



An
Bord
Pleanála

Inspector's Report

ABP-321521-24

Development	Construction of a house and all associated site works.
Location	Old Boley (Kilbride E.D), Barntown, Co. Wexford
Planning Authority	Wexford County Council
Planning Authority Reg. Ref.	20240977
Applicant(s)	Jack Dunne & Claire O'Sullivan
Type of Application	Planning permission
Planning Authority Decision	Grant permission with conditions
Type of Appeal	Third Party
Appellant(s)	Fiona Carroll
Date of Site Inspection	20 th March 2025
Inspector	Sarah O'Mahony

1.0 Site Location and Description

- 1.1. The 0.45ha site comprises part of a large field accessed from an adjacent local road along the northern boundary of the field. The site is situated 2km northeast of Taghmon and 1.5km south of the N25.
- 1.2. The field is an irregular shape but extends to the south and further again to the southeast, falling away from the road at the north. Access to the field is in the northeast corner, outside of the area of the site itself.
- 1.3. There is one detached dwelling situated opposite (north) the site and another cluster of 2no. dwellings and farmyard 60-100m southwest however all the immediate area is characterised by grassed pastures and dense hedgerows. The wider area is characterised by rolling hills and valleys with long distance views achievable from the site over an expansive area.

2.0 Proposed Development

- 2.1. Planning permission is sought for development which comprises the following:
 - Construction of a 302m² detached, one and two storey, pitched roof dwelling set out in two wings with an interconnecting flat roof section,
 - 46.5m² pitched roof garage,
 - 37.4m² car port connecting the garage and dwelling,
 - On-site wastewater treatment system with polishing filter,
 - Private bored well, and
 - New vehicular entrance

3.0 Planning Authority Decision

3.1. Further Information

- 3.1.1. Table 3-3 requires dwellings with a floor area of 200-300m² to be situated on sites of 0.4ha or more and to provide 20% of the site for biodiversity improvements. In this regard the Planning Authority considered the scale of the dwelling, car port and

garage cumulatively to be excessive and not in compliance with Section 3.1.2 and Table 3-3 of Volume 2 of the CDP when regard was had to the size of the site. The scale of the site also required biodiversity improvement measures to be provided.

3.1.2. The Applicants responded by omitting the car port with subsequent minor amendments to the dwelling, reducing the floorspace by 3.3m² to 298.7m² and increasing the garage by 0.1m² to 46.6m². A landscaping scheme was also submitted, illustrating the required 20% by providing new mixed species hedgerows with intermittent tree planting as well as some woodland areas and meadows.

3.1.3. The Planning Authority considered these revisions to be sufficient and acceptable.

3.2. Decision

3.2.1. A notification of decision to GRANT planning permission was issued by Wexford County Council (the Planning Authority) on 29th November 2024 subject to 13no. conditions including a 10 year occupancy condition subject to a Section 47 agreement.

3.3. Planning Authority Reports

3.3.1. Planning Reports

- The Planners report recommendation to grant permission is consistent with the notification of decision which issued.
- The report considered that the applicants met the criteria for local need and following the revised design received at further information stage, the report considered the layout and design to be acceptable. Regarding impacts to neighbouring residential amenity, the report considered a 75m separation between both dwellings to be sufficient to prevent negative impacts.
- Appropriate Assessment (AA) and Environmental Impact Assessment (EIA) issues are both screened out.

3.3.2. Other Technical Reports

- Borough District report: No objection subject to standard conditions.
- Environment Department: No objection subject to standard conditions.

3.4. Prescribed Bodies

The application was referred to the Department of Housing, Local Government and Heritage however the Case Planners report states no response was received.

3.5. Third Party Observations

Two observations were received from Fiona Carroll, one each at the application and further information stages. They raised the following matters:

- Scale of dwelling with perceived overbearing impact.
- Visual impact and loss of outlook.
- Overlooking. Recommendation to redesign to single storey, re-orientate the layout and/or relocate to a different site adjacent the family home.
- Light overspill and intrusion.
- Impact to groundwater supply.
- Concern regarding placement of new entrance directly opposite the existing dwelling and question for justification given location of existing field entrance.
- Revised floorplan does not comply with CDP requirements.
- Lack of detail regarding attenuation.

4.0 Planning History

There is no planning history on the site.

