexford County Council
Planning Authority Reg. Ref.	20240481
Applicant(s)	Cara Living Ltd.
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Seamount Residents Association Courtown Heritage Group
Observer(s)	None
Date of Site Inspection	27 th January 2025
Inspector	Catherine Dillon

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1.0 Site Location and Description

- 1.1. The subject site is a corner plot and lies to the south of the Main Street within the seaside village of Courtown in County Wexford. Courtown is located approximately 3.4km to the east of the M11 and 5.7km to the south east of Gorey town. The site comprises a rectangular area of land with a stated area of 0.119 hectares. The frontage (eastern) boundary of the site overlooks the Breanoge River and Courtown Harbour is approximately 20m to the east of the site. The Aughboy River is to the north of the site and flows into the harbour.
- 1.2. A c.2m high rubble stone boundary wall encloses the perimeter of the currently vacant site and there is an existing vehicular access along its eastern (front) boundary facing onto Seamount Road/Courtown Harbour which separates the site from the harbour. The land slopes gradually from the west towards the eastern boundary.
- 1.3. Seamount Road wraps around the north and eastern boundaries of the site. The western boundary of the site abuts a vehicular access which serves a small row of two storey terraced properties known as Seamount which have frontages facing onto the site. There is a convenience store with a post office along this road to the west. There is a single storey public convenience building on the north eastern corner of Seamount Road next to the river.
- 1.4. The southern boundary of the site abuts a triangular green area which forms the side/rear garden of a house west of the site's boundary also known as Seamount. Beyond this green area is a road (Seamount Hill) which gradually rises above the Harbour road and provides a vehicular access to dwellings to the south west of the subject site. On the southern side of this access road there is a public amenity area which overlooks the harbour.
- 1.5. Along the eastern frontage of the site the road continues parallel with the harbour and leads to a car park area, the south pier and coast. The main visitor attractions for the village are clustered to the north of the site and along the Main Street.

2.0 Proposed Development

- 2.1. The proposed development is for the provision of 18 residential apartments and an ancillary café and community unit at ground floor level. It is specified the proposed development is an assisted living/retirement community scheme. The submitted details accompanying the application state the residential accommodation is for people that require assisted living in specifically designed units in which dining, recreation, hygiene and health care facilities can be provided to cater for individual requirements and would provide independent living with required support services. The lifestyle, wellbeing and support services would be organised independently and would be available to support residents' specific needs and aspirations.
- 2.2. The development would consist of the demolition of the existing stone wall along the eastern and northern boundaries of the site and the construction of a three/ four storey building. The proposed building would have an L-shaped configuration comprising two distinct blocks with the building facing onto Seamount Road to the north and onto the harbour to the east. The building would be set back 3.4m from the existing northern boundary to provide parallel parking to the road and a side entrance to access and service the rear of the overall development.
- 2.3. The four storey element of the development would have a height of 14.8m to the eaves of the pitched roof and a frontage width of 16.6m onto the harbour road side and would contain a café/community unit and one bedroom apartment on the ground floor. This section of the building would contain a further 6 apartments extending over the remaining three floors. The upper floors would cantilever over the ground floor along the northern section of this block. The plans indicate the apartments would have metal balustrades to the balconies along the harbour frontage and a rear deck access area serving the apartments to the rear.
- 2.4. The block to the rear of the four-storey block would have a frontage of 29.5m onto Seamount Road (i.e the block's northern elevation) and have an overall depth of 9m. This block would be positioned 22m at its closest point to the properties to the west in Seamount. The block would have a flat roof and would be primarily three storeys in height with a recessed fourth floor stepped back c.1.5m from the northern elevation and 28.4m from the frontage of the dwellings to the west in Seamount.

This block would contain 11 apartments with projecting balconies along the northern elevation and a gallery/access deck wrapped around the rear of the block.

- 2.5. A single storey structure containing a plant room, bin and bike storage would be located to the rear of this block along the western boundary. The bin storage would accommodate 8no. 1100 litre bins.
- 2.6. It is proposed to have a communal amenity space (279m²) along the southern boundary of the site for the overall development.
- 2.7. The following tables summarise the key elements of the proposed development:

Table 1- Key Figures

Site Area (Gross)	0.1194 ha or 1194m ²
Dwelling units	18 no. apartments
Density (Gross/Net)	151u/ha
Building Height	3 / 4 storey
Floor areas (m²)	
Stated total gross floor area (GFA)	1404.8m ²
Ground floor area	402.8m ²
First floor	364.6m ²
Second floor	364.6m ²
Third floor	272.8m ²
Site coverage	40% (473m ²)
Plot ratio	1.18
Dual Aspect	100% (18 units)
Part V	11 % (2 of 18 no. units)
Open Space/Amenities	279m ² (25% of gross site area)
Car parking Spaces	5 spaces including a set down space for deliveries & ambulance parking

Bicycle Parking Spaces	42 spaces including 10 visitor spaces & 2 spaces for the café.
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Table 2- Apartment Unit Mix

	1 bedroom	2 bedroom (3P)	Total
Total	6 (33%)	12 (67%)	18 (100%)

2.8. The development would also include all hard and soft landscaping, lighting, signage, sites services (foul and surface water drainage and water supply) and all other associated site excavation, infrastructural and site development works above and below ground.

2.9. In addition to a Planning Report, the planning application was accompanied by the following documents:

- Architectural Design Statement
- Housing Quality Assessment Report
- Engineering Services Report
- Site Specific Flood Risk Assessment
- Outline Construction & environmental Management Plan
- Resource & Waste Management Plan
- Landscape Masterplan & landscape design rationale
- Lighting Services Report
- Climate Action Energy Statement & Building Lifecycle report.
- Part V agreement in principle letter.

2.9.1. The applicant's further information response included:

- Additional details regarding road layout, cross sections, sweep analysis and Operational Waste Management Plan and bin storage details.

- 2.9.2. The applicant's further clarification addressed details regarding a pinch point to Seamount Hill and the proposed footpath at the south eastern corner of the site.
- 2.9.3. These amendments are included in the appeal assessment.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. Following an initial request for further information and subsequent clarification, Wexford County Council on 13th September 2024 granted planning permission for the development, subject to 16 no. conditions. The following conditions are of note:
- Condition 1- Development to be carried out in accordance with plans and particulars and further information and clarification details.
- Condition 5- Surface water to be collected within the site boundaries.
- Condition 6- Construction traffic to be agreed by the P.A prior to development.
- Condition 14- Mitigation measures detailed in the Waste Management Plan to be implemented.
- Condition 16- Mitigation measures in the Construction Environmental Management Plan to be implemented.

3.2. Planning Authority Reports

- 3.2.1. The initial report of the Planning Officer dated 20th June 2024 had regard to the following:
- The lands are zoned village centre and the site is an underutilised brownfield site and the proposed development comprising a mixture of residential and commercial use was considered acceptable in principle within the zoning.
 - It was noted the development specified was to cater for the elderly community and was therefore assessed as a residential development catering for a particular cohort of the population (i.e not as a nursing home).
 - Development considered to be of high architectural quality and would provide a landmark building and would be in keeping with the character of the area.

- Development in compliance with CDP and S.28 guidelines with regards to apartment sizes, private and communal space, dual aspect, density, scale, parking and separation distance from neighbouring properties.
- Noted site lies within 1% and 0.1% fluvial flood area and was satisfied that the proposed storm water attenuation system as specified in the site specific flood risk assessment would significantly reduce the volume of storm water.
- Further information (F.I) was requested on the issues raised by the Road's Section and additional information regarding the bin storage area and management of same.

3.2.2. Second planner's report dated 12/8/2024

- Considered all items in F.I had been addressed with the exception of the Roads Section's request regarding access and egress of emergency/utility vehicles on the south eastern corner of the development site where Seamount Road meets an unnamed road and provides access to the houses south of the subject site and having regard to the development of a footpath at the eastern elevation of the proposed development. Further clarification was sought on these matters.

3.2.3. Third planner's report dated 13/9/2024

- This report on receipt of the further clarification details concluded the development was acceptable subject to conditions.

3.2.4. Other Technical Reports

Senior Executive Scientist (Environment) dated 31/5/2024

Recommended grant planning permission subject to conditions.

Housing Department Report dated 14/5/2024:

Agreement in principle for the transfer of 2 units off site.

Executive Technician- Roads Report dated 19/6/2024:

Recommended further information on issues regarding the site layout indicating all footpaths, car parking spaces, set down areas, cross section of existing & proposed

road, sweep analysis, sightlines to Seamount Road, elevation of café/apartments opposite the harbour and matters regarding EV charging points.

Executive Technician Roads Report dated 30/7/2024 in response to F.I

Recommended further clarification in relation to Seamount Hill Road junction to include a vehicle sweep analysis for utility/emergency vehicles existing/entering Seamount Hill and sightlines at this junction.

Disability Officer Report dated 14/5/2024

DAC required.

3.3. Prescribed Bodies

Uisce Eireann: Report dated 20/5/2024

No objection in principle subject to conditions.

3.4. Third Party Observations

- 3.4.1. Nine individual submissions and a submission on behalf of Courtown Heritage Group were received to the planning application. The main issues raised are similar to those set out in the third party appeal.

4.0 Relevant Planning History

- 4.1. **P.A Ref:20171583:** Planning permission granted on 28/3/2018 to Christopher Dowdall for change of use from a disused tennis court to a commercial car park including vehicular and pedestrian entrances, access control gate, erection of signage and associated site works.
- 4.2. **P.A Ref: 20062239:** Planning permission refused on 14/8/2006 to Christopher & Nicola Dowdall to erect a four storey building comprising a restaurant and retail unit on the ground floor and 8 apartments with connection to public services and ancillary works with entrance and 16 car parking spaces on 3 grounds relating to in summary design, negative impact on the visual amenity of the area, and parking requirements.

Site adjacent & north of Aughboy River and subject site- Former Bayview & Ounavarra Hotels

This site is referenced by the Applicant in the Architectural Design Statement:

- 4.2.1. **P.A Ref: 20063532 & ABP Ref: 26.221344:** Planning permission refused by ABP on 31/5/2007, for the demolition of the 2 hotels together with associated buildings located in adjoining car park. The construction of a mixed use development to comprise 77 no. apartment units from ground to third floor and 1 penthouse apartment, all above a two storey basement car parking with a density of 175u/ha. Commercial units to include retail, fitness centre, bar/restaurant, function rooms and creche. Reasons for refusal included excessive height & density, substandard levels of privacy, visual dominance and injury to residential amenity.
- 4.2.2. **P.A Ref: 20080004:** Planning permission refused for the redevelopment of the site due to overdevelopment, substandard apartment sizes and inadequate information.
- 4.2.3. **P.A Ref: 20081529 & ABP Ref: 26.232247:** Planning permission granted by ABP on 15/7/2009 for the demolition of the Bayview and Ounavarra hotels and construction of a mixed use development -3 storeys in height with basement car parking and density of 61u/ha.. This permission was not implemented.

5.0 Policy Context

5.1. Wexford County Development Plan 2022-2028

- 5.1.1. The Wexford County Development Plan (CDP) came into effect on 25th July 2022. Within this Plan Courtown & Riverchapel are grouped as one settlement, and is one of six Level 3a Service Settlements within the core strategy settlement hierarchy. Although the size of the Level 3a settlements vary in size within the county, the core strategy considers this category of settlement all share a common characteristic of being service settlements for their local communities and their wider rural hinterlands. The Courtown and Riverchapel settlement is acknowledged as being an important economic contributor for tourism, marine and fisheries.

