



An
Bord
Pleanála

Inspector's Report

ABP-321982-25

Development

RETENTION: Opening time of Café on Sundays and bank holidays at 9.15am in place of 12.00 noon as permitted under condition no.14 of the planning permission granted under no. 20170380.

Location

The Village at Wheelocks,
Tomnafunshoge, Enniscorthy, Co
Wexford.

Planning Authority

Wexford County Council.

Planning Authority Reg. Ref.

20240993.

Applicant(s)

Cyril Wheelock

Type of Application

Retention Permission.

Planning Authority Decision

Grant Retention Permission.

Type of Appeal

Third Party

Appellant(s)

Antony and Anita Corfe.

Observer(s)

None .

Date of Site Inspection

13th May 2025.

Inspector

Kathy Tuck.

1.0 Site Location and Description

- 1.1. The subject site which has a stated area of 0.7556ha, is located in the Townland of Tomnafunshoge, Enniscorthy, Co Wexford. Tomnafunshoge is situated approximately 4.6km to the east of Enniscorthy.
- 1.2. The site currently comprises The Village at Wheelocks which is described as an interactive farm where a service to pick your own fruit is available. The site also comprises a café and a number of walkways through the farmlands. Access is provided to the site via the Finchogue local road.
- 1.3. The site shares its western and northern boundary with a number of residential dwellings, its eastern boundary with agricultural lands and its southern boundary with the M11 Motorway.

2.0 Proposed Development

- 2.1. Retention permission is being sought of opening time on Sundays and Bank Holidays at 9.15am in place of 12.00 noon as permitted under condition no.14 of the planning permission granted under PA register 20170380.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority, following a request for Further Information, granted retention planning permission on the 14th February 2025 subject to 5 no. conditions.

Conditions of note are as follows:

Condition no. 2

- a) The use of the development shall be confined to the following hours:- 0900am to 18.00pm (including Sundays and Bank Holidays) for a three year period only.
- b) At the end of this period the hours of operation shall be in accordance with those permitted under Planning Register 20170380 unless otherwise extended by the Planning Authority

REASON: To permit the Planning Authority to reassess the situation on light of the circumstances at this time.

Condition no. 3

Noise emanating from, the development to be measured at the facing elevation (outside) of any dwelling in the area, during the hours of 07.00-21.00 shall not exceed a noise level of 55dB(A) (Laeq 1 hour) and during the house of 21.00-07.00 and Saturdays and bank Holidays shall not exceed a noise level of 42 dB(A) (Laeq 1 hour). The noise is also not to be impulsive in nature or have any tonal element which is 5 dB(A) above the adjacent frequency.

REASON: To protect amenity in the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The first report of the Planning Officer dated the 8th October 2024, sets out details of the development, the site location, planning history, details of submission and consultee reports received and an AA and EIA screening determination.

The report noted concern over conflicting information between concurrent applications lodged relating to the wastewater treatment plant. As such the Planning Officer sought the following Further Information be submitted:

1. In order to demonstrate how any additional wastewater generated from the development would affect the functioning of the existing wastewater treatment system. Please submit a complete breakdown of the total wastewater loading generated by all activities on site calculated in accordance with Table 3 of the EPA Wastewater Treatment Manuals: Treatment Systems for Small Communities, Business, Leisure Centres and Hotels.

The applicant submitted a response on the 6th December 2024 which included an engineering report that states that all retention permission are for retention of existing changes – the actual water usage reflects all of these retentions. Water readings were recorded daily from the 2nd June to 23rd September 2024. Comparison with the EPA Small Communities guidelines shows the overestimation of the PE compared to the actual water usage.

The response submitted was considered to be acceptable and a recommendation to grant permission in line with the decision issued was made.

3.2.2. Other Technical Reports

Roads Department: Report dated 27th August 2024 notes no objection subject to condition.

Environment:

- Report dated the 3rd October 2024 requesting further information relating to the operation of the existing waste-water treatment plant operating on site.
- Report dated the 10th February 2025 notes further information submission to be acceptable and recommends retention permission be granted subject to condition.

3.3. Prescribed Bodies

None received.

3.4. Third Party Observations

The Planning Authority received one submission in relation to the proposed development and a further submission on receipt of the further information submission.

Concerns raised can be summarised as follows:

- Noise.
- Nuisance.
- Disturbance to residential amenity.
- Traffic entering the site passes dwelling – only 12m away.
- Similar businesses in the vicinity closed on a Sunday.
- Despite being refused permission previously facility has remained operating outside of permitted hours.
- Small rural cluster has been completely negatively impacted and altered with this commercial operation.