5.0 Policy Context

5.1. Development Plan

5.1.1. The site is governed by the policies and provisions contained in the Wexford County Development Plan 2022-2028 (referred to hereafter as the CDP).

- Section 4.9 of Volume 1 of the plan refers to housing in the open countryside. It categorises the rural area of the county into three types and Map 1 identifies the site

as being situated within an area of strong urban influence. Table 4-6 outlines criteria which an applicant must meet in order to be eligible to construct a rural dwelling. There are two types of applicant categories listed, one relating to social need and the other relating to economic need. The following is the criteria for category A in areas of strong urban influence:

A person who has lived full-time in a principal residence for a minimum of 7 years (not necessarily concurrently and at any time in their life) in that local rural area and the site is within 7km radius of where the applicant has lived or is living and who has never owned a rural house. (See Point 4 in Definitions and Notes regarding owning a rural house). The dwelling must be the person's permanent place of residence. The person can work from home or commute to work daily.

- Objective SH39 underpins the requirement to demonstrate compliance with the listed criteria as follows as it states it is the objective of the Council:

To consider individual rural housing in the open countryside in accordance with the categories and associated criteria set out in Table 4.6 and subject to compliance with normal planning and environmental criteria and the relevant development management standards.

- Section 3.1 of Volume 2 of the plan provides design guidance for single dwellings in rural areas while Objective SH45 of Volume 1 requires:

the design of new single houses to be of high quality and in keeping with the rural character of the site and the area, protect the visual amenities of the area and that of the landscape character unit in which it is located.

- Volume 7 sets out the Landscape Character Assessment and identifies the site as being situated in a lowlands landscape character area which has a low sensitivity and a high capacity to absorb development. It states the following in Table 7-1:

The Lowlands LCU generally has characteristics which have a higher capacity to absorb development without it causing significant visual intrusion although, care still needs to be taken on a site by site basis, particularly to minimise the risks of developments being visually intrusive.

5.2. Natural Heritage Designations

- 5.2.1. The site is situated 4.3km northwest of Forth Mountain proposed Natural Heritage Area (pNHA).
- 5.2.2. It is also situated 6km southwest of The Slaney River Valley Special Area of Conservation and pNHA as well as Wexford Harbour and Slobs Special Protection Area.

5.3. EIA Screening

- 5.3.1. See completed Forms 1 and 2 on file. Having regard to the nature, size and location of the proposed development and to the criteria set out in Schedule 7 of the Regulations I have concluded at preliminary examination that there is no real likelihood of significant effects on the environment based on the nature, size and location of the proposed development. No EIAR is required. A formal determination or notification is not required in these cases.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. One appeal is received by Fiona Carroll which raises the following matters:
 - Insufficient site size for proposed floorplan which does not comply with the CDP. The FI response does not adequately address the non-compliance.
 - Inconsistent floorspace quantities stated in the further information response, as dimensions on drawings did not change.
 - The FI response omits a car port and suggests a patio in its place with an EV charging point. The appeal suggests this is unusual as vehicles would not generally drive onto patios. There is also a second patio proposed at the rear of the dwelling.
 - Distances between the wastewater treatment system (WWTS) and other relevant features such as proposed and existing wells, boundaries and trees are not specified on the drawings. It is submitted that an exact landscaping proposal should be submitted to clarify this issue.

- A soakway is proposed upgradient of the WWTS, contrary to the EPA Code of Practice for Domestic Wastewater Treatment Systems (Population Equivalent ≤ 10).
- Concern that new well would drain existing aquifer and impact water supplies for the Appellants property.
- Ridge heights of the proposed and existing dwellings are not provided.
- Potential traffic hazard due to proliferation of vehicular entrances in close proximity to each other on a narrow local road.
- Impact to privacy and residential amenity due to location and scale of new dwelling which affords overlooking to the Appellants property.
- Light overspill/ light nuisance is submitted as health concern for an Occupant of the Appellants property due to sensory matters.
- The appeal suggests that the dwelling is situated on a large landholding with opportunities to relocate the dwelling elsewhere, possibly to the east or west so it is not directly in front of the Appellants property.
- The scale of the proposed development would negatively impact the Appellant's property and would be visually obtrusive for the lowlands landscape character area and would also be contrary to Objective SH45 of the CDP which requires high quality dwelling design in keeping with the surrounding area.