Core Strategy for Level 3a Service Settlements

- 5.1.2. Section 3.5 of the CDP specifically states that ‘It is also important to note the placement of a settlement in a higher level does not mean a higher allocation of growth, e.g. while Courtown and Riverchapel is included at Level 3, it has been allocated a moderate level of growth to reflect the rate and pace of population growth in the past and the need for service provision and infrastructure to catch up.’
- 5.1.3. The Core Strategy of the CDP allocates a population of 98 persons and 67 housing units for Courtown and Riverchapel up to 2027, with 20 of the units to be delivered within the built up area at an average density of 25 u/ha. The CDP acknowledges the Core Strategy for the Courtown and Riverchapel Local Area Plan allocated a population of 227 for the period of the plan. When calculating the required land within the CDP Core Strategy, the population forecast was reduced for the settlement to reflect the level of vacancy in the settlement and extant permissions.
- 5.1.4. Development Approach for Level 3a Service settlements is to:
- 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.
 - Apply the sequential approach to the development of land, requiring residential development to take place within the existing footprint of the settlement. The leap frogging of infill/brownfield lands to undeveloped or greenfield lands will not be considered.
 - 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.
 - Support learning, education and training initiatives, economic regeneration initiatives and enterprise to address unemployment and deprivation legacies

which are evident in some of these settlements, e.g. Bunclody, Courtown and Riverchapel.

- Focus on maximising opportunities presented to settlements located on, or in close proximity to planned greenway routes, rail lines and at coastal locations.
- Focus on the regeneration and renewal of these settlements.
- 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.
- Support community organisations who are working to develop community facilities and promote and facilitate initiatives in the public realm.
- Protect and enhance amenities, heritage, green infrastructure and biodiversity in these settlements.

5.1.5. Relevant Core Strategy objectives:

Objective CS02: To ensure that new residential development in all settlements complies with the population and housing allocation targets and the principles set out in the Core Strategy and Settlement Development Strategy, in so far as practicable.

Objective CS04: To achieve more compact growth by promoting the development of infill and brownfield/ regeneration sites and the redevelopment of underutilised land within the existing built up footprint of existing settlements in preference to greenfield lands and to identify infill, brownfield and regeneration sites when preparing Local Area Plans, Settlement Plans and settlement boundaries.

Objective CS05: To ensure that at least 30% of all new homes that are targeted in settlements are delivered within the existing built-up footprint of the settlement.

Objective CS21: To ensure growth and development in the Service Settlements, Strategic Settlements, Large Villages and Small villages across the county is proportionate to the scale, size and character of the settlement and well designed so as to contribute to the regeneration of these settlements. To implement, as resources allow, interventions in the public realm, the provision of amenities, the acquisition of sites and the provision of services and ensure good quality of life and well-being for the local communities.

5.1.6. **Volume 1-**

Chapter 4 - Sustainable Housing

Density & Scale of Residential Development

- 5.1.7. Table 4-5 of the CDP provides an indicative density and scale for all settlements within the county.

Density in Settlements between 400 and 5,000 population

- 5.1.8. Density is to be determined on a case by case basis with higher densities being more appropriate for centrally located sites.

Relevant Housing Objectives include: -

Objective SH01 To ensure that new residential developments contribute to and represent sustainable neighbourhoods which are inclusive and responsive to the physical or cultural needs of those who use them, are well-located relative to the social, community, commercial and administrative services and are integrated with the community within which they will be located.

Objective SH02 To ensure that all new residential developments provide a high quality living environment with attractive and efficient buildings which are located in a high quality public realm and are serviced and linked with pedestrian and cycle lanes to well-designed and located open spaces and nature and to the town or village centre and existing and planned services.

Objective SH06: To prioritise the provision of new housing in existing settlements and at an appropriate scale and density relative to the location in accordance with the National Planning Framework, the Regional Spatial and Economic Strategy for the Southern Region and the Core Strategy and the Settlement Strategy in the Plan.

Objective SH08 To ensure that at least 30% of all new homes targeted to settlements are delivered within the existing built-up footprint of those settlements.

Objective SH12 To ensure the development of land is carried out on a phased basis and to identify the priority of land for development in the relevant local area plan and in accordance with the methodology for the Prioritisation of Development Lands in the National Planning Framework and in accordance with the relevant criteria in the Development Plan Guidelines for Planning Authorities (2007) and the Local Area

Plan-Guidelines for Planning Authorities (2012) and any updated version of these documents during the lifetime of the Plan.

Objective SH36: To support independent living for people with disabilities and older people and to facilitate the provision of specific purpose built accommodation and the provision of nursing homes, retirement villages, residential care facilities at appropriate locations in towns and villages in the county. These facilities must be well served by infrastructure and amenities including accessible footpaths, local shops and public transport in order to allow the resident to be socially included and to allow better care in the community, independence and access.

5.1.9. **Chapter 5- Design and Place-making in Towns and villages**

Section 5.10.1 of this chapter places an emphasis on infill and brownfield development to prevent urban sprawl. Infill and brownfield sites are described, and the council will ensure through appropriate environmental assessments the remediation of brownfield sites. Relevant objectives include:

Objective TV08: To ensure, through the development management process that new development adds to the sense of place, quality, distinctiveness and character of towns and villages.

Objectives TV25-29: These objectives relate to permeability, integrated development, ensuing walkability, active edges to streets, and connectivity in developments.

Objective TV34: To pursue a variety of methods to increase the number of people living and working in our towns and villages in terms of investment decisions, local authority own projects and in the assessment of planning applications.

Objective TV 44: To ensure the scale of infill development reflects the location of the site and the characteristics of the settlement. The Council will consider the scale of infill development having regard to the need to make efficient use of centrally located sites and the prevailing scale in the area. The Council will encourage development which intensifies the use of the land to at minimum the intensity of adjoining uses but optimally, subject to the appropriate protection of amenities of adjoining residences to a higher intensity.

5.1.10. Volume 2 Development Management Manual

Section 3.9 Nursing Homes/Residential Care Homes

In considering applications for these developments, the Planning Authority will have regard to the following:

- 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.
- The standard of accommodation and facilities offered, including a fully accessible en-suite shower room with WC facility for each bedroom. Additionally, assistive bathrooms/shower rooms with WC to be provided for on a proportionate basis.
- The quality, design and landscaping of external open spaces, walkways and communal areas for enjoyment by the residents and the provision of suitable exercise facilities.
- The proposal should provide accessible links to the settlement.
- The development must be served by suitable wastewater treatment and water supply facilities.
- The potential impacts of the proposed development on adjoining developments and the character of the area including traffic safety.
- The requirements relating to sightlines must comply with those set out in Section 6 of this Manual.
- In large developments or developments which are not located adjacent to local facilities the provision of pray rooms/chapels, shops and hair dressing facilities will be required.

Section 3.10 Sheltered Housing

- 5.1.11. These are residential schemes with on-site communal facilities and allow for assisted independent living. These schemes usually have an on-site supervisor and include care supports such as the provision of meals and health care assistance. Communal on-site facilities include recreation areas, alarm system and laundry facilities. These developments shall comply with the relevant standards set out under Section 3.9.

5.2. Courtown & Riverchapel Local Area Plan 2015-2021 (as extended)

5.2.1. This Local Area Plan (LAP) came into effect on 2nd March 2015. At a meeting on 7th January 2020, elected members extended the period of the LAP for a further 5 years. The current CDP states the lifetime of the Courtown and Riverchapel LAP has been extended by five years to 2026 and provides the spatial planning framework for this settlement.

5.2.2. The subject site is zoned village centre (VC) within this LAP and has a zoning objective 'To provide for, protect and strengthen the vitality and viability of the village centres through consolidating development, maximising the use of lands and encouraging a mix of uses'. The purpose of this zoning is to enhance the vitality and viability of the village centre. The LAP states that this can be achieved through the appropriate development of under-utilised lands and brownfield sites and by encouraging a variety of uses to make the centres attractive places to visit, shop and live in. New development proposals will be required to protect and enhance the character of the centre. Residential, retirement homes, community, restaurant, and retail uses are permitted in principle on VC zoned lands.

5.2.3. There are 2 development opportunity sites identified in this LAP both of which are zoned Village Centre. Site 1 is the former Stopford House site (to the north west of the subject site) and is 1.8 hectares in area. Site 2 is the former Ounavarra Hotel site, (immediately to the north/north west of the subject site) and is 0.4 hectares in area. There are a further 3 infill development opportunity sites for community & education and tourist accommodation, but the subject site is not identified as one of these sites within the LAP.

5.2.4. Relevant objectives within this LAP include:

VC01 To ensure that all new developments employ a high standard of urban design, layout and finish and require sensitive and high quality architectural design for infill and brownfield developments in the village centre having regard to the area's context and streetscape.

H03 To restrict apartment developments generally to the village centre. Apartments will not be permitted where there is an overprovision of this type of development. Apartments for use as holiday homes accommodation will only be considered on

lands zoned Village Centre and Tourist Accommodation and will only be considered where the subject lands can accommodate apartments and the scale, form and design of the development is appropriate to that particular area and in accordance with all normal and planning and environmental criteria.

H05 To encourage infill and backland housing development on appropriate sites where such development respects and enhances the existing character of the area and does not negatively impact on the amenities of adjoining properties.

ED07 To encourage the development of infill and brownfield sites in the village centre as locations for a mix of retail and commercial uses having regard to the surrounding building uses in the area. All new development should be to the highest design standards with safe and convenient access for all.

F03 To ensure that screening for flood risk is carried out for all development proposals in accordance with the Planning System and Flood Risk Management – Guidelines for Planning Authorities (DEHLG and OPW, 2009, as amended by Circular PL2/2014 and any other future update to the Guidelines.

F04 To require the use of Sustainable Urban Drainage Systems (SuDS) to minimise the extent of hard surfacing and paving and require the use of Flood Risk Management and Surface Water sustainable drainage for new developments or extensions to existing developments.

5.3. National Planning Policy Context

5.3.1. National Planning Framework, Project Ireland 2040 (NPF)

The NPF seeks to achieve the compact growth of cities, towns and villages.

A number of overarching national policy objectives (NPOs) are applicable to the proposed development from the NPF, including:

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

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

NPO 11: In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth.

NPO 16: Target the reversal of rural decline in the core of small towns and villages through sustainable targeted measures that address vacant premises and deliver sustainable reuse and regeneration outcomes.

NPO 18a: Support the proportionate growth of and appropriately designed development in rural towns that will contribute to their regeneration and renewal, including interventions in the public realm, the provision of amenities, the acquisition of sites and the provision of services.

NPO 18b: Develop a programme for ‘new homes in small towns and villages’ with local authorities, public infrastructure agencies such as Irish Water and local communities to provide serviced sites with appropriate infrastructure to attract people to build their own homes and live in small towns and villages.

NPO 33 - prioritises the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to the location.

NPO 35 - increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.

5.4. Section 28 Guidelines and other relevant guidance

5.4.1. Several national planning guidelines are applicable to the proposed development. The relevant guidelines include the following:

- *Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024) (Compact Settlement Guidelines, 2024)*

These guidelines allow greater flexibility in residential design standards and cover issues such as open space, car and cycle parking, and separation distances. Section 2.2 notes that these Guidelines should be read in conjunction with other guidelines where there is overlapping policy and guidance. Where there are differences

between these Guidelines and other previously issued Section 28 guidelines, it is intended that the policies and objectives and specific planning policy requirements (SPPR's) of the Compact Settlements Guidelines will take precedence. Section 5.0 sets out the development standards for housing including SPPR 1 (Separation Distances), SPPR 3 (Car Parking) and SPPR 4 (Cycle Parking & Storage).

These guidelines recommend establishing appropriate residential density ranges through accessibility, local character, amenity and the natural environment. Table 3.6 sets out density ranges for small to medium sized towns (population 1,500-5000).

Specific planning policy requirements (SPPR) 1- 4 relate to separation distances between habitable windows (SPPR1), minimum private open space areas (SPPR 2), car parking (SPPR3) and cycle parking and storage (SPPR4) for residential developments.

- *Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities (updated 2023).*

These guidelines focus on the locational and planning specific aspects of apartment development. Design parameters include locational considerations and internal space standards for different apartment types including amenity spaces etc.. Many of these parameters are subject to SPPRs which take precedence over any conflicting Development Plan policies and objectives. Section 6.6 of the Guidelines states that planning authorities should have regard to quantitative performance approaches to daylight provision outlined in guides like A New European Standard for Daylighting in Buildings (IS EN 17037:2018), UK National Annex (BS EN 17037:2019) and the associated practice guide BRE 209 2022 (3rd ed., June 2022), or any relevant future standards or guidance specific to the Irish context. The Guidelines do not, however, set out performance criteria for building height or building separation distance relative to location. This is subject to separate guidance.