- Question the reliability and validity of the data submitted in response to Further Information.
- Information appears to underrepresented based on traffic levels witnessed.
- A festival held between 1/7/2023 and 2/7/2023 was attended by several hundred people however the corresponding water readings indicated lower usage.
- No peak variation is recorded.

4.0 Planning History

PA Ref 20170380 Permission GRANTED for the construction of a farm shop including for a coffee shop and toilets; a glass house; poly tunnels; a sunroom; a covered walkway and all associated works. Condition no. 14 stated:

The use of the development shall be confined to the following hours:-

Mon-Fri 9am to 6pm

Saturdays 9am to 5.30pm

Sundays and Bank Holidays 12.00pm to 5.30pm.

Reason: To protect amenities of the adjoining properties.

PA Ref 20210402 Permission GRANTED to erect an extension to the side of existing farm shop and coffee shop consisting of ground and first floor storage and the installation of Photovoltaic Panels on the rear roof of the existing farm shop and proposed extension.

PA Ref 20212038 Permission REFUSED for 4 no glamping units with associated site development works and connections to existing services on site.

PA Ref 20221158 Permission REFUSED for the retention of existing artisan retail units. The reason for refusal were as follows:

1. The development for out-of-town retail units in an un-serviced rural area is considered prejudice to the future vitality and viability of Enniscorthy Town Centre and would set a precedent for further such developments – contrary to objective WCX04, WXC06 of the Wexford Development Plan 2022-2028.
2. The applicant has failed to satisfactorily demonstrate how wastewater generated from the development seeking retention with subsequent increase in visitor numbers with extended opening hours would affect the functioning of the existing wastewater treatment system. The development would therefore present a risk to public health and environment and would be prejudicial to public health and contrary to the proper planning and sustainable development of the area.
3. The proposed works is located on a site that has a direct hydrological link to the Slaney River Valley SAC (site code 000781) Slaney River Valley pNHA (site code 000781) and Wexford harbour and Slobbs SPA (004076) designated Natura 2000 sites. In the absence of an AA Screening Report of NIS and information on the additional loading on effluent treatment system for the development, the Planning Authority cannot conclude that the development would not adversely impact the integrity of the Natura 2000 sites and their associated conservation objectives.
4. The information supplied as part of this application is considered insufficient to facilitate a full and detailed assessment of the environmental and traffic impacts of the development seeking retention permission and therefore in the absence of more detailed information and having regard

to the precautionary principle, the Planning Authority considers the proposed development to be prejudicial to public health and contrary to the proper planning and sustainable development of the area.

PA Ref 20231260 Permission REFUSED for the retention of existing artisan retail units. The reason for refusal were as follows:

1. The development for out-of-town retail units in an unserviced rural areas is considered prejudice to the future vitality and viability of Enniscorthy Town Centre and would set a precedent for further such developments – contrary to objective WCX04, WXC06 of the Wexford Development Plan 2022-2028.
2. The applicant has failed to satisfactorily demonstrate how wastewater generated from the development seeking retention with subsequent increase in visitor numbers with extended opening hours would affect the functioning of the existing wastewater treatment system. The development would therefore present a risk to public health and environment and would be prejudicial to public health and contrary to the proper planning and sustainable development of the area.
3. The information supplied as part of this application is considered insufficient to facilitate a full and detailed assessment of the environmental and traffic impacts of the development seeking retention permission and therefore in the absence of more detailed information and having regard to the precautionary principle, the Planning Authority considers the proposed development to be prejudicial to public health and contrary to the proper planning and sustainable development of the area.

PA Ref 20231362 Permission REFUSED for retention of opening time on Sundays and Bank Holidays at 9.00am in place of 12.00 noon as permitted under condition no. 14 of the planning permission granted under planning register no. 20170380.

Reasons for refusal were as follows:

1. Having regard to the extent and nature of the existing commercial development on a site located in a rural area and the associated increase in traffic and noise generated, the extension of operating hours seeking retention to include for early opening on Sundays and Bank Holidays would have a negative impact on the existing residential amenities and rural character of the area and is therefore considered to be contrary to the proper planning and sustainable development of the area.
2. The applicant has failed to satisfactorily demonstrate how wastewater generated from the development seeking retention with subsequent increase in visitor numbers with extended opening hours would affect the functioning of the existing wastewater treatment system. The development would therefore present a risk to public health and environment and would be prejudicial to public health and contrary to the proper planning and sustainable development of the area.
3. The information supplied as part of this application is considered insufficient to facilitate a full and detailed assessment of the environmental and traffic impacts of the development seeking retention permission and therefore in the absence of more detailed information and having regard to the precautionary principle, the Planning Authority considers the proposed development to be prejudicial to public health and contrary to the proper planning and sustainable development of the area.