6.2. **Applicant Response**

- The response submits a general background to the Applicant's connections to the area and demonstration of local ties.
- A GPS topographical survey was conducted to inform the application.
- The proposed dwelling design, landscaping, site size and floorspace all comply with the CDP.
- Adequate wastewater treatment can be provided on the site with a separation distance over the minimum 30m provided between the well and wastewater treatment system, as well as adherence to separation distances between the polishing filter and property boundaries. New tree planting will be a minimum of 7m from the percolation area.

- Drainage is designed to minimise hard standing and maximise permeable surfaces. The strategy proposes multiple swales and soakways throughout the property to enable percolation to ground. The system is designed to be maintained annually.
- Confirmation that a patio/paved area will be installed where the car port was previously proposed and an EV charger will be installed at the rear of the property, with a cable extending to allow for charging.
- The response outlines an overview of the permitted planning history for the appellants property opposite the site. It states that the well servicing that site was permitted in the northwest corner of the property and the GPS survey subsequently undertaken identifies its location '*approx. 6m away from the existing gable end of her dwelling*'. The response suggests this demonstrates non-compliance with the grant of permission. It also highlights how the Site Suitability Assessment identified ground water flow direction to be northeast to southwest with a separation distance between the existing and proposed wells of 86m. It suggests there would be no impact to the appellants well based on these parameters but also outlines how the state has seen increased rainfall and rain intensity in recent years and therefore, based on the current climate and rate of climate change, there would be sufficient groundwater recharge.
- The response collates ridge height information provided by the appellant and the application documents and suggests the proposed dwelling would have a ridge level 0.56mm higher than the existing dwelling. It also outlines the 71m proposed separation distance with intervening roadside ditches, road carriageway, verges in place.
- It submits that 65m sightlines are achievable in both directions and that the existing agricultural entrance is used 6 times a year on average. It suggests that the new proposed vehicular entrance would have limited impact on traffic safety.
- In terms of visual impact, the response outlines how the dwellings would not be directly opposite each other, but that only 3.8m of the front elevation of the Appellants dwelling would directly face the proposed garage, leaving the remaining 12m of the front elevation of the appellant's dwelling with unobstructed views.

- Details are provided regarding the layout of the site, existing hedgerows widths and heights as well as the aforementioned 71m. The response suggests that the impact of lighting from vehicular traffic would have minimal impact on the amenity of the adjoining property.
- The existing property boundary will be retained and strengthened with new landscaping. High level lighting is not proposed around the property however one sensor light is proposed and would be on a timer to automatically turn off.
- The proposed site is the most favourable from the perspective of agricultural practices as well as the applicants preference.
- Evidence provided of attempts to engage with the appellant as well as liaison with the Case Planner. Letters of support from family members and landowners are also received outlining the applicant's involvement with agriculture.

6.3. Planning Authority Response

- No response received.

7.0 Assessment

7.1. Introduction

- 7.1.1. The Applicant submitted a significant quantity of address records and documentation to demonstrate compliance with the local need policy as set out in Table 4-6 of the CDP and Objective SH39. Further, the site is situated in a rural area which is not overly saturated with housing and therefore I consider there is capacity in the area to absorb the proposed development.
- 7.1.2. The site is situated in a lowlands landscape character area which has a low sensitivity rating and a higher capacity to absorb development with care advised on a site by site basis to minimise the risks of developments being visually intrusive. In this context I consider that the principle of development is acceptable.
- 7.1.3. I note a reference in the Case Planners report to a possible ringfort on the site illustrated on historical mapping but that there is no evidence of any such feature on the National Monuments Service 'Historic Environment Viewer' which is a GIS based

online mapping tool. I have reviewed the mapping and reached the same conclusion. I also note the application was referred to the Department of Housing, Local Government and Heritage who did not respond with any commentary.

7.1.4. The feature itself comprises a u-shaped depression in the east of the field which overlaps slightly with the site, and is illustrated on the site layout plan received with the application. I did not note any such visible above ground feature during the site inspection and I note that little disturbance would occur as a result of the proposed development which has a small overlap the west only.

