



An
Bord
Pleanála

Inspector's Report ABP-322699-25

Development	Permission for a mixed residential development of 15 no. dwelling units
Location	Carricklawn, Coolcots, Wexford Rural, Co. Wexford
Planning Authority	Wexford County Council
Planning Authority Reg. Ref.	20241350
Applicant(s)	Leonard Poole
Type of Application	Permission
Planning Authority Decision	Grant Permission + Conditions
Type of Appeal	Third Party Normal Planning Appeal
Appellant(s)	Eugene & Miriam Walsh William Roche Donal Siggins Noel Cummins
Observer(s)	Caroline Noctor & Laurence Kehoe
Date of Site Inspection	01st September 2025
Inspector	Sarah O'Mahony

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1.0 Site Location and Description

- 1.1. The 0.64ha site is situated west of Wexford town centre and adjacent to Wexford racecourse which is situated to the northwest of the site. All other adjacent land is in residential use.
- 1.2. The site comprises a greenfield parcel of land, roughly triangular in shape, situated to the rear of Carricklawn housing estate which is situated along the northeast boundary. There are additional detached dwellings situated to the south in Monforte Close. The general land form raises up from east to west and therefore ground levels on the site are higher than that in the Carricklawn housing estate. Ground levels vary from a high point in the southwest corner of 55mOD, down to 51.5mOD in the northwest and down to the lowest point of 46mOD at the junction between the existing laneway and the Carricklawn access road.
- 1.3. Site boundaries comprise informal hedgerows to the rear of the dwellings and a blockwork wall adjacent to the racecourse. There is a row of tall and mature trees situated at the southwest of the site however all other vegetation comprises a mix of tall grass and scrub type cover making the site inaccessible. There is a steel lattice type pylon situated in the southwest of the site which carries overhead power cables through the site on a southwest to northeast axis.
- 1.4. The site includes a narrow linear area of land which connects the main parcel to the public road (L7048) at the east. The road is also referred to as the Wexford Inner Relief Road. The linear feature comprises a laneway situated between nos. 12 and 13 Carricklawn at the west and nos. 52 and 55 at the east. The laneway is bisected by the Carricklawn access road. The eastern portion has an average width of 4m. It appears to be in use as an informal pedestrian route. The western portion which connects the site with the estate road is situated between nos. 12 and 13 Carricklawn and has a c.4m² ESB cabinet/kiosk stated to comprise a substation. There is also a vehicular gate on this western part of the laneway which provides access to the rear of dwellings at Monforte Close.
- 1.5. The Carricklawn dwellings comprise detached dwellings with a mix of single, two storey and dormer structures. The 3 no. dwellings to the south within Monforte Close also comprise detached single and two storey structures.

2.0 Proposed Development

2.1. Planning permission is sought for development which comprises the following:

- Construction of 15no. residential units comprising:
 - 1no. 4-bed, detached, 1-storey dwelling,
 - 1no. 3-bed, detached, 1-storey dwelling,
 - 6no. 3-bed, semi-detached, 2-storey dwellings,
 - 1no. 5-bed, detached, 2.5 storey dwelling, and
 - 1no. detached, 2-storey apartment block comprising 6no. 1-bed units to be occupied by persons with learning or intellectual disability.
- Alterations to existing western portion of laneway to form junction with Carricklawn for vehicular access.
- Provision of permeable paving and new 1.8m high boundary walls to eastern portion of existing laneway between public road and estate road.
- Relocate existing ESB substation and underground the existing overhead lines (OHL). Paladin fencing will be provided around the existing pylon to be retained.
- Connection to public water services and provision of SUDS features. Connection to the public wastewater network includes a proposal to extend the existing 225mm sewer by 50m.
- All ancillary development including car parking, bicycle parking, bin storage and landscaping.

2.2. The application was accompanied by the following additional documentation:

- Letter of consent from additional landowner.
- Public Lighting Design Report prepared by Redmond Analytical Management Services.
- Letter from Wexford County Council Housing Section outlining that a Part V agreement in principle was reached between the applicant and Local Authority to transfer 1no. unit.