- *Urban Development and Building Heights, Guidelines for Planning Authorities (2018).*

These guidelines reflect the policy direction in the NPF in terms of achieving compact growth through urban infill and brownfield development. Section 3.2 of the Guidelines sets out criteria that a proposed development should satisfy at the scale

of the relevant city/town; at the scale of district/neighbourhood/street; at the scale of the site/building; and other specific assessments. SPPR 3 gives primacy to these criteria even where objectives of the Development Plan may indicate otherwise.

- *The Planning System & Flood risk Management Guidelines for Planning Authorities (Flood Risk Management Guidelines) 2009 & Circular PL2/2014*

In accordance with the Flood Risk Management Guidelines, residential developments are classified as 'High Vulnerable Developments' in areas subject to flooding.

- *Design Manual for Urban Roads and Streets (DMURS) (2019).*

These guidelines place a strong focus on the needs of pedestrians, cyclists and public transport and on improving the safety of streets and enhancing placemaking.

5.5. Natural Heritage Designations

5.5.1. The site is not located on a designated site. The following designated sites are located in proximity to the site:

- Cahore Polders & Dunes SAC (site code:000700) circa 9.5km to the south.
- Kilpatrick Sandhills SAC (site code: 001742) circa 10.5km to the north east.
- Slaney River Valley SAC (site code:000781), circa 11.5km to the west.
- Blackwater Bank SAC (site code: 002953) circa 13.5km to the south east.
- Cahore Marshes SPA (site code: 004143) circa 20km to the south.

5.6. EIA Screening

5.6.1. Having regard to the nature of the proposed development comprising 18 units on a brownfield site, where infrastructural services are available and to the criteria under Schedule 7, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required. See completed Form 1 and 2 in Appendices 1 and 2.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. Two third party appeals have been submitted one from Shannon Byrne on behalf of the Seamount Residents Association and one from Catherine Kinsella on behalf of the Courtown Heritage Group.

Seamount Residents Association on following grounds:

- LAP - out of date
- Insufficient rationale for proposed development
- No specific details regarding the classification of the development and how it would connect to assisted living/adaptability of design etc.
- Development not in keeping with character by reason of scale/height/loss of amenity/ not in keeping with existing structures and density.
- There is a current lack of social infrastructure within the village.
- Site and surrounding area are subject to flooding.
- A more appropriate use of the site would be to connect it with a marine/tourism type use.
- Five car parking insufficient for assisted living units, i.e no visitor parking, service provider parking, emergency vehicles etc..
- Excessive bicycle parking spaces for the intended use.
- No operation and management details for the proposed development regarding waste management.
- Insufficient floor space for 6 of the 12 proposed two bedroom units.
- Proposed development does not meet the regulations for a designated centre of older persons under the Health Act 2007.
- Traffic & road safety and disruption to fishing activities along the Harbour Road/Seamount Road.

- No clear fire strategy/evacuation details given the demographic of future residents.
- Foul effluent underestimated as engineering report assumes only 5 persons would be using café on a daily basis.
- Inaccuracies in planning report which refers to a different site.
- Architectural report states site is used as a car park which it is not & refers to a different CDP.
- Inaccuracies in drawings- Third floor drawing refers to ID as a 2 bedroom flat but as a 1 bedroom flat in schedule of accommodation.
- Communal space provision (23%) contrary to Residential Compact Guidelines.
- Loss of view.
- Refusal of planning permission P.A Ref: 20063532 by ABP Ref: 221344 to north of subject site on density grounds.
- Occupancy clause should be attached for an assisted living facility.
- Safety issues for future occupiers regarding bathroom alarms, bathroom design etc..
- Disruption to commercial fishing activities due to lack of car parking on site.

Courtown Heritage group

- Incongruous scale & height.
- Impact on public infrastructure, i.e sewage, street drainage & lack of passive drainage for proposed development.
- Development does not adequately provide for additional vehicular traffic, access or parking and no proposal or study as to how the facility would integrate with existing or planned public transport network.
- Building style does not acknowledge immediate setting, in particular with regards to Courtown Harbour (NIAH Ref: 15611016) which will be overshadowed by development.

- Impact of development on the stability of Courtown Harbour.

6.2. Applicant Response

- 6.2.1. A first party response was received on 5/11/2024 to the third party's grounds of appeal on the following grounds:

Scale/loss of amenity/ not in keeping with existing structure

- Redevelopment of site would support future development of Courtown & surrounding area.
- Proposal is supported by WCC planners and development would not appear out of character with the backdrop of rising ground levels and roof height.
- Development promotes the reuse of underutilised lands and would not impact on adjoining properties in terms of overlooking, overbearance, overshadowing etc.

Density

- Having regard to the central location of the site the development is in accordance with Residential Development and compact guidelines which allows for a density range of 50-150 dph to be applied in centres in Urban neighbourhood of Metropolitan Towns.
- Development seeks to provide for Assisted Living/Retirement Community Scheme with ancillary café/community use and will support the needs of an older population.
- Provides an alternative to option to address this lack of housing in a national setting.
- Site is close to other services and the density, design & scale were considered acceptable by WCC.

Out of date LAP

- Courtown & Riverchapel LAP 2015 has been extended and is to be applied to planning applications alongside the Wexford CDP until 2026.

Classification of Development & Site use

- Proposed uses are acceptable with Village Centre zoning.
- Services available to the site are significant and appropriate for the demographic of the proposed assisted living accommodation to ensure a sense of community for an aging population.
- Courtown is a Level 3a Service settlement and the CDP recognises the variety of services Courtown has to offer.
- Objective SH36 of the CDP supports independent living for people with disabilities and older people.
- The assertion that the site is more connected to marine uses is subjective and the proposed development is more appropriate for the optimum use of the site.

Lack of social infrastructure

- Third parties do not accurately represent the existing services and overall social infrastructure within the village.
- Site is located within village centre and in immediate proximity to the 379 bus stop, and an additional 4 stops next to the site within walking distance.
- Future occupiers would have accessible transportation options to the village and to Gorey town.
- Development provides for a wide footpath with access to Courtown Boardwalk Beach and the Pier, is accessible to a variety of pubs and cafes.
- Site is in close proximity to the Active Tribe Leisure Centre, Gala express, Centra and Brooks Supermarket- the latter a 3min drive or 15min walk and accessed by bus, and 16min drive to Gorey town and Gorey District hospital.
- Riverchapel First Responders a 24 hour medical service is located directly behind the development.
- Services are in alignment with Wexford Age Friendly Strategy.

Flooding

- Reference made to the submitted Site Specific Flood Risk Assessment which indicates the site is not subject to pluvial, fluvial or tidal flooding or historical flood events.
- A storm attenuation system is proposed to address a 1 in 100 year extreme flood event which accounts for climate change and would reduce the risk of any downstream flooding from the site.

Insufficient car parking spaces and disruption to fishing activities

- Site within village centre and within walking distance to amenities, services and bus routes.
- Reduced car parking in line with Residential & Compact Guidelines which promotes reduced car parking that have good access to services.
- Proposed development has been designed to account for the demographic of future tenants of the proposed development who would have greater access to services and public transport rather than access to a vehicle.
- Proposed cycle spaces promotes sustainable travel.
- Level of car parking in CDP is a maximum standard and the number of car parking spaces were considered as being sufficient in the planner's report, given the number of public parking spaces in the town centre.
- Proposed development meets the needs of future residents and there is ample public paid car parking for visitors.
- Users of the proposed development interfering with loading /unloading of fishing vessels is not a valid concern and the development would not impact on the operation of Courtown quays.

Excessive Bicycle spaces

- The bicycle parking accounts for the mixed -use nature of the development and the bicycle spaces can be used for sheltered mobility scooters if required.
- Bicycle spaces promotes sustainable modes of transport.

Operation & Management of Development

- An operational Waste Management Plan was submitted by way of F.I. which was accepted by WCC.
- The bin storage area comprises storage for 3 no.100L and for 2 no.240 l bins.

Insufficient floor space

- Floor standards are in compliance with SPPR 1 & SPPR 3 Design standards for new apartments.

Regulation

- The Health, Information & Quality Authority designation is not a planning consideration and would be addressed at the operational stage if required.

What Constitutes Assisted Living

- Assisted Living/Age Friendly/ Senior Accommodation schemes are residential or mixed use developments that take careful consideration into the design, orientation, location and amenities of proposed schemes,
- Such schemes provide additional services or assistance to increase the access and living to the residents in the scheme,
- Not a planning consideration and would be addressed at operational stage,

Traffic & Road Safety

- Swift path analysis carried out which ensures emergency and utility vehicles can access and egress Seamount Hill effectively.
- Footpath on the north and south eastern corner of the site which allows for pedestrian, cyclist and vehicle visibility and safety.
- WCC satisfied with traffic & safety.

Fire Safety

- Stairs and lift provide two travel routes on each floor.
- Matters relating to assembly points and evacuation plan would be addressed through a Fire Certificate before operational phase.

Engineering Services Report

- This report used the Irish Code of Practice to apply foul effluent calculations.
- The figure of 5 persons in this report relates to the effluent flow rate and potable water demand of 5 people at the same time using the café and gym/yoga space at the same time/peak time.
- Calculations are not under estimated and are sufficient to cater for peak times.

Inaccuracies in Reports

- Reiterates Courtown has a range of facilities referenced in Planning Design statement.
- Reference in design statement to the site being a car park refers to a previous planning permission on the site P.A Ref: 20171583 for a commercial car park.
- Drawings regarding Apartment 1D was clarified at F.I stage.

Communal Open Space

- Communal open space equates to 23% of the site which exceeds the minimum space requirement of 15% Design Standards for New Apartments and exceeds the requirements of the CDP.

View

- Design of development is in keeping with the surrounding area with regards to orientation and topography which is endorsed in the WCC planner's report.
- Development would provide a landmark building of a high quality architectural design on a site which currently has no amenity value and is underutilised and abandoned and improve the visual entrance into the town.

Contrary to Tourism Objectives

- There are a number of additional tourist accommodation in the area for tourists to utilise.
- Appellant seems to support tourism related uses providing they are not for Assisted Living accommodation.

- Wexford Age Friendly Strategy 2022-2026 states that people over 65 will significantly increase in the state to 1.6 million by 2051 and the older population 80 years and over to 500,000 by 2051.
- In the 2022 census, 22.2% (allowing for completion time of development) of the electoral division of Courtown is aged 60+ revealing there is a need to cater for this demand.
- Prominent attractions and accommodation within Courtown is disproportionate to year round residents and existing infrastructure.
- The CDP notes there is a need to balance tourism with year round housing for residents.

Other application refused

- This application was at a different location, use an design and was submitted over 18 years ago and is incompatible to the proposed development.

Occupancy Clause

- Details of the age of the future residents is not a planning consideration and is addressed by the operator.
- Age disclosure is protected by the GDPR.

Safety Issues

- Details regarding safety measures for bathrooms etc are not a planning consideration and are addressed under the appropriate regulations.

No Age specific Friendly/Adaptability Design provided

- All apartments are designed in accordance with TGD M2010 & 2022 and implement the principles of Universal Design to allow for liveability for all.

Rationale for development

- Site is located in close proximity to a variety of services, amenities and public transport routes which would meet the needs of an aging population.
- Projected aging population of Wexford is expected to grow and the proposed development would cater for this demand.

- As stated in the planner's report the proposed development would serve existing and future residents of Courtown and increase the offer of services within the town allowing it to expand in its function as a service settlement.

Impact on Courtown Harbour

- Proposal does not adversely impact the amenity, operation or safety of Courtown harbour and would support its future development through the introduction of a modern high quality designed scheme which provides for residential use and café use.
- The development would be subject to a Construction Environmental Management Plan during the construction stage and would not impact on the building fabric or structures in the harbour.

6.2.2. Seamount Resident's Association made a further submission 7/11/2024 supporting Courtown Heritage Group's submission on following grounds:

- Only commercial area in Courtown Harbour for fishing boats, loading and unloading of yachts.
- No site tests carried out to make sure the ground is stable for the development and impact on the foundations of houses in Seamount.
- Scale and density of development is contrary to character of the area.