7.1.5. Therefore, having established the principle of development and examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, and inspected the site, and having regard to relevant local/regional/national policies and guidance, I consider that the main issues in this appeal are as follows

- Layout and Design
- Residential Amenity
- Wastewater Treatment
- Groundwater Supply
- Traffic Impact

7.2. Layout and Design

7.2.1. The site comprises 0.45ha and following receipt of further information, it is stated that a floorplan of 298.7m² is proposed (209.9m² ground floor, 88.8m² at first floor as well as a 46.6m² garage.) The appellant is correct in stating that both internal and external dimensions provided on floorplan drawings did not change on the further information stage drawing, despite the stated reduction in floor area. Removal of the 37m² car port is evident however it is not clear how the dwelling itself was reduced by 3.3m² as the original floorplan (excluding the car port) was for a dwelling of 302m².

7.2.2. As the issue relates to only 3.3m², which I consider to be an immaterial change, I consider it appropriate in the event of a grant of permission, to attach a condition

which requires the submission of revised floorplan and elevation drawings with revised dimensions illustrating a dwelling substantially in compliance with the drawings received, but with a floorspace no larger than 298.7m² as proposed.

- 7.2.3. This matter arose as a result of a further information request to comply with table 3-3 of volume 2 of the CDP and the appellant contends that the site is not large enough to cater for the proposed dwelling and comply with the requirements of table 3-3. I have reproduced the table below for ease of reference. The accompanying text simply states that the size of the dwelling house must comply with the site size/floor area ratios set out in Table 3-3.

Dwelling Floor Area	Site Size Hectares	Biodiversity
<100m ²	0.2	Boundary reinforcement
100-200m ²	0.2	20% of site
>200-300m ²	0.4	20% of site
>300m ²	1.0	50% of site

- 7.2.4. As the dwelling would be under 300m², the proposed site size of 0.45ha is appropriate and I note a landscaping scheme is received which proposes adequate biodiversity improvement measures to reach the 20% requirement. I therefore consider this matter to be addressed, subject to the condition identified above.
- 7.2.5. In terms of the overall design of the dwelling and its layout on the site, I note the site is close to the brow of a hill which falls down to the rear of the site. A single and two storey dwelling is proposed reaching 8.2m in height at its tallest point, however the bulk and massing of the structure is broken down into separate wings which allows for a graduated scale of development from the tallest height of the two storey element down to the lowest structure which is the garage, all along one horizontal plane.
- 7.2.6. The wider field beyond the boundaries of the site has mature hedgerows and treelines along its own boundaries which provide a degree of maturity and screening. I also note the dwelling would be set back over 35m from the roadside boundary and

that the roadside hedgerow would be retained and strengthened with additional vegetative screening.

- 7.2.7. There are no dwellings or built structures situated immediately adjacent the site to provide a contextual elevation drawing, however the appeal raises the topic of context and the absence of ridge heights. I note the proposed pitched roof dwelling at 8.2m high is taller than the appellants 7.45m high hipped roof dormer bungalow which is not a significant differential in my opinion particularly given the 71m separation between the two dwellings. However, when regard is given to the topography of the site, the appeal response highlights that the proposed dwelling would in reality have a ridge level 0.56mm higher than the applicants dwelling. When viewed in the context of the separation distance between both dwellings, I do not consider the height and ridge level of the proposed dwelling to be inappropriate for the subject site.
- 7.2.8. The design itself is contemporary in nature with a wide and strong front elevation, however the various wings and roof shapes provide sufficient variety to provide an interesting and attractive design. Materials and fenestration are all simple and pared back and in my opinion the design and scale are acceptable for the rural area. I do not consider the dwelling would be visually obtrusive for the landscape. Long distance views are achievable to and from the site to hillsides across a number of valleys in different directions however the patchwork of fields with mature hedgerows provides a strong opportunity for absorption. I consider the proposed development could be adequately absorbed into the landscape without any significant visual impacts and that the proposed landscaping scheme would provide additional screening benefits. In this regard, I consider the development complies with Objective SH45 and is acceptable for the rural area.
- 7.2.9. I note the appeal suggests relocating the dwelling however I do not consider there is a justification to refuse permission based on site selection, dwelling layout and dwelling design.
- 7.2.10. Lastly in relation to design issues raised by the appeal, I note suggestions that provision of a patio in lieu of a car port is unusual as an EV charger is also proposed in this location, implying that car parking would occur. I consider this is an immaterial consideration as a patio in my opinion infers some degree of permanent paved

surface. The appeal response also suggests this. Its use as a parking area or amenity space is irrelevant in this context and I do not see any issue with placing EV charging in this area. The provision of a patio in this location as well as another larger one to the rear is also not unusual or inappropriate in my opinion. The scale of the large site together with the extent of proposed landscaping means there is adequate capacity in my opinion to provide hardstanding adjacent to the dwelling without removing the rural character from the area.