- Confirmation of Feasibility letter from Uisce Éireann noting the water connection is feasible without infrastructure upgrade by Uisce Éireann. It also noted that feasibility to connect to the wastewater network is subject to extending the existing 225mm sewer by 50m as outlined in the application.
- Letters of confirmation from ESB consenting to relocating the substation within the site and to divert the existing OHL to facilitate the proposed development.
- Traffic and Transport Assessment prepared by TTRSA.
- Design Manual for Urban Roads and Streets (DMURS) Statement of Consistency prepared by TTRSA.
- Sustainable Urban Drainage System Report
- Construction Environmental Management and Safety Plan prepared by Capital Surveys Ltd.
- Design Statement prepared by Arcadia Architects
- Tailte Éireann certified copy folios.
- Letter from Wexford County Council summarising a pre-planning consultation.
- Housing Schedule

3.0 Planning Authority Decision

3.1. Further Information

3.1.1. The following further information was sought from the applicant:

- Clarify boundary treatments at the vehicular access to Carricklawn.
- Submit proposals for a communal refuse/recycling area for the apartment block.
- Operational management details regarding proposed occupancy of the apartment block by persons with learning or intellectual disability including details of building management and support arrangements.
- Unit no. 4 has a large garden which may be difficult for elderly or persons with disabilities to maintain. Submit details to address this.

- Clarify the extent of any impact to the mature trees at the southwest of the site.
- Address concerns raised in the third-party submissions.

3.1.2. The applicant's response includes the following:

- Boundary treatments on the laneway adjacent to no. 12 would comprise a block wall finished with capping, nap render with brick piers while at the north of the lane adjacent to no. 13, the existing hedgerow would be retained in situ.
- A revised site layout drawing illustrates the location of proposed communal bin storage adjacent to the southern boundary of the apartment block.
- In response to the management of the apartment block, the applicant states that it would be retained and managed by the applicant for day-to-day independent residential use by persons with intellectual or learning disabilities supported by a third-party specialist organisation. A letter of support from that specialist organisation was also submitted outlining an interest in the apartment block as well as outlining details of involvement in similar schemes.
- Plot no. 4 is identified to be transferred to the Local Authority for the purposes of fulfilling Part V obligations. The applicants response states that consultation with the Housing Section confirmed the dwelling is proposed for occupation by a family and therefore the large garden is retained.
- Regarding the trees at the southwest, the response states that the existing boundary comprises a low ditch with post and wire fencing and no planting. It also outlines how following consultation with the adjoining landowner, it is proposed to remove the leylandii trees which are situated on the adjoining property and outside of the site. It is then proposed to provide a mixed species hedgerow on the boundary.

3.1.3. The applicant's response to the third-party submissions was summarised in a table format but also included additional responses regarding the junction design, commentary on the apartment block height and legal considerations.

3.2. **Decision**

3.2.1. A notification to grant permission was issued on 23rd May 2025 subject to 22no. standard conditions.

3.3. Planning Authority Reports

3.3.1. Planning Reports

- There are two case planners reports, one recommending further information and the latter assessing it.
- The Planners report recommendation to grant permission is consistent with the notification of decision which issued.
- Environmental Impact Assessment (EIA) and Appropriate Assessment (AA) issues were screened out.
- It considered the proposed density to be appropriate given the small infill nature of the scheme and contextual constraints. It recommended the insertion of obscure glazing and screening on the side of the apartment block in order to protect residential amenity as it has a separation distance of 7-8m from the site boundary. All internal floor layouts and private open spaces are stated to meet CDP standards. Proposed materials, finishes, rate of car parking, access and SUDs details were all deemed acceptable.
- Following receipt of the further information response, the report considered all matters to be addressed satisfactorily.

3.3.2. Other Technical Reports

- Environment Department: Recommendation to grant permission subject to standard conditions.
- Housing Department: Two reports, Part V agreement in principle is in place relating to a previous proposal which remains unchanged.
- Disability Access Officer: Disability Access Certificate required.
- Chief Fire Officer: No comments received.
- Roads Department: Two reports, both setting out standard conditions.

3.4. Prescribed Bodies

- Uisce Éireann: No comments received.