6.3. Planning Authority Response

None

6.4. Further Responses

6.4.1. A further response was received from Courtown Heritage Group dated 28/11/2024 on following grounds:

- Development out of character and premature in lieu of design statement for Courtown Riverchapel Town Centre First Process.
- Site forms part of the historic quarter of the Harbour and does not respect historical significance.

- Scale and design of the proposed development is not sympathetic to the area.

6.4.2. A further response was received from the Seamount Residents Association dated 4/12/2024 to the First Patry's response on the following grounds:

- Damage to homes as a result of development as they are on sand foundations (photographs of damage from previous works).
- Development does not range from 1-4 storeys.
- Loss of light – development is four storeys.
- Only viable commercial area in the village. Construction machinery will make the area accessible for residents.
- Boardwalk has been closed off by the Council and is too dangerous to reinstate. The services and amenities stated by the applicant are either voluntary services or factually incorrect.
- Issues raised in grounds of appeal that have not been addressed by Applicant namely; previous use of the site being a boatyard and not a tennis court, scale of development not reflective of surrounding 1-2 storey buildings, height and massing of the development, site would be better developed for tourism/marine uses, lack of social infrastructure, pluvial flooding, lack of public car parking provision, excessive cycle spaces, definition of Assisted Living, foul generation levels, 60+ in Courtown area in 2022 was 19.8%, occupancy clause, safety issues, rationale for the development

7.0 **Assessment**

7.1. **Introduction**

7.1.1. I have examined the appeal details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the local authority and inspected the site, and having regard to relevant local/regional/national policies and guidance. I therefore consider the main issues in this appeal to be as follows:

- Planning Policy and Core Strategy;
- Character of the area;

- Residential amenity;
- Flood risk and drainage;
- Traffic Safety, parking and pedestrian safety;
- Other Issues; and
- Appropriate Assessment.

7.2. Planning policy and Core Strategy

Status of Courtown & Riverchapel Local Area Plan (LAP) 2015-2021 (as extended)

- 7.2.1. Third parties have raised the issue that the Courtown & Riverchapel LAP is out of date and that any development of the site is premature. This LAP came into effect on 2nd March 2015 and was due to expire on 2nd February 2021. However, the members of the Council prior to the LAP's expiration adopted to extend the lifetime of the LAP for a further 5 years as the LAP was considered to be consistent with the CDP at that time. Furthermore, the current Wexford CDP 2022-2028 specifically states the lifetime of the Courtown and Riverchapel LAP has been extended by five years up to 2026 and the LAP provides the spatial planning framework for this settlement.
- 7.2.2. I therefore consider the LAP for the village is extant up until 2026. A total of 7 sites are identified within this LAP as being appropriate for infill development for residential, community or tourism uses. The subject site was not identified as an 'opportunity site' but is zoned as 'Village Centre' within the LAP.

Zoning

- 7.2.3. The zoning objective for 'Village Centre (VC)' zoning is 'To provide for, protect and strengthen the vitality and viability of the village centres through consolidating development, maximising the use of lands and encouraging a mix of uses'. The purpose of this zoning is to enhance the vitality and viability of the village centre. The LAP states that this can be achieved through the appropriate development of under-utilised lands and brownfield sites and by encouraging a variety of uses to make the centres attractive places to visit, shop and live in. New development proposals will be required to protect and enhance the character of the centre.
- 7.2.4. The proposed development would comprise 18 residential units and a café/community facility on the ground floor and is specifically referred to as an

‘Assisted Living/Retired community scheme’. I note residential, retirement homes, community, restaurant, and retail uses are permitted in principle on VC zoned lands. I therefore consider the uses as proposed are acceptable in principle on these lands.

Core Strategy

- 7.2.5. Wexford CDP’s Core Strategy has allocated a population of 98 persons and 67 housing units up to 2027 for Courtown and Riverchapel. The number of units to be delivered within the built up area for the same period is 20 with an average density of 25 u/ha. The population and housing allocation in the CDP reduced that specified in the LAP which provided for an increase of 227 persons and an additional 155 housing units based on a density of 20 u/ha. The development of lands within the LAP focused on the sequential approach on infill sites within the village centre and thereafter greenfield sites closest to the centre.
- 7.2.6. The latest Core Strategy Monitoring Report (November 2024) for the Wexford CDP notes that the two villages of Courtown and Riverchapel have experienced greater needs and pressures for tourism and residential developments. A total of 23 houses¹ were completed for Years 1 & 2² of the Monitoring Report for the settlement, which equates to 34.3% of the Core Strategy allocation for the village. I note that 100% of the permissions for the settlement were located in the built-up footprint, and that the settlement has already surpassed 30% of its housing allocation within the built-up footprint. This indicates that permissions granted during the first two years of the CDP for the settlement exceeded the requirements of Objective NPO 3c of the NPF which seeks to deliver at least 30% of all new homes that are targeted in settlements within their existing built-up footprints.
- 7.2.7. Courtown & Riverchapel is a Level 3a Service settlement within the settlement hierarchy of the County and is considered within the CDP as an important contributor to the tourism, marine and fisheries economy of the county. In allocating population growth for Courtown and Riverchapel within the CDP Core Strategy regard was had to the rate and pace of past development and the need to deliver social and community facilities to keep pace with recent development. The development approach for Courtown and Riverchapel in particular identifies the potential of the

¹ 23 houses is equivalent to population increase of 62.1 persons based on 2.7 persons per household

² Year 1 monitoring report carried out for period 1st July 2022 to 30th June 2023

Year 2- monitoring report carried out for period 1st July 2023 to 30th June 2024

marine economy and tourism and the need to support learning, education and training initiatives to address unemployment and deprivation legacies evident within this settlement.

- 7.2.8. Table 3-4 of the Core Strategy in the CDP identifies a population allocation for this settlement of 98 and a total of 67 housing units up to 2027 with 20 of the units to be delivered within the built-up area. Based on the latest CDP Monitoring report the settlement has exceeded its target of 20 units to be delivered within the built up area of the settlement.
- 7.2.9. The proposed development is for 18, one and two bedroom units which has the potential for a population increase of 48.6 (18 x 2.7 persons) within the settlement. Allowing for the existing 23 house completions (61 persons) identified in the Monitoring Report and the proposed development the overall population increase would be 109 persons, which would exceed the population target of 98 specified in Table 3-4 of the Core Strategy up to 2027.
- 7.2.10. I note the First party has not addressed the Core Strategy population and housing allocations for the settlement but have relied on the rationale for the proposed development targeting a specific age cohort, i.e elderly persons/assisted living. I therefore will consider this aspect of the proposal in the following paragraphs.

Rationale for the Development

- 7.2.11. Third parties have queried the insufficient rationale for the proposed assisted living accommodation. I note the Applicant has justified the rationale for the proposed development based on an aging population both nationally, at county level and in the Courtown area.
- 7.2.12. The LAP for Courtown and Riverchapel states based on the 2011 Census the largest proportion of the population is between the ages of 25 and 44. The second highest age profile is 0-14 which suggests that there are high numbers of families living in the area. The lowest age profile is that between 15 and 24 and the second lowest 65 and over. However, I acknowledge these figures rely on the 2011 census.
- 7.2.13. The Housing Strategy for the CDP 2022-2028 informs the policies and objectives of the County Development Plan, playing a key role in translating national housing policies to the local level. The Housing Need Demand Assessment (HNDA) for the

CDP is designed to give broad, long run estimates of what future housing need might be, rather than provide precise estimates and supports the preparation of housing strategies and all related housing policy outputs. This strategy is based on 2017 CSO figures and states that the county as a whole has a higher young age ratio than old age ratio for the county.

- 7.2.14. The First Party refers to the Wexford County Council Age Friendly Strategy 2022-2026 for the area. This Strategy indicates that 14.7% of the County's total population based on the 2016 census were aged over 65 years which was an increase from 11.6% in 2011. This Strategy states that the highest age group is in the 65-69 age group and includes Courtown as a settlement of note for a high older age profile. Actions within this Strategy include providing housing for older people in urban areas including the renovation of vacant / derelict properties with support partners such as Approved Housing Bodies, Age Friendly Ireland and Local Communities.
- 7.2.15. According to the recent 2022 CSO publication for the county the census figures indicate the number of people aged 65 and over continues to grow and that this age group has increased by 25% to 27,403 in Wexford County compared to 22% at a national level. The average age for Wexford County was 40 years compared to 38.1 years in 2016. It is therefore reasonable to conclude the county as a whole is experiencing an older age profile.
- 7.2.16. The First party refers to the latest 2022 census data which indicates 22.2% of the population in the Electoral Districts within Courtown and its surrounding area consist of those aged 60+ which they consider indicates there is a need for the proposed development in the area. The First party has not specified the electoral districts used to arrive at this percentage, however I consider the First Party's calculation is similar to the national average figure for the over 65 years cohort. I calculated the Electoral Districts within the Courtown and Riverchapel LAP lands using the Small Area Population Statistics (SAPS) produced by the CSO for 2022 and had a similar percentage identified by the first party, that being 21.1% of the population within the LAP lands are 60+ years. Nevertheless, I do not consider this is a significant percentage of the overall population of the LAP lands, with the younger age cohorts (i.e below 60+ years) clearly having the greater percentage of the overall population.

7.2.17. The First Party considers a 22% figure of the population within the 60+years is an indicator that there is a need and rationale for a proposed development for Assisted Living/Retirement Community in this location. However, I am cognisant that the site was not identified as an opportunity site within the LAP, that the latest CDP Monitoring report states the settlement has exceeded its target of 20 units to be delivered within the built up area of the settlement, and that allowing for this development would increase the population of the village beyond the target population of 97 persons up until 2027. I therefore consider it is necessary to explore the proposed nature of the 18 units as described by the First party.

Proposed Assisted Living/Retirement Community Scheme

7.2.18. The First Party in their response to the appeal make reference to the development being an assisted living scheme for elderly persons. Third parties however have queried how the development constitutes as 'assisted living' accommodation as the documents submitted with the application do not specify how residents are to be assisted/cared for and/or supervised with regards to health care, housekeeping etc..

7.2.19. Section 3.10 of the CDP refers to the criteria for sheltered housing which specifically refers to such residential development being schemes with on-site communal facilities that allows for assisted independent living. This section further outlines that such schemes usually have an on-site supervisor and include care supports such as the provision of meals and health care assistance. Communal on-site facilities include recreation areas, alarm system and laundry facilities. These developments shall comply with the relevant standards set out under Section 3.9 of the CDP. These standards are outlined in full in Section 5.1.11 of this report but include accessible links to the settlement, walkways and communal areas and a certain standard of accommodation.

7.2.20. Whilst the operational management of a development is not a planning matter, I consider the First Party has not clarified to any large extent how the development would be specifically related to 'assisted care accommodation for the elderly'. I note with the exception of the ground floor units the remaining units would be accessed by stairs and/or a lift, however this would be a requirement for any standard residential development. There is no reference within the documentation which suggests that one of the apartments would be used to accommodate an on-site

manager/concierge to provide 24 hour supervision, shared laundry services for example, or how the development would operate or be managed that would make it any different to that of a normal apartment development. It is not clear from the documentation as submitted how the community use would operate and whether it would be a hub for the future residents of the development for meals/wellness/social use area, or whether it would be used as a general community facility for members of the village. The layout of the community use/café suggests that it would have an access onto the main street to attract passing pedestrians. It is not therefore clear whether this element of the development is specifically for the future residents or would be a potential commercial use.