8.0 Residential Amenity

- 8.1.1. The appeal submits there would be a negative impact to residential amenity and privacy as a result of overlooking from the new dwelling.
- 8.1.2. Overlooking would not be afforded from ground floor windows of the new dwelling, regardless of the size of those windows, due to the two intervening roadside hedgerows between the two properties. The new driveway is off set from the Appellants driveway and therefore the two openings in the hedgerow would not permit any direct views from one dwelling to the other.
- 8.1.3. In terms of views from first floor windows, I note only two windows are proposed on the first floor of the front elevation and both would serve bedrooms which are habitable spaces. Again however I note the 71m façade to façade separation between both dwellings as well as their locations which are slightly offset with the result that these two windows are not directly opposite first floor windows in the appellants dwelling. I consider these measures to be sufficient to ensure no significant overlooking would occur. The addition of the proposed landscaping with woodland areas adjacent the roadside boundary would likely eliminate entirely any potential for overlooking in time.
- 8.1.4. The appeal also raises issues regarding light pollution and impacts to human health as a result of disturbance from vehicles entering and exiting the site. The proposed new entrance is situated over 20m east of the existing appellant's entrance. The appellant's roadside boundary is also noted to comprise a dense and mature hedgerow while the front elevation of that dwelling is situated over 35m back from the road edge. I consider these factors to be sufficient to ensure no significant disruption would occur to the appellant's property or amenity value of same as a

result of the proposed new entrance, particularly when regard is given to the domestic scale of the proposed development and the likely very low number of vehicular movements associated with it.

- 8.1.5. The issue of human health and sensory matters were not raised in the application and assessed by the Case Planner however for the reasons stated above regarding residential amenity, I consider it unlikely that any significant impacts would occur.

8.2. Wastewater Treatment

- 8.2.1. The appeal response has provided all separation distances and demonstrated that they comply with the EPA CoP. I also note a report from the Local Authority's Environment Department which states that the site is suitable for discharge to groundwater and that a Site Characterisation Form was received with the application which concluded by recommending a secondary wastewater treatment system followed by tertiary treatment (polishing filter) with groundwater disposal.
- 8.2.2. The appeal suggests that a soakaway is proposed upgradient of the WWTS which is contrary to the EPA CoP. Groundwater flow in the area is stated in the Site Suitability Form to be northeast down to southwest and most soakways and swales on the site are upgradient of the WWTS however the largest, which caters for surface water from the dwelling, is arguably situated alongside rather than upgradient.
- 8.2.3. I note Table 6.2 in the CoP does state that soakways '*should be located down-gradient from the infiltration/treatment area*' however minimum separation distances of only 5m are required. Given the proposed separation distance of 25-30m between the proposed polishing filter and this soakway, I consider that the significant separation is sufficient to address its location in terms of groundwater flow.
- 8.2.4. In this regard I consider that matters relating to wastewater treatment are addressed.
- 8.2.5. I note the appeal also suggests that a detailed landscaping proposal should be submitted to identify the location of trees so the integrity of the WWTS is maintained. The appeal response states that a 7m separation will be maintained, and I also have had regard to the landscaping scheme submitted with the original application which gives significant detail in terms of the style of planting proposed e.g. woodland and meadow areas, as well as lists of species, their maturity and a high-level planting methodology. I therefore consider landscaping matters to be addressed.

8.3. Groundwater Supply

- 8.3.1. The appeal outlines a concern that the proposed new well would drain the aquifer and impact on water supplies for the appellants property which is also fed by a groundwater well situated 86m northwest of the proposed well. The appeal response suggests the separation distance and wet climate experienced in this country with increasingly heavy rainfall events as a result of climate change are sufficient to ensure no impact would occur.
- 8.3.2. I note that the appellant did not state any existing concerns regarding water supply or ongoing droughts or submit evidence of same.
- 8.3.3. The EPA mapping and Site Suitability Form outline how the bedrock aquifer is categorised as poor and generally unproductive except for local zones. Groundwater was noted in the trial holes at a depth of 2.1m. Having regard to these factors as well as the domestic use of the development and associated low requirement for water, I consider it unlikely that the proposed development would impact groundwater supplies for the existing dwelling.