- PA Ref 20240607 Retention Permission GRANTED for the retention of offices on the first floor of the extension under construction as a change of use and design from that previously granted under planning register number 20210402. Also, permission for retention of changes to the elevations of the extension under construction, as a change of design from that previously granted under planning register number 20210402.
- PA Ref 20240701 Retention Permission GRANTED for retention of existing single storey building consisting of 1 no. artisan unit involving instruction in flower arranging with associated sales and 1 no. artisan unit involving instruction in jam making, and wood land walk reception, with ancillary storage units and connection to existing on-site sewage treatment system.

5.0 Policy Context

5.1. Wexford County Development Plan 2022-2028

Section 6.7.6.2 Rural Diversification including Agri-food notes:

There will be a general presumption against shops in rural areas outside of towns and villages. Exceptions are detailed in the Retail Strategy and may include small scale shops attached to a permitted tourist or recreational development or retail outlets associated with other rural activities where the retail aspect is secondary to the operation - shops selling agricultural produce, crafts, farm enterprises that incorporate a tea room / craft shop. In all such cases, the retail element will only be acceptable provided it remains ancillary to, and fully incorporated within, the primary rural enterprise/farm practice. Retailing in rural areas is dealt with under the Retail Strategy in Volume 8.

- Objective ED104

To support the continued development of the agri-food industry as a lead sector in the green economy and a key growth sector for the county, through the implementation of Food Wise 2025, by facilitating food production and

processing at appropriate locations and subject to the proper planning and sustainable development of the area.

- Objective ED105

To facilitate farm or rural resource related enterprises, including food production and processing on farm holdings, where the key resource is produced on the farm (or other nearby rural resource) or a number of farms in the locality subject to Objectives ED97 and ED98 and normal planning and environment criteria. The scale of the facility should be appropriate to the rural character of the area and will be assessed having regard to a number of factors including source of material, scale of the operation, building size, number of employees and hours of operation, waste generation, traffic movements to and from the site, water and wastewater requirements, environmental impacts including but not limited to noise and odour, and impacts on natural and cultural/built heritage and water. The restoration of vernacular farm buildings to facilitate such enterprises will be encouraged.

- Objective ED106

Where an extension to/intensification of an existing development referred to in Objective ED105 is proposed, it must remain of a scale which is appropriate to the rural area and it should not detract from the environment, rural character, natural or built heritage of the area. Development, from which the majority of the raw material is not from the farm (or other nearby rural resource) or within a reasonable distance thereof, will be required to locate on appropriately zoned lands in a town or village.

- Objective ED108

To permit a retail element as part of a rural diversification proposal in exceptional circumstances, such as a small scale shop attached to a permitted tourist or recreational development or agri-food enterprise where the retail aspect is secondary to the operation - shops selling agricultural produce, crafts, farm enterprises. In all such cases, the retail element will only be acceptable provided it remains ancillary to and fully incorporated within the primary rural enterprise / farm practice and subject to compliance with normal planning and environmental criteria.

Section 7.6.2 Rural Based Tourism Notes:

The economic benefits of rural tourism and the continued development of this sector have huge potential to revitalise local economies, provide job opportunities for the farming community and enhance the quality of life of rural communities. The Council will continue to support rural based tourism projects where it relates to the use of a rural landholding and the enjoyment of a rural resource and is appropriate in scale for the rural location.

The following provides guidance on the types of land holdings and premises that may be considered for rural based tourism development:

- *For agri-tourism/farm diversification projects a farm holding which is a minimum of 10ha.*

Other relevant Sections of the County Plan:

Volume 1 – Written Statement

- Section 5.10 – Retail and Commercial Uses.
- Section 6.6.5.1 – Locations for Economic Development
- Section 8.8 – Sightlines which Require Works.
- Section 9.5 – Water Supply.
- Section 9.11 – Flood Risk and Surface Water Management.
- Section 15.6.2 – Universal Access and Design.

Volume 2 – Development Management

Section 6.2.6 – siting and design of Access/Egress Points.

Section 7.4 – Landscape and Biodiversity.

Section 8.2 – Water.

Section 8.3 – Wastewater.

Volume 7 – Landscape Character

Section 3.0 - Landscape Character – Lowlands

Volume 8 – Retail Strategy

Retailing in Rural Areas Retailing in rural areas in County Wexford should be directed towards existing settlements, with development in the countryside generally restricted. It is recognised, however, that there may be exceptional circumstances where the development of certain types of retail units in rural areas could be acceptable. These include:

- retail unit which is ancillary to activities arising from farm diversification.
- a retail unit designed to serve tourist or recreational facilities, and secondary to main use.
- small scale retail unit attached to an existing or approved craft workshop retailing the product direct to the public.