- 7.2.21. The Third Party has queried the lack of parking for future residents in terms of disabled bays, emergency vehicle or minibus parking and the excessive provision of cycle parking given the future resident cohort. I note in the First party's response to the appeal they have stated that the bicycle parking area could provide parking for mobility scooters, however I would have reservations as to whether the bicycle parking area (15.3m²) could accommodate a significant area for mobility scooter parking.
- 7.2.22. Third parties consider there is a lack of social infrastructure in the village, in that there is no supermarket for a weekly shop, no dentist or doctor within the village and that future residents of the development would have to travel to Gorey to access such services. I consider the subject site is within the village centre albeit on the edge of the centre but is within walking distance to several amenities such as a local convenience shop and post office along Seamount Road to the west and a number of convenience shops and cafes along Main Street in the village centre. There are several public amenity areas close by including the public amenity area immediately to the south of the site and the beach and harbour. The First Party has not offered any clarity as to whether future residents would have a communal dining area or whether the future residents would provide their own meals within their own apartments and would therefore require vehicular transport for a large shop.
- 7.2.23. The First party has referenced a local bus service in the village which travels to Gorey, however based on the timetable for this service it is not a regular service in that it does not provide an hourly service. I would agree with the Third parties, given the specified nature of the development, i.e assisted living/retirement community

scheme that residents of the development would be dependent on travelling by car to avail of medical services or pharmacy facilities for example and that this aspect has not been satisfactorily addressed by the Applicant.

7.2.24. The First Party in the Architectural Design statement refers to The Housing Agency Document 'How to develop a Housing with Support Scheme for Older people 2017'. This document is a guide for social housing providers interested in developing housing with support projects for older people. This document defines housing with support for older people (as 55+) whereby:

- (i) Occupants have tenancy agreements that allow them to occupy self-contained dwellings;
- (ii) Occupants also have specific agreements that cover the provision of care, support, domestic, social, community or other services;
- (iii) The wider community also benefits by way of access to clearly defined communal areas.

The housing model provides an alternative housing option for older people that falls somewhere between living independently in the community and nursing home/residential care. It also incorporates care, support and community dimensions (in addition to wardens and alarms systems). This document recommends an analysis of demand in the area including; mapping existing social housing schemes for older people in the area against essential services, mapping concentrations of people over 55 in the area, an analysis of demand such as waiting lists/transfer waiting lists etc. for the specific age cohort in the proposed area.

7.2.25. I acknowledge the benefits highlighted in this document of providing support housing for older people such as supporting people to live longer independently, reducing expenditure on long term residential care, encouraging and enabling older people to downsize and free up larger family housing. I also consider the proposed development incorporates many of the features indicated in this document to support housing for older people including fully self-contained independent units, communal spaces and safety and security built into the design. However, there are certain elements which I consider the applicant has not addressed in their justification including an analysis of what housing is already in place and an assessment for the demand for housing for older people in this area. As previously outlined, I do not

consider Courtown has a significantly high elderly population cohort and future residents of the development would not be within walkable distance to essential services such as doctors or pharmacies.

- 7.2.26. I am not therefore convinced in the documentation submitted with the planning or appeal submission that the development is specifically for assisted living/older persons accommodation based on the aforementioned Housing Agency document which recommends such a development should incorporate an office for use by staff, access to care and support services on site with a facility for emergency services, and details on the end user of the development such as a social housing provider for the scheme which I consider would provide clarity regarding the assisted living element of the development.

Conclusion

- 7.2.27. Although the site has been zoned Village Centre and the proposed uses would be acceptable in principle, I consider the subject site is on the edge of the village centre and the development of this site would not be sequential given the two principal opportunity sites identified in the LAP which are much closer to the Main Street and have not been developed. The general approach to development both nationally, regionally and locally is towards sequential development, so that development extends outwards from the centre of a village, with undeveloped lands closest to the core being given preference and encouraging infill opportunities as specified in Objectives CS04, CS05, CS21 and SH06 of the CDP and the development approach for 3a level settlements.
- 7.2.28. The CDP core strategy reduced the population growth for Courtown and Riverchapel having regard to the rate and pace of past development and the need to deliver social and community facilities to keep pace with recent development. This development in addition to the existing development as identified in the Core Strategy Monitoring report would exceed the population allocation for the village, particularly when the Core Strategy identifies the existing social infrastructure has not developed at the same pace as residential development in the village.
- 7.2.29. I am not convinced by the information submitted by the Applicant with the planning application and appeal documentation that this development would be any different in terms of layout or design that would make it specific to an assisted living/retired

community cohort. Furthermore, the percentage of 60+ year olds within the LAP boundary of Courtown and Riverchapel are similar to the national average for this cohort range and could not be considered as being excessively high.

7.2.30. The subject site was not identified as an opportunity site within the LAP, which identified sites closer to the Main Street such as the hotel site immediately to the north of the subject site which fronts the Main Street. I do not consider the applicant has provided sufficient details and justification that would lead me to conclude the development would be specifically for an 'Assisted Living/Retirement scheme' only, either by way of an end user or tenancy agreements, future social provider of the units, sequential assessment of other available lands in the village and the proposed layout would suggest it could be used as a residential development. The description of the development explicitly refers to assisted living accommodation, however I note the Planning Authority did not place a condition restricting the use of the accommodation to assisted living only. I would recommend in the event that the Board are minded to grant planning permission for the development and particularly given the description of the development that they are minded to condition the use of the development for assisted living by way of a Section 47 agreement with the Applicant.

7.2.31. As such, in my view the proposed development is contrary to National Strategic Outcome 1 'Compact Growth' under the NPF and Objective CS02 of the Wexford County Development Plan 2022-2028 concerning adherence to the principles set out in the Core Strategy, including the 'Development Approach' for Level 3a settlements for Wexford County, which includes applying the sequential approach to the development of land.

7.3. Character of the area and visual amenity

7.3.1. Third parties have raised concerns about the density, scale, height and design of the development and it not having regard to the existing physical setting of the area and in particular to Courtown Harbour. Reference is made to the Harbour/dock area being listed within the National Inventory of Architectural heritage of Regionally Importance (NIAH Reg No.15611026) however it is not listed as a protected structure within the CDP. I note the lifeboat station to the south east of the subject

site is a recorded protected structure within the Wexford CDP and NIAH (Ref: WCC0027 & NIAH Ref: 15611018).

- 7.3.2. The site is not in a conservation area but lies within the Coastal Landscape Character area of the county and such a landscape has a high sensitivity rating to development. The site is visible from across the harbour along the North Pier and is located on a prominent location along the harbour front. There are no protected or scenic views in the immediate vicinity to the site identified in the CDP landscape character assessment. The morphology of Courtown village has been determined to a large extent by the harbour and the current layout pattern has not altered significantly from the historic layout. I note the subject site was historically used as a coal yard to store the coal for boats in the harbour. The village largely comprises single and two storey structures with the exception of Courtown Hotel and Ocean View along the Main Street.
- 7.3.3. Courtown as stated in the LAP is a popular tourist destination by virtue of its natural amenities which include the beach, sea and harbour. It is an objective of the LAP to further maximise the tourist potential of the settlement which in turn will help promote the entire county as a tourist destination. The subject site comprises a gently sloping site enclosed by a perimeter wall on a prominent corner that overlooks the harbour and sea and in close proximity to the beach separated to a large extent from the higher density development along the Main Street and found closer to the centre of the village. I therefore consider the subject site contributes to the character of the harbour area.

Density

- 7.3.4. The proposed development would have a density of 151 units per hectare and would absorb 40% of the site's footprint and would have a plot ratio of 1.81. The Core Strategy in the CDP for the village states an average density of 25 units per hectare for Courtown and Riverchapel, particularly with regard to population allocation. The Compact Settlement Guidelines recommends the approach for small to medium sized towns will be to plan for growth arising from economic drivers within and around the settlement and to offer an improved housing choice as an alternative, including serviced sites, to housing in the countryside.

- 7.3.5. It is a policy and objective of the Compact Settlement Guidelines that the scale of new development in the central areas of small to medium sized towns should respond positively to the scale, form and character of the established context, and to the capacity of services and infrastructure (including public transport and water services infrastructure). I consider the subject site is on the edge of the town centre particularly having regard to the two principal opportunity sites identified in the LAP which are much closer to the Main Street. The Guidelines recommend densities in the range 25 dph to 40 dph (net) shall generally be applied at the edge of small to medium sized towns
- 7.3.6. Although the site is considered a brownfield site it has not been developed to any large extent with the Applicant stating it was a former tennis court and the Third parties stating it was a boatyard. The aforementioned guidelines promote the development of brownfield or infill sites in the town centre of small to medium villages providing the scale of new development responds positively to the scale, form and character of existing development. This part of the village has a low density character which is enhanced by the harbour setting which is one of the principal and historical attributes of this seaside town. It is essential that the location, scale, design, form and extent of any proposed development is capable of being integrated into the existing harbour area. I therefore consider the proposed density for this development is excessive given its location on the edge of the village centre where the prevailing density is low.
- 7.3.7. The Third party refers to the development at Bayview (P.A Ref: 20063532& ABP Ref: 221344) to the north of the subject site being refused on density grounds. The proposed density for this development was 175 u/ha and comprised a substantial mixed use development. However, this development was refused in 2007 and pre-dated the LAP and was superseded by another planning permission P.A Ref: 20081529 & ABP Ref: 26.232247 for a much smaller scheme with a density of 61u/ha.. Although I note the third party's submission in this regard, I consider this site is closer to the Main Street and forms part of the Main Street, is a larger site than the subject site, is a derelict site and less constrained and therefore could accommodate a higher density of development. However, the approved development on this site which has expired, had a significantly lower density than the current appeal development.

Scale, Height and Design

- 7.3.8. The subject site gradually falls from the south west to the east and is at a lower level (c.1m) to the lands immediately to the west and the houses facing the site along Seamount. The development would be designed with a four storey east facing block onto the Harbour Road frontage with a pitched roof and overall height of 14.8m and depth of 10m. This block would have a gallery/deck walkway over three floors along its rear elevation which would separate it from the adjoining predominantly three storey flat roof block with frontage onto the northern boundary of the site onto Seamount Road. The latter block would have a fourth storey recessed floor which would be set back between 14.6m and 15.8m from the western boundary and a further 13.6m from the frontage of the two storey houses to the west. The third floor element to this block would be set back 22m from the same properties.
- 7.3.9. The two storey dwellings to the south and south west of the subject site are at a higher level than the subject site but are set back from the harbour and Seamount Road. Although the development would be set back between c.52m at four storeys and 22m at three storeys from the frontage of the dwellings to the west, the building would appear overbearing when viewed from these properties particularly as they have no rear back gardens and rely on the front of their properties for their amenity/sitting out area.
- 7.3.10. Whilst I acknowledge this is a corner site and the layout of the proposed development would address both Seamount Road and the harbour, it is nevertheless a prominent and important site given its location next to the harbour and south pier. The planner's report considered due to the topography of the site it could accommodate a four storey development. However, I consider as the subject site slopes downwards towards the harbour, a four storey building positioned close to the harbour would appear incongruous in this location particularly next to the surrounding single and two storey properties in the immediate vicinity.
- 7.3.11. I note in the Applicant's Architectural Design Statement reference is made to P.A Ref: 20063532 at the former Bayview Hotel site to the north and a picture is enclosed of this development which comprised a 4/5 storey development. It is the Applicant's view that the proposed development aligns with this development. However, the development as indicated in the Design Statement was refused and a

much smaller development granted in P.A Ref: 20081529 & ABP Ref: 26.232247 on the same site for a 3 storey development over a basement. Nevertheless, as outlined in Section 7.3.7 above I do not consider these are comparable sites. The former Bayview hotel site is identified as an opportunity site in the LAP, is a derelict site and is positioned on a prominent location on the Main Street. The subject site however is on the edge of the village centre, is not identified as an opportunity site in the LAP, and is surrounded by properties of a much lower height and scale.

- 7.3.12. The proposed development would have a density of 151 u/ha and would absorb 40% of the existing site area and positioned close to the boundary edges of the site. Having regard to the prevailing low density and scale of development in the immediate area, the development would cover an uncharacteristically large footprint. The proposed height and scale of the development over four storeys would be excessive and would result in a dominating and incongruous addition to this edge of village and harbour area. I consider a three storey development would be more appropriate in this location, which would result in a reduction from 18 units to 14 units on the site. However, I consider this would result in a material change in the development.
- 7.3.13. I noted on my site inspection there is a 4/5 storey building along Main Street known as Ocean View with vacant commercial units on the ground floor. Although this development is located much further west of the subject site, I consider it dominates and appears out of character with the surrounding area particularly when viewed from the Harbour. While the subject site is not zoned for amenity space, it is considered the development of the site to a density and scale as proposed would erode the natural qualities of the area in which it is situated. I do not consider the existing 4/5 storey building along Main Street can be considered to be within the same coastal setting as the proposed development, and as such does not set a precedent.
- 7.3.14. The development would be constructed in brick with a gable roof to the Harbour frontage, and it is proposed to use a light grey brick/off white colour which I do not consider ties in with the established maritime palette of materials in the immediate vicinity of the site many of which are in red brick or render in the area.