8.4. Traffic Impact

- 8.4.1. The appeal submits that permitting the proposed development would result in a traffic hazard due to the proliferation of vehicular entrances in close proximity to each other on a narrow local road. The existing entrances referred to comprise an agricultural entrance 60m east of the proposed entrance and the appellants entrance 20m west.
- 8.4.2. Sightlines of 65m would be achievable in both directions from the new entrance without the requirement to remove excessive hedgerow. This meets the requirements for local/county roads with a speed limit greater than 60kph as per Section 6.2.6 of volume 2 of the CDP. The existing alignment of the albeit narrow tertiary road means hedgerow only needs to be removed from the recessed entrance area itself.
- 8.4.3. I note a report from the Local Authority's Borough Office which sets out no objection subject to standard conditions such as maintaining sightlines and surface water drainage.

- 8.4.4. Having regard to the quiet and rural character of the existing road with low levels of traffic, the low number of entrances, the good quality sightlines achievable and likely low number of trips generated by the proposed domestic use, I consider it unlikely that the proposed development would constitute a traffic hazard.

9.0 AA Screening

- 9.1. I have considered the proposed development, case ref. ABP-321521-24, in light of the requirements S177U of the Planning and Development Act 2000 as amended.
- 9.1.1. The subject site is located on agricultural greenfield land in a rural area, 6km southwest of the Slaney River Valley Special Area of Conservation and Wexford Harbour and Slob's Special Protection Area. The proposed development comprises construction of a detached dwelling, detached garage, new private drinking water well, on-site wastewater treatment system and new vehicular entrance.
- 9.2. No nature conservation concerns were raised in the planning appeal.
- 9.3. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site. The reason for this conclusion is as follows [insert as relevant]:
- Small scale and domestic nature of the development,
 - The 6km separation distance from the Slaney River Valley Special Area of Conservation and Wexford Harbour and Slob's Special Protection Area and lack of connections thereto,
 - Taking into account screening report/determination by Wexford County Council
- 9.4. I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.
- 9.5. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

10.0 Recommendation

I recommend that planning permission be granted, subject to conditions, for the reasons and considerations set out below.

11.0 Reasons and Considerations

Having regard to the location and character of the site and surrounding area in a rural area together with the provisions of the Wexford County Development Plan 2022-2028 including Objectives SH39 and SH45, it is considered that, subject to compliance with the conditions set out below, the scale and nature of the development is acceptable. The development would not seriously injure the visual or residential amenity of the area. The development is, therefore, in accordance with the proper planning and sustainable development of the area.

12.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 07th day of November 2024, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>This permission is for one dwelling with a maximum floorspace of 298.7m² and a garage of 46.6m². Prior to the commencement of development the Applicant shall submit revised dimensioned drawings illustrating the dwelling design.</p>

	Reason: In the interest of clarity.
3.	<p>(a) The proposed dwelling, when completed, shall be first occupied as a place of permanent residence by the applicant, members of the applicant's immediate family or their heirs, and shall remain so occupied for a period of at least ten years thereafter [unless consent is granted by the planning authority for its occupation by other persons who belong to the same category of housing need as the applicant]. Prior to commencement of development, the applicant shall enter into a written agreement with the planning authority under section 47 of the Planning and Development Act, 2000 to this effect.</p> <p>(b) Within two months of the occupation of the proposed dwelling, the applicant shall submit to the planning authority a written statement of confirmation of the first occupation of the dwelling in accordance with paragraph (a) and the date of such occupation.</p> <p>This condition shall not affect the sale of the dwelling by a mortgagee in possession or the occupation of the dwelling by any person deriving title from such a sale.</p> <p>Reason: To ensure that the proposed house is used to meet the applicant's stated housing needs and that development in this rural area is appropriately restricted [to meeting essential local need] in the interest of the proper planning and sustainable development of the area.</p>
4.	<p>The landscaping scheme shown on drawing titled 'Proposed Landscape Scheme', as submitted to the planning authority on the 15th day of August, 2024 shall be carried out within the first planting season following substantial completion of external construction works.</p> <p>All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously</p>