3.5. Third Party Observations

3.5.1. 8 no. submissions were received from the following:

1. Michael Purcell
2. Eugene Walsh and Miriam Walsh
3. William Roche including signatures for 38no. people representing 28no. dwellings in Carricklawn.
4. Kathleen Turner
5. Noel Cummins
6. Ann Lacey
7. Dona Siggins
8. Leona Murphy

3.5.2. The following concerns were raised:

- Damage to trees and provision of concrete applications already undertaken which form part of the development.
- Inaccurate drawings.
- Inadequate general bulky storage, bin storage, bicycle parking and green roof for apartments and no building lifecycle report.
- Apartment block does not comply with building regulations.
- Inadequate and inaccurate design statement which fails to demonstrate compliance with objectives TV21 and TV22.
- Inappropriate and inaccurate landscaping proposals which would conflict with public lighting.
- Hazard and congestion from increased traffic generation.
- Inadequate sightline and impacts to vulnerable road users. No Road Safety Audit.
- Lack of compliance with DMURS and non-compliance with objective TS44 and section 6.2.6 of the CDP.

- Traffic report received with the application suggests existing on-street car parking should be referred to An Garda Síochána. It is inappropriate to suggest the regular presence of on-street parking is overlooked to facilitate increased traffic. Traffic report is inaccurate and flawed.
- Existing overflow parking on estate access road leading to concerns regarding emergency access.
- Flooding and drainage due to elevated nature of the site above Carricklawn. Impacts to, and queries regarding ownership and maintenance of existing surface water network.
- No author is indicated on the drainage report which leads to a lack of credibility. The report has inaccuracies which don't relate to the proposed development.
- Removal of green space in a climate emergency is inappropriate.
- Overlooking.
- Overshadowing.
- Design is out of character with established development by virtue of dominant scale and height, particularly the proposed apartment block. Non-compliance with section 3.8 and objective TV54 of the CDP.
- Previous refusal reasons still apply.
- Further information should be sought regarding boundary walls, landownership, pre-planning.
- Existing laneway is maintained by Carricklawn residents and not the applicant. It is subject to anti-social behaviour.
- No third-party consent provided for works to shared party walls on laneway.
- Construction stage disruption and impact to residential amenity.
- Wexford town LAP has expired and there is an existing overprovision of zoned lands in Wexford town. The development is therefore premature pending the adoption of a new plan as it is contrary to the proper planning and sustainable development of the area.

- No information provided regarding the extent of infilling and provision of retaining walls.

4.0 Planning History

- **20240861**: Planning permission refused for a mixed residential development of 16 no. dwellings to comprise of the proposed erection of 1 no. 4-bedroom detached bungalow, 1 no. 3-bedroom bungalow, 6 no. two storey 3-bedroom semi-detached dwellings, 1 no. 5-bedroom detached two and a half storey dwelling and a 7 no. 1-bedroom apartment block and associated parking spaces. Vehicular access, site development works and associated landscaping/communal public open spaces with connection to existing local public mains services and all associated site works.

Permission was refused for 3no. reasons as follows:

1. The proposed apartment block, by virtue of its scale and position having regard to ground levels, would have a significantly detrimental impact on adjoining amenities through an over dominant appearance and loss of sunlight.
Furthermore, the proposed apartment block would not have a sufficiently high quality elevation design and durable finish for its scale and prominence. As such the proposed development would be contrary to Section 5.10.1 and objective TV44 of Volume 1 and Sections 2.6, 3.8 and 3.12.6 of Volume 2 of the Wexford County Development Plan 2022-2028 and to the proper planning and sustainable development of the area.
2. The proposed development does not have sufficient regard to the amenities of potential future residents as the area of public open space at the southern corner of the site has insufficient natural surveillance and as insufficient information has been submitted with regard to communal bin storage and cycle parking for the apartment block. As such the proposed development would be contrary to Section 14.5.7 of Volume 1 and Section 3.12.6 of Volume 2 of the Wexford County Development Plan 2022-2028 and to the proper planning and sustainable development of the area.
3. Insufficient information has been submitted with regard to the extent of infilling and the provision of retaining walls indicated to be undertaken at the southern edge of the site.

Note to applicant A third-party submission was received regarding land ownership and right of way issues. The applicant is requested to address this issue in any subsequent applications and to submit, as necessary, a location map of suitable scale showing any land