- 7.3.15. I further consider the inclusion of projecting balconies to the apartment building is inappropriate in this location, in that it is not in keeping with the established character of buildings in the Main Street or surrounding area. I consider the introduction of projecting balconies is unwarranted, particularly as a decking area to the rear of both blocks on the upper floors is proposed. I consider recessed balconies within the façade line of the development would make the open space area less exposed and would be more in keeping with the character of the area.
- 7.3.16. I note it is proposed to have a community/café on the ground floor which would support the tourism industry in this location. As stated previously it is not clear from the documentation submitted the intended nature of the community use and whether it would be used for future residents of the development or made available for residents in the Courtown area. Nevertheless, I consider both the café use and community would be a welcome asset for residents of the area and compliment this part of the village.

Conclusion

- 7.3.17. I do not consider the subject site of a suitable size that would enable it to establish its own density, particularly with regards to the surrounding area. I note is located next to the Harbour which could enable a higher scale of development but the proposed height does not reflect the immediate surrounding area or adjacent properties. The Compact Settlement Guidelines states both plot ratio and site coverage as a measure of the intensity of land use and as a control for preventing the adverse effects of over development.
- 7.3.18. The proposed development would have a plot coverage of 40% and a plot ratio of 1.81, which I consider reflects an overdevelopment of the site. I have considered the removal of the fourth floor of the development but consider this would be a material alteration to the development. The proposed density for this site on the edge of the village exceeds the maximum density guidelines for a small town/village such as Courtown as specified in the Compact Settlement Guidelines. I therefore consider the development by reason of its density, footprint, overall scale and height is out of character with the surrounding area and would negatively impact on the visual amenities of this harbour area, which is one of the primary tourist assets of the village.

7.4. Residential Amenity

- 7.4.1. Third parties refer to the proposed development blocking light to their properties and resulting in a loss of view. From the outset I would agree with the First party that the loss of a view is not a planning matter. The proposed development would be positioned to the east of the properties in Seamount, which I consider would be the most affected residents by the development.

Loss of light

- 7.4.2. The 3 storey element of the northern block would be set back 22m and 28m at the fourth floor from the front of the houses in Seamount. The rear balcony of the four storey eastern block would be c.49m (i.e closest point) from the same properties. The properties in Seamount Road are 2m higher than the ground level of the subject site and positioned c.15.8m from the site's boundary by a boundary wall. Although the proposed development would be taller than the properties to its west, the development would not impact on the vertical sky component currently received at these dwellings due to the separation distances, overall height of the development and the dwellings being positioned at a higher level than the subject site.

Loss of privacy/overlooking

- 7.4.3. SPPR 1 of the Compact Residential Settlement guidelines states when considering a planning application for residential development a separation distance of at least 16 metres between opposing windows serving habitable rooms at the rear or side of houses, duplex units and apartment units, above ground floor level shall be maintained. There are windows proposed in the western elevation to the 3/4 storey northern block, however these windows would be in obscured glass and would not therefore result in overlooking. The introduction of windows along the western facade of this block would also break up this elevation when viewed from the houses to the west.
- 7.4.4. The external balconies on the rear of this block would face onto the southern boundary of the site and would be set back a minimum distance of 23m from the front of the dwellings in Seamount. There would be an element of oblique over looking from the balconies closest to the western boundary, however, I would recommend in the event of planning permission being granted that privacy screens

are provided on the western side of the balconies at first, second and third floors to the northern block to reduce overlooking to the properties in Seamount. The balconies to the four storey eastern block would be positioned c.51m from the front elevation to the houses to the west. I therefore consider the development would not impact on the privacy of the houses to the west.

Operation and Management of the development

- 7.4.5. Third parties have raised an issue regarding the operation and management of the development, primarily regarding communal facilities such as refuse storage areas and the long term maintenance of the scheme in accordance with the Compact Guidelines.
- 7.4.6. The proposed development by way of a response to the further information included an Operational Waste Management Plan (OWMP) regarding the management of waste during the operational phase of the development. This Plan provides details of the estimated volume of waste that would be generated from the development based on the predicted occupancy of the units and the requirement for 2no. 1100l and 2no. 240l bins in the bin storage facility. I note the bin waste storage area is indicated as being designed to accommodate 8no. 1100l bins. This facility would be located in an enclosed and ventilated building along the western boundary of the site. Residents will be required to segregate waste materials to designated waste storage receptacles in the bin enclosure area and would be informed of the waste the OWMP Plan would be provided to each resident upon occupation and the property management company will be responsible in updating the Plan in the event of new waste management segregation information. Access to this area would be restricted to residents, facilities management and waste contractors. Provision would also be made in each unit to accommodate 3 no. bin types to facilitate organic, dry mixed recyclable and mixed non-recyclable waste which would be colour coded according to the waste. I consider the OWMP sets out the long term management and maintenance of waste for the scheme and the bin storage area can accommodate the projected waste generation and types and quantities of receptacles required.
- 7.4.7. I also note the Resource and Waste Management Plan states upon completion of the development a Management Company shall prepare an Operational Waste

Control Strategy for the development, which shall detail specific operational arrangements in respect of the proposed development.

Future residential amenity

- 7.4.8. A Housing Quality Assessment was submitted with the planning application to demonstrate compliance with the standards of the Sustainable Urban Housing: Design Standards for New Apartments 2023. I am satisfied that all relevant SPPR's in terms of housing mix, apartment floor areas, dual aspect ratio, ceiling heights and private amenity space are met. The communal open space for the proposed development located in the southern part of the site would have an overall area of 279m² which would equate to 23% of the gross site area which would exceed the policy and objective 5.1 for public open space as specified within the Compact Settlement Guidelines.
- 7.4.9. There would be one lift and stair core area serving the first, second and third floor apartments. I note the planner's report refers to 14 of the units being accessed from the same stair core, however the stair core would serve 5 apartments at first and second floor and 4 apartments at third floor, so it would be in accordance with SPPR 6 of the Apartment Guidelines permits a maximum of 12 apartments per floor per core.
- 7.4.10. The four storey eastern block would be separated for the proposed 3/4 storey block by a 2m deep deck/balcony. I note the smaller bedrooms to the apartments on the western block would face onto the flank wall of the of the 3 / 4 storey block. proposed ¾ storey northern block. Whilst this is not ideal, I acknowledge these bedrooms would not be the principle bedrooms to these apartments.

Conclusion

- 7.4.11. I do not consider the proposed development would impact on the residential amenity of the existing occupiers by reason of loss of privacy, overlooking or loss of light. The amenity for the future occupiers of the development would be in compliance with the size and standards in the Apartment and Compact Settlement Guidelines for residential development.

7.5. Traffic Safety and quantum of car parking spaces

- 7.5.1. Third parties have raised concerns on traffic and road safety issues, insufficient car parking spaces and excessive bicycle spaces proposed for the development. I note Objective 9 of the LAP seeks to encourage and facilitate the development of a regular public bus service between the plan area and adjoining areas, in particular, Gorey Town.

Traffic and Road Safety

- 7.5.2. Third parties have raised concerns regarding the additional traffic that would be generated by the development and lack of footpaths in the area along the Harbour Road which is currently used for a variety of vehicular and pedestrian traffic including fishing and marine rescue vehicles and visitors to the Pier head and at the Seamount Road junction. To avoid ambiguity for the purposes of the assessment of the proposal I refer to Seamount Road as the road to the northern boundary of the site and the road along the eastern boundary of the site as Harbour Road. The road to the southern boundary of the site is referred to as Seamount Hill.
- 7.5.3. This is a zoned brownfield site and I consider it has the potential to be developed. There is currently no pedestrian footpath along the frontage (eastern boundary) of the site onto the Harbour Road or along the northern boundary of the site onto Seamount Road. The development purposes to provide a footpath along the frontage of the site onto Harbour Road which would provide a connection to an existing footpath beyond Seamount Hill which leads to the Pier and public car park area. Part of the build out of the footpath along the site's frontage would be subject to the Council's agreement and I note the Council have no objection to this element of the development. I consider this provides for a safety improvement for pedestrians using Harbour Road to access the pier and beach area, as there is currently no footpath along this section of Harbour Road.
- 7.5.4. Pedestrian and vehicular visibility egress and ingress from Harbour Road and Seamount Road is currently restricted to a large extent by the perimeter wall to the site. There is currently no pedestrian footpath along Seamount Road frontage of the site. There is no proposal to provide a footpath along the northern boundary of the

site, however I consider the removal of the wall would improve the visibility at the north eastern corner of the site and at Seamount Road/Harbour Road. Furthermore, I note by way of further information and clarification the Applicants in their revised plans indicate the proposed development would not impede vehicular manoeuvres for emergency vehicles on Seamount Road or Seamount Hill.

- 7.5.5. I therefore consider the proposed development would not result in a traffic or safety hazard.

Car parking spaces

- 7.5.6. Third parties consider 5 car parking spaces for the development is inadequate and contrary to the Compact Settlement Guidelines and CDP standards. Furthermore, they consider the 5 spaces would be insufficient to cater for the residents and visitors and given the nature of the proposed use, social and healthcare visitors, emergency vehicles and for the proposed café use. I note the applicant has included for additional parking on the northern side of Seamount Road although this lies outside the boundary of the site.
- 7.5.7. The First party in their response to this ground note the site is in a village centre within walking distance to many amenities and bus routes and that the CDP standards, Compact Settlement and New Apartment Guidelines allows for reduced car parking standards to reduce travel demand and vehicular movement.
- 7.5.8. I consider the proposed development lies within a peripheral location as defined in Table 3.8 of the Compact Settlement Guidelines, in that it is in a rural village and does not have access to a reasonably frequent bus service (minimum 15 minimum peak hour frequency). Policy SPPR 3 of the aforementioned guidelines states in immediate or peripheral locations the maximum rate of car parking provision for residential development, where such justification is justified to the satisfaction of the planning authority, shall be 2 no. spaces per dwelling. The Apartment Guidelines recommends as a benchmark one space for every 3-4 apartments should generally be required.
- 7.5.9. I note the P.A considered there was sufficient car parking spaces within walkable distance to the site in the village centre. On the day of my inspection, I observed a number of public car parking space areas in close proximity to the site, namely at the Former Bay View Hotel, at Flanagan's Wharf to the north of the site, along the Main

Street, and unmarked spaces along Seamount Road next to Dunbar's store/Post office and close to the Pier to the south of the site. However, I appreciate these areas would be busy during the summer or holiday periods.

- 7.5.10. The Wexford CDP sets out car parking standards in Table 6-7 of the Development Management Manual, as a maximum of 1 space per apartment with no parking required in a town or village centre location or for visitor parking. In my view, the standards set out in Table 6-7 in the CDP with respect to parking can be applied flexibly, as specified in the Compact Settlement Guidelines.
- 7.5.11. The development would provide a total of 5 car parking spaces for the proposed 18 units which would equate to 0.28 spaces per unit. In the Apartment Guidelines for suburban/urban locations served by public transport or close to town centres or employment areas, and particularly for housing schemes with more than 45 dwellings per hectare, planning authorities must consider a reduced car parking standard and apply an appropriate maximum car parking standard. The proposed development, however, is not within close proximity to a frequent public transport service.
- 7.5.12. The commercial facilities within the village are limited as there is no large convenience store within the village to facilitate a weekly shop. Nevertheless, I consider 5 car parking spaces for the development would be adequate for an assisted living/retired community scheme, based on the future residents not requiring a car and it would be assumed residents would be provided with meals on site rather than needing a car for a weekly shop or travelling to work for example. However, as outlined previously I am not convinced from the documentation as submitted that the development would be used for 'assisted living accommodation', whereby the residents would not have to rely on cars to do the weekly shop etc..
- 7.5.13. Whilst I appreciate the reduced level of car parking provides for a more sustainable form of development, given the nature of the use I consider it would be desirable to have a minibus space on the site and dedicated parking provision for visitors such as a doctor/physiotherapist/nurse etc on site. In the absence of information regarding the nature of the proposed use I am not satisfied 5 car parking spaces for 18 residential units in this edge of village site which does not have access to a frequent public transport system is adequate.