5.2. Natural Heritage Designations

The site is not located within or directly adjacent to any Natura 2000 sites. The site is located c. 707m to the east of the Slaney River Valley SAC (site code 000781) and the Ballynabarney Wood pNHA (site code 004077).

6.0 EIA Screening

The scale of the proposed development does not exceed the thresholds set out by the Planning and Development Regulations 2000 (as amended) in Schedule 5, Part 2(10), and I do not consider that any characteristics or locational aspects (Schedule 7) apply. I conclude that the need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required. Appendix 1 of my report refers.

7.0 The Appeal

7.1. Grounds of Appeal

A 3rd Party Appeal was received from Antony and Anita Corfe who are the residents of the neighbouring property located to the west of the entrance to the appeal site. The grounds of the appeal can be summarised as follows:

- Reduction to residential amenity on Sunday mornings and Bank Holidays before 12pm due to the disturbance, noise and nuisance of traffic utilising the access laneway which is adjacent to property.
- Operations at the appeal site have diversified exponentially.
- Almost everything sold here is transported to the site – gives rise to constant traffic.
- ‘Pick your own model’ now operating on site has also increased traffic.
- Events, markets and catering service all offered on site. All traffic has to utilise laneway adjacent to appellants property.
- Condition no. 14 of the subject application granted permission for a period of 3 years – this will negatively impact amenity for a further 3 years.
- Potential for negative impact on health and wellbeing.
- While living in a rural location - live experience is that of living in a centre of town location 7 days a week.
- Numbers for staffing provided in original application has now more than doubled – consider numbers provided to err on the low side.
- Character of rural townland has been negatively changed due to traffic generated by activities at the appeal site.
- Walking on road by residents has completely stopped due to traffic increase – lost sense of community.
- Similar business in Enniscorthy area have closed on Sunday morning.
- Need a brake from traffic on Sunday/bank holiday mornings.

7.2. Applicant Response

None received.

7.3. Planning Authority Response

None received.

7.4. Observations

None Received.

8.0 Assessment

8.1. Introduction

- 8.1.1. Having reviewed the 3rd party appeal and all other documentation on file including the reports of the local authority, and having inspected the site, and having regard to the relevant local and national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Impact on residential amenity.

8.2. Impact on residential amenity.

- 8.2.1. The 3rd Party Appellant has contended that the exponential growth of the adjoining agri-business has given rise to a significant negative impact upon their residential amenities. It is contended that the location of the access laneway which is located immediately to the west of the appellant landholding gives rise to significant noise and nuisance from not only patrons of the adjoining facility but also commercial deliveries as everything sold on the site is transported to the site.
- 8.2.2. The Planning Authority within their assessment makes reference to the detailed planning history pertaining to the subject site and that the facility has now become a local tourist destination. Further details are set out with regard to 2 no. concurrent applications which were also lodged with the Planning Authority seeking to regularise other structures on site namely 2 no. artisan units (PA Ref 20240701) and a first-floor extension to the existing office building (PA Ref 20240607). Reference was also made to the report of the Road Section of the Local Authority which did not raise any concern and stated that all traffic levels generated by the facility is now well established and is deemed not to have any effect on the local road network.
- 8.2.3. It was considered that a temporary 3 year condition can be considered and that a re-evaluation after this should be undertaken if the proposal provides to have a detrimental impact on the surrounding area. Furthermore, it was considered that the

extended hours of operation would not have a detrimental impact on Enniscorthy Town Centre and offer a local tourist destination.

- 8.2.4. Retention is being sought for an addition of 2hrs 45 mins operating hours on Sundays and Bank Holiday Mondays. I accept that this may give rise to a slight increase in the number of patrons attending the facility however I do not consider, given the limited additional hours being sought, that this would warrant a significant negative impact upon the residential amenities of the adjoining properties. While I note that the entrance to the subject facility adjoins the appellants property along the eastern boundary, the existing dwelling is set c.7m at the closest point to the entrance lane and c.30m back from the entrance to the site.
- 8.2.5. Overall, I consider the assessment of the Planning Authority to be correct and recommend in line with the decision issued that the Board grant retention permission for the increase in opening hours for a period of 3 years.