	<p>damaged or diseased, within a period of [five] years from the completion of the development [or until the development is taken in charge by the local authority, whichever is the sooner], shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.</p> <p>Reason: In the interest of residential and visual amenity.</p>
5.	<p>(a) The wastewater treatment system hereby permitted shall be installed in accordance with the recommendations included within the site characterisation report submitted with this application on 15th day of August, 2024 and shall be in accordance with the standards set out in the document entitled “Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)” – Environmental Protection Agency, 2021.</p> <p>(b) Treated effluent from the wastewater treatment system shall be discharged to a polishing filter which shall be provided in accordance with the standards set out in the document entitled “Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)” – Environmental Protection Agency, 2021.</p> <p>(c) Within three months of the first occupation of the dwelling, the developer shall submit a report to the planning authority from a suitably qualified person (with professional indemnity insurance) certifying that the septic tank/ wastewater treatment system and associated works is constructed and operating in accordance with the standards set out in the Environmental Protection Agency document referred to above.</p> <p>Reason: In the interest of public health and to prevent water pollution</p>
6.	<p>(a) All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road or</p>

	<p>adjoining properties.</p> <p>(b) The access driveway to the proposed development shall be provided with adequately sized pipes or ducts to ensure that no interference will be caused to existing roadside drainage.</p> <p>Reason: In the interest of traffic safety and to prevent flooding or pollution.</p>
7.	<p>The existing front boundary hedge shall be retained except to the extent that its removal is necessary to provide for the entrance to the site.</p> <p>Reason: In the interest of visual amenity.</p>
8.	<p>The entrance gates to the proposed house shall be set back not less than four metres and not more than six metres from the edge of the public road. Wing walls forming the entrance shall be splayed at an angle of not less than 45 degrees and shall not exceed one metre in height.</p> <p>Reason: In the interest of traffic safety.</p>
9.	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.</p> <p>Reason: It is a requirement of the Planning and Development Act 2000, as</p>

	amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.
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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.

Sarah O'Mahony
Planning Inspector

02nd April 2025

Form 1

EIA Pre-Screening

An Bord Pleanála Case Reference	ABP-321521-24		
Proposed Development Summary	Construction of a detached dwelling, car port and garage, on-site wastewater treatment, private bored well and new vehicular entrance.		
Development Address	Old Boley (Kilbride E.D), Barntown, Co. Wexford		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	X
		No	
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes	X	Class 10 (b)(i) Construction of more than 500 dwelling units.	Proceed to Q3.
No			Tick if relevant. No further action required
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes			EIA Mandatory EIAR required
No	X		Proceed to Q4

4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	X	Class 10(b)(i) Threshold = 500 units Proposal = 1 unit	Preliminary examination required (Form 2)

5. Has Schedule 7A information been submitted?		
No	X	Pre-screening determination conclusion remains as above (Q1 to Q4)
Yes		Screening Determination required

Form 2

EIA Preliminary Examination

<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 site is serviceable and is not exceptional in the context of the surrounding area and development as it is close to other dwellings.</p> <p>A short-term construction phase would be required and the development would not require the use of substantial natural resources, or give rise to significant risk of pollution or</p>

	<p>nuisance due to its scale. The development, by virtue of its type and nature, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change. Its operation presents no significant risks to human health.</p>
<p>Location of development</p> <p>(The environmental sensitivity of geographical areas likely to be affected by the development in particular existing 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>The development is situated in a rural area opposite an existing dwelling and close to another cluster of dwellings. The scale of the single unit proposal is not considered exceptional in the context of surrounding development.</p> <p>It is not likely to have any cumulative impacts or significant cumulative impacts with other existing or permitted projects.</p> <p>The development is removed from sensitive natural habitats, designated sites and landscapes of identified significance in the County Development Plan.</p>

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).	Having regard to the modest nature of the proposed development and the nature of the works constituting a single dwelling unit, likely limited magnitude and spatial extent of effects, and absence of in combination effects, 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
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	Schedule 7A Information required to enable a Screening Determination to be carried out.	No
There is a real likelihood of significant effects on the environment.	EIAR required.	No

Inspector: _____

Date: _____