Bicycle parking spaces

- 7.5.14. The proposed development indicates the bike storage area has been designed to accommodate 30 bicycles on a two tier system. It is also stated in the Architectural Design statement that the bike storage area could accommodate mobility scooter parking. There would be a further 12 bicycle parking spaces to accommodate proposed café/community use.
- 7.5.15. I consider the level of cycle parking promotes the use of sustainable travel. If the café/community facility is to be made available for members of the public, future users of the café/community hub would have the option to walk or cycle to the facility. I note 10 of the cycle spaces are located close to the frontage of the proposed development and could be used by passersby/members of the public and that there are adequate public car parking spaces in close proximity to the development which could be used by visitors, particularly in the summer months.
- 7.5.16. I note the First party in their response to the appeal indicate that the bicycle parking area could be used for mobility scooters but as mentioned previously in this report I am not convinced that this would be possible.

Conclusion

- 7.5.17. I do not consider the proposed development would result in a traffic hazard and the provision of a footpath along Harbour Road would greatly improve pedestrian safety along this road. Whilst the proposed development would increase the vehicular activity (5 car parking) spaces along Seamount Road it would not impede vehicular manoeuvrability along this road as indicated in the submitted swept path analysis. I have however concerns regarding the proposed level of car parking spaces for the proposed development particularly given the lack of a rationale and justification for the number of car parking spaces proposed, the limited access to urban services and to public transport and in the absence of a transport management plan in relation to the proposed assisted living/retirement scheme.

7.6. Flood Risk and Drainage

Third parties have raised concerns about the subject site being liable to flooding and the inability of the sewer network to accommodate water flow during heavy periods of rainfall and attached photographs indicating a surface water flood event.

Flooding

- 7.6.1. The applicants submitted a Site Specific Flood Risk (SSFRA) with the planning application which indicates the subject site is in Flood Zone C, and the OPW CFRAMS maps indicate the site is located outside of the 0.1% AEP fluvial floodplain and there is therefore a low probability of the site flooding. The CDP's Strategic Flood Risk Assessment Maps also indicates that the subject lands are located outside the 0.1 % AEP zone and the site therefore lies within Flood Zone C (low vulnerability).
- 7.6.2. The site is located close to the coast but recent modelling of the area indicates that the site is located outside the 0.1% tidal floodplain. A recent study carried out by the OPW on the coast of Ireland as part of the Irish Coastal Protection Strategy Study looked at the potential future flooding should sea levels be impacted by climate change. The study took both a mid-range (rise of 500mm) and high-range (rise of 1000mm) above existing sea levels. This study indicates the site would be outside of the flooded area allowing for these changes in sea levels.
- 7.6.3. I accessed floodmaps.ie accessed (4/4/2025) which correlates with the applicant's SSFRA and does not record any recent pluvial flood events in the immediate vicinity of the site. I am therefore satisfied with the findings in the Applicant's SSFRA and do not consider the site is subject to fluvial, pluvial or tidal flooding and is not therefore vulnerable to flooding. I note the P.A had no objections to the proposal on flooding grounds.

Surface water

- 7.6.4. Although the groundwater vulnerability of the site in the area is extreme the current site is unattenuated. It is proposed to restrict storm water run-off from the site through the provision of an attenuation tank and a number of Sustainable Urban Drainage Systems (SuDS) measures from the proposed development to that of greenfield run off rates or 2l/sec/ha whichever is the greater. I note the engineering report states no additional storage has been provided for urban creep which I consider reasonable given the development is for apartments.
- 7.6.5. The development has been designed to retain storm water volumes predicted to be experienced during extreme rainfall events, i.e a 1 in 100 year storm event and for a 20% predicted climate change factor. An attenuation tank is proposed close to the

southern boundary of the site contained within the amenity area. This tank would have a storage volume of 21m³ and would connect to the existing public storm water drainage system which has an existing outfall into the pier wall into the harbour. I am satisfied the attenuation tank would cater for a 1 in 100 year flood event. Additional SuDs measures would include permeable paving, two green roof areas, rain garden system and water butts.

- 7.6.6. I consider the proposed measures for surface water would reduce the volume of storm water currently leaving the site during extreme storm events, which in turn shall have a positive effect in reducing the pressure on the existing public drainage system.

Conclusion

- 7.6.7. This is a brownfield site and is zoned for village centre uses. I note the third party submitted photographs of a flood event close to the site along the road parallel to the harbour, however I am satisfied the application has addressed the possibility of the proposed development creating flood events elsewhere, or any flood events impacting on the development in accordance with the Flood Management Guidelines. The proposed surface water attenuation tank would be capable of collecting any storm water run-off from the site and discharging at an acceptable rate to the public network.

7.7. Other Matters

Infrastructure Capacity

- 7.7.1. Third parties raised concerns regarding the available public services regarding sewage. I note in the Chief Executive's report to members on extending the duration of the Courtown & Riverchapel LAP in January 2020, that the Courtown Waste Water Treatment Plant was upgraded in 2014 and designed for 35,000 P.A with 20,000 P.E. allocated to Gorey and 15,000 P.E. allocated to Courtown. A new water storage reservoir had also commenced at Ballyminaun Hill to the south of Gorey Town at the time of this report and that these upgrades and installations would ensure a sufficient supply of waste and water infrastructure to serve new development in the area.

- 7.7.2. I accessed Uisce Eireann's Wastewater Treatment Capacity Register on 10/4/2025, and I noted the waste water treatment plant in Courtown has spare capacity available in the network. I also accessed Uisce Eireann's water capacity register and the Courtown Harbour-Riverchapel-Ardamine settlement has available capacity to meet 2033 population targets. I also note the applicant has engaged with Uisce Eireann via a pre connection enquiry and Uisce Eireann confirmed that a Confirmation of Feasibility has been issued to the applicant advising them that a water/wastewater connection is feasible and have no objection to the development subject to standard conditions in this regard. I consider there is adequate infrastructure capacity within the village.

Fire Safety

- 7.7.3. The third parties have raised a concern regarding fire safety/evacuation details for the development. However, the issue of compliance with Fire Regulations will be evaluated under a separate legal code and thus need not concern the Board for the purposes of this appeal.

Inaccuracies in Reports/Drawings

- 7.7.4. I note the third parties issue raised with regards to references made by the applicant to areas not related to Courtown, however I consider these errors are minor and do not impact on the overall assessment of the development. The inaccuracies with regards to Apartment 1D being a two bedroom apartment and listed as one bedroom apartment was clarified by the applicant as being a two bedroom apartment. This apartment meets the required standards for a two bedroom unit.

Tourism Objectives

- 7.7.5. The Third party refers to there currently being no hotel available in the village and the proposed site would be more appropriate for a use that would promote tourism in the area. The site as stated previously is zoned for VC use and the proposed uses are considered acceptable in principle on these lands.

Occupancy Clause

- 7.7.6. Third parties have raised an issue about the development being subject to an occupancy clause which I have addressed in section 7.2 above.

- 7.7.7. Third parties have referenced a previous refusal of planning permission P.A Ref: 20063532 & ABP Ref: 26.221344 to the north of the subject site which was refused due to its height (5 storeys) and density (175 u/ha). I acknowledge this development was assessed under a different CDP and national policy framework and I consider the proposed development should be assessed and determined on its own merits particularly as this development was determined 18 years ago.

Impact of the development on the stability of neighbouring properties and harbour

- 7.7.8. Third Parties submit that the existing houses next to the subject site have sand foundations and question the development of the land impacting on the stability of their property and the harbour. However, this is a Building Control matter and outside the remit of the planning process. However, no evidence has been submitted by third parties that would lead me to determine that the proposed development would impact on the structural stability of the adjoining houses.

8.0 AA Screening

- 8.1. Having carried out Screening for Appropriate Assessment In accordance with Section 177U of the Planning and Development Act 2000 (as amended), (Refer to Appendix 2), I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on any European Site and is therefore excluded from further consideration. Appropriate Assessment is not required.
- 8.2. This determination is based on
- The nature, scale and location of the project.
 - Distance from European Sites, intervening land uses and lack of connections.
 - Standard best practice construction methods and pollution controls that would be employed regardless of proximity to a European site and effectiveness of same.
 - Taking into account screening determination by the P.A.
- 8.3. No measures intended to avoid or reduce harmful effects on European sites were taken into account in reaching this conclusion.

9.0 Water Framework Directive

9.1. The subject site is located c.18m to the south of the Aughboy River. The proposed development comprises a three/four storey block with a stated gross floor area of 1,404.8m² comprising 18 residential units and a commercial unit as described in detail in Section 2.0 of this report.

9.2. No water deterioration concerns were raised in the planning appeal.

9.3. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface and ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. (Refer to Appendix 3 of this report)

9.4. 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 surface and/or groundwater water bodies either qualitatively or quantitatively.

The reason for this conclusion is as follows [insert as relevant]:

- The nature of the development on the edge of a village centre; and
- The location and distance from the nearest water bodies and the lack of hydrological connections.

9.5. I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

10.0 Recommendation

10.1. I recommend that planning permission be refused for the reasons and considerations as set out below.

11.0 Reasons and Considerations

1. The Core Strategy and Settlement Hierarchy for County Wexford as set out in the Wexford County Development Plan 2022-2028, which designates Courtown & Riverchapel as a 'Level 3a Strategic Settlement', the allocation of population to those settlements listed in the Settlement Hierarchy as set out in Table number 3.3 of the Wexford County Development Plan 2022-2028; the additional quantum of housing in Courtown & Riverchapel recorded between 2016 and 2022, as evidenced by the 2022 Census of Population, and the quantum of residential development permitted in Courtown & Riverchapel LAP since its adoption, and coming into effect, of the Wexford County Development Plan 2022-2028, the quantum of development proposed, which if taken in conjunction with the quantum of new residential development already granted planning permission in the settlement, would significantly exceed the Housing Targets for Courtown & Riverchapel over the development plan period; and, Objective CS02 of the Wexford County Development Plan 2022-2028 which seeks "To ensure that new residential development in all settlements complies with the population and housing allocation targets and the principles set out in the Core Strategy and Settlement Development Strategy, in so far as practicable". It is therefore considered that the quantum of new residential development proposed at this location, would conflict with the Core Strategy and Settlement Strategy of the Wexford County Development Plan 2022-2028, and would contravene Objective CS 02 of the same development plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the scale, massing and design of the proposed development relative to the scale of the adjacent properties, and its location on the edge of the town centre and its proximity to the harbour, it is considered that the proposed development by reason of its response to the site's context would constitute an overdevelopment of a limited area and would have a negative impact on the character of the area, by reason of its height, scale and overbearance and would be an incongruous feature in the streetscape. The proposed development would seriously injure the visual amenity of the area and would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Catherine Dillon
Planning Inspector

17th June 2025

12.0 Appendix 1- EIA Screening

Form 1

An Bord Pleanála Case Reference	321005-24		
Proposed Development Summary	Construction of three/four storey block consisting of 18 apartments units, 1 commercial unit at ground floor for Assisted Living/Retirement Community Scheme and all associated ancillary works.		
Development Address	Seamount, Courtown, Co. Wexford		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	✓
		No	
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes	✓	Class 10(b)(i)	Proceed to Q3.
No			
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes			EIA Mandatory EIAR required
No	✓	10(b)(i) - Construction of more than 500 dwelling units	Proceed to Q4
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	✓	The proposed development is for 26 units and does not exceed the 500 unit threshold.	Preliminary examination required (Form 2)
5. Has Schedule 7A information been submitted?			