9.0 AA Screening

- 9.1. I have considered the project in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located at The Village at Wheelocks, Tomnafunshoge, Enniscorthy, Co Wexford and situated c. 707m to the east of the Slaney River Valley SAC (site code 000781). Retention permission is being sought for extended opening hours.
- 9.2. 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.
- 9.3. The reason for this conclusion is as follows:
- Nature of works and the limited scale of what is being proposed.
 - The location of the site from nearest European site and lack of connections
- 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. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required

10.0 Water Framework Directive

- 10.1. The subject site is located Tomnafunshoge, Enniscorthy, Co Wexford. The proposed development comprises retention of opening hours on Sunday and Bank Holidays. No water deterioration concerns were raised in the planning appeal. The Corbally Stream (IE_SE_12C040900) flows along the eastern boundary of the site.
- 10.2. 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 & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. 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.
- 10.3. The reason for this conclusion is as follows:
- Nature of works regard the scale;
 - Location-distance from nearest Water bodies and/or lack of hydrological connections.
- 10.4. 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.

11.0 Recommendation

- 11.1. Having regard to the above it is recommended that the decision of the Planning Authority be upheld, and retention permission is granted based on the following reasons and considerations and subject to the attached conditions

12.0 Reasons and Considerations

12.1. The development which is seeking retention permission for the of opening time on Sundays and bank holidays at 9.15am in place of 12.00 noon as permitted under condition no.14 of the planning permission granted under planning register no. 20170380 complies with the provisions of the Wexford County Development Plan 2022-2028. It is considered that, subject to compliance with the conditions set out below, the proposed development would not be detrimental to the area would not impact negatively upon the current levels of residential amenity enjoyed at this location and is in keeping with the proper and sustainable development of the area.

13.0 Conditions

1.	<p>The development shall be retained 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 20th August 2024 and the 20th January 2025, 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>(a) The use of the development shall be confined to the following hours for a period of 3 years only:</p> <p>09.00am-18.00pm Mon to Saturday.</p> <p>09.15am – 17.30pm Sunday and Bank Holidays.</p> <p>(b) At the end of this period the house of the operation shall be in accordance with those permitted under PA Reg 20170380 unless otherwise extended by a further grant of permission.</p> <p>REASON: In the interest of clarity.</p>

3.	<p>During the operational phase of the proposed development the noise level shall not exceed (a) 55 dB(A) rated sound level between the hours of 0700 to 2100, and (b) 42 dB(A) between the hours of 21.00-07.00, as measured at the nearest dwelling. Procedures for the purpose of determining compliance with this limit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>REASON: To protect the residential amenities of property in the vicinity of the site.</p>
4.	<p>The existing wastewater treatment system shall be maintained in accordance with the manufacturers specifications, the standards set out in the document entitled "Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)" – Environmental Protection Agency, 2021 and the requirements of the EPA: Wastewater Treatment Manuals: Treatment Systems for Small Communities, Business, Leisure Centres and Hotels.</p> <p>REASON: In the interest of Public Health.</p>
5.	<p>Within two months of the date of the Final Grant of Permission the applicant shall submit for the written agreement of the Planning Authority a revised layout clearly demonstrating the location of the percolation areas and a certificate from a suitably qualified person to demonstrate that they accord with the "Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)" – Environmental Protection Agency, 2021 and the requirements of the EPA: Wastewater Treatment Manuals: Treatment Systems for Small Communities, Business, Leisure Centres and Hotels.</p> <p>REASON: In the interest of Public Health.</p>

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.

Kathy Tuck
Planning Inspector

28th May 2025

Appendix 1

EIA Pre-Screening

An Bord Pleanála Case Reference	ABP-321982-25		
Proposed Development Summary	The Village at Wheelocks, Tomnafunshoge, Enniscorthy, Co Wexford.		
Development Address	The Village at Wheelocks, Tomnafunshoge, Enniscorthy, 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	Tick if relevant and proceed to Q2.
		No	X
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			Proceed to Q3.
No	X		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	N/A		

5. Has Schedule 7A information been submitted?

No	X	
Yes		

Inspector: _____ **Date:** _____

Appendix 2

Screening the need for Appropriate Assessment: Screening Determination (Stage 1, Article 6(3) of Habitats Directive)

I have considered the permission seeking retention permission in light of the requirements S177U of the Planning and Development Act 2000 as amended.

The subject site is located at The Village at Wheelocks, Tomnafunshoge, Enniscorthy, Co Wexford and situated c. 707m to the east of the Slaney River Valley SAC (site code 000781). Retention permission is being sought for extended opening hours.

The proposed development is seeking retention permission for hours of operation.

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:

- Nature of works;
- distance from nearest European site;
- Taking into account screening report/determination by the Planning Authority.

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.

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