No	✓	Pre-screening determination conclusion remains as above (Q1 to Q4)
Yes		Screening Determination required

Inspector: _____ **Date:** _____

Form 2 EIA Preliminary Examination

An Bord Pleanála Case Reference	ABP-321005-24
Proposed Development Summary	Construction of three/four storey block consisting of 18 apartments units, 1 commercial unit at ground floor for Assisted Living/Retirement Community Scheme and all associated ancillary works.
Development Address	Seamount, Courtown, Co. Wexford
<p>The Board carried 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.</p> <p>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</p>	
<p>Characteristics of proposed development</p> <p>(In particular, the size, design, cumulation with existing/proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).</p>	<p>The nature and size of the development (18 apartments & 1 commercial unit) on a 0.1194 ha. site is exceptional in that it is located immediately to the west of Courtown Harbour.</p> <p>The development would have a density of 151u/ha (gross with a site coverage of 40%. The site would have a plot ratio of 1.18 of gross site area.</p> <p>The proposed development would not result in the production of any significant waste, emissions or pollutants. Localised construction impacts would be temporary.</p> <p>The development, by virtue of its type (residential & small commercial element), does not pose a risk of major accident and/or disaster.</p>
<p>Location of development</p> <p>(The environmental sensitivity of geographical areas likely to be affected by the development in particular existing</p>	<p>The site is not located within a designated area but is located next to the harbour.</p> <p>There would be no significant impact on any</p>

<p>and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).</p>	<p>protected areas, protected views, built or natural heritage or European Sites.</p> <p>The nearest European site is Cahore Polders & Dunes SAC (site code:000700) circa 9.5km to the south.</p> <p>The site is not hydrologically connected to the river. It is not considered that the proposed development would be likely to have a significant impact on the European site. The site is not located on a flood zone.</p> <p><i>Archaeology:</i></p> <p>According to archaeological assessment, there are no archaeological monuments recorded within or near to the site.</p> <p><i>Historic & cultural:</i></p> <p>The site is a brownfield site and there are no protected structures on the site. There is a water pump c.12.5m to the north east of the site on the NIAH list (Ref: 15611019). The site does not lie within an ACA.</p> <p>The lifeboat station is a protected structure in the CDP (Ref: WCC0027) & on the NIAH list (Ref: 15611018). The harbour/dock/port area is recorded on the NIAH list (Ref: 16611026).</p> <p><i>Landscape:</i></p> <p>The site is located within the Coastal Landscape character area of the county which has a high sensitivity rating. No protected views/scenic routes in vicinity of the site.</p>
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	Waste Management & Construction Management Plan submitted with proposal.	
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	All development has the potential for some impacts/disturbance during the construction phase such as noise, vibration, dust, air quality and traffic. However, these impacts would be short term and temporary and can be appropriately managed and mitigated by way of conditions and the implementation of a detailed Construction Environmental Management Plan. There is no real likelihood of significant effects on the environment arising from the proposed development. There is no real likelihood of significant cumulative effects having regard to existing or permitted projects. There is no potential for significant effects on the environmental factors listed in section 171A of the Act.	
Conclusion		
Likelihood of Significant Effects	Conclusion in respect of EIA	Yes or No
There is no real likelihood of significant effects on the environment.	EIA is not required.	Yes

Inspector:

Date:

DP/ADP: _____

Date: _____

(only where Schedule 7A information or EIAR required)

13.0 Appendix 2: Appropriate Assessment Screening

Appropriate Assessment Screening Determination

(Stage 1, Article 6(3) of Habitats Directive)

I have considered the proposed residential and commercial development in light of the requirements of S177U of the Planning and Development Act 2000 as amended.

Description of the site

The site is located on the southern edge of Courtown village centre and comprises a brownfield site. Land currently comprises of a gravel surface enclosed by a perimeter wall. There is a residential development immediately to the west of the site. The closest watercourse to the site is the Aughboy River c.18m to the northern boundary of the site separated from the site by Seamount Road. The harbour is to the east of the site and the Aughboy River flows into it and out to sea.

The site comprises made ground and lies on a poor aquifer bedrock which is generally unproductive except for local zones. The site has a high groundwater vulnerability that makes it highly vulnerable to contamination by human activities.

Description of the project

The proposed development comprises the development of 18 no. units for the provision of an Assisted Living/Retirement Community scheme and a community use.. A detailed description is presented in Section 2 of my report. It is proposed to provide an attenuation tank with a volume of 21m³ to restrict storm water run off from the proposed development to greenfield run off rates. This will be discharged to an existing drain located to the north of the site by gravity. Additional SuDs measures are proposed including permeable paving, green roofs, rain garden systems and water butts. All foul water would be collected in a new foul network and flow under gravity to an existing foul sewer running along the north of the site. The site is not subject to flooding.

Consultations and submissions

Screening for Appropriate Assessment was undertaken by the Wexford County Council as part of their planning assessment and a finding of no likely significant effects on a European Site was determined.

Uisce Eireann have no objections, subject to a connection agreement.

European Sites

The proposed development site is not located within or immediately adjacent to any site designated as a European Site, comprising a Special Area of Conservation (SAC) or Special Protection Area (SPA). The closest European site Cahore Polders & Dunes SAC (site code:000700) is circa 9.5km to the south. Other sites in the wider area include Kilpatrick Sandhills SAC (site code: 001742) circa 10.5km to the north east, Slaney River

Valley SAC (site code:000781), circa 11.5km to the west, Blackwater Bank SAC (site code: 002953) circa 13.5km to the south east, and Cahore Marshes SPA (site code: 004143) circa 20km to the south.

European Site	Qualifying Interests (summary)	Distance	Connections
Cahore Polders & Dunes SAC (site code:000700)	<u>Habitats:</u> Annual vegetation of drift lines, Embryonic, shifting & fixed coastal dunes <u>Species:</u> None	9.5km	No direct
Kilpatrick Sandhills SAC (site code: 001742)	<u>Habitats:</u> Annual vegetation of drift lines, Shifting & fixed dunes. <u>Species:</u> None	10.5km	No direct
Slaney River Valley SAC (site code:000781)	<u>Habitats:</u> Estuaries, Mudflats, sandflats, Atlantic & Mediterranean Salt meadows Water courses of plain to montane levels, Old sessile oak woods & Alluvial forests. <u>Species:</u> Freshwater Pearl Mussel, Sea, Brook & River Lamprey, Twaité Shad, Salmon, Otter & Harbour Seal	11.5km	No direct
Blackwater Bank SAC (site code: 002953)	<u>Habitats:</u> Sandbanks covered in Sea water <u>Species:</u> Harbour porpoise	13.5km	No direct
Cahore Marshes SPA (site code: 004143)	<u>Habitats:</u> Wetlands <u>Species:</u> Golden Plover, Lapwing, Greenland White fronted Goose, Wigeon & Waterbirds	20km	No direct
Seas of Wexford SPA (site code: 004237)	<u>Habitats:</u> None <u>Species:</u> Sea birds	11.5km	No direct

Likely impacts of the project (alone or in combination with other plans or projects)

The site is not located within or adjacent to any European Site so there is no risk of habitat loss, fragmentation, or any other direct impact.

Given the nature, scale and location of the project, any potential indirect impacts on European Sites from the development would be restricted to the discharge of surface or foul water from the site. The closest designated site to the Application site is the Cahore Polders & Dunes SAC (site code:000700), which is circa 9.5km to the south of the subject site. There are no watercourses within the application site and no hydrological connections between the site and any Natura 2000 sites. The site is subject to disturbance from surrounding development and is unsuitable to provide foraging habitat for wetland and waterbird species. An attenuation pond is proposed to the south of the proposed development that will prevent contaminants from entering the ground and surface water. As there is no pathway for contaminants from the application site to enter the SAC/SPA, there is no likelihood for significant effects.

Construction phase:

The planning application was accompanied by an outline CEMP. Given the contained nature of the site (serviced, defined site boundaries, no direct ecological connections or pathways) and distance from receiving features connected to SPAs and SACs make it highly unlikely that the proposed development could generate impacts of a magnitude that could affect European Sites.

During the construction phase cement-based products, hydrocarbons and other aqueous solutions will be required on-site. Given the small quantities of these materials required onsite at any one time, the risk of significant contamination to surface water generated within the footprint of the project site will be low. In the event of contamination of surface water such contaminated surface water will drain to the ground, with soils and subsoils providing effective filtration of any surface water draining to ground.

Operational phase:

During the operation phase, wastewater generated will be conveyed via existing sewerage infrastructure to the local wastewater treatment plant. Uisce Eireann have no objections subject to conditions. Surface water will be discharged to attenuation on site and includes the use of a hydrocarbon interceptor, which would connect to the existing storm water. Given the nature of the development, there is no potential for the operation of the development to impact water quality.

Likely significant effects on the European site(s) in view of the conservation objectives set out for the qualifying features including:

The construction or operation of the proposed development will not result in impacts that could affect the conservation objectives of the Natura 2000 sites. Due to distance and lack of meaningful ecological connections, and the absence of any suitable foraging or nesting habitat at the site, there will be no changes in ecological functions due to any construction

related emissions or disturbance. There will be no direct or ex-situ effects from disturbance on mobile species during construction or operation of the proposed development.

In combination effects

The proposed development would not result in any effects that could contribute to an additive effect with other developments in the area. No mitigation measures are required to come to these conclusions. I consider the provision of the surface water attenuation and oil/petrol interceptor a standard measure to prevent ingress of pollutants from surface water during the operation phase and is not a mitigation measure for the purpose of avoiding or preventing impacts to the Natura 2000 sites.

Overall Conclusion Screening Determination

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development would not result in likely significant effects on any European Site and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- The nature, scale and location of the project.
- Distance from European Sites, intervening land uses and lack of connections.
- Standard best practice construction methods and pollution controls that would be employed regardless of proximity to a European site and effectiveness of same.
- Taking into account screening determination by the P.A.

No mitigation measures aimed at avoiding or reducing impacts on European sites were required to be considered in reaching this conclusion.

13.1. Appendix 3: WFD Assessment

WFD IMPACT ASSESSMENT STAGE 1: SCREENING						
Step 1: Nature of the Project, the Site and Locality						
An Bord Pleanála ref. no.	321005-24	Townland, address	Seamount, Courtown, Co.Wexford			
Description of project		Provision of an assisted living/retired community scheme for 18 units				
Brief site description, relevant to WFD Screening,		<p>Aughboy River to north of site flows into harbour to east.</p> <p>River waterbody: Aughboy (Wexford)-010 and Cahore -SC-010.</p> <p>Ground waterbody: Cahore Point IE-SE-G-025:</p> <p>Bathing Water to north east: Courtown North Beach</p> <p>Coastal Waterbody to east: Southwestern Irish Sea (HAs 11;12)</p> <p>Subsoils: Man Made</p> <p>Groundwater vulnerability: Extreme to high</p>				
Proposed surface water details		It is proposed to restrict storm water run-off from the site through the provision of an attenuation tank and SuDS measures to that of greenfield run off rates or 2l/sec/ha whichever is the greater.				
Proposed water supply source & available capacity		New connection to public water mains & sewer				
Proposed wastewater treatment system & available capacity, other issues		<p>Uisce Eireann capacity register accessed 9/6/2025 – spare capacity in Courtown WWTP.</p> <p>UE Water supply register -Capacity available in Courtown Harbour- Riverchapel -Ardmaine settlement.</p> <p>No objections from UE to the development subject to condition to service agreement.d</p>				
Others?		Not applicable				
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection						
Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk,	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off,

					review, not at risk		drainage, groundwater)
River Waterbody	c.18m to north of subject site’s perimeter	Aughboy- _010	Poor	At risk	Ag, Urban	Not hydrologically connected to surface watercourse.	
Groundwater waterbody	Underlying site	Cahore Point IE- SE-G-025	Good	At risk	DWTS, Ag	Poorly productive bedrock	
Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.							
CONSTRUCTION PHASE							
No.	Component	Water body receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if ‘screened’ in or ‘uncertain’ proceed to Stage 2.
1.	Surface	Aughboy- 010	None	None	None	No	Screened out
3.	Ground	Cahore Point IE- SE-G-025	Drainage	Hydrocarbon Spillages	Standard Construction Measures / Conditions	No	Screened out
OPERATIONAL PHASE							
3.	Surface	_010	None	None	None	No	Screened out
4.	Ground	SE-G-025	None	None	None	No	Screened out

DECOMMISSIONING PHASE							
5.	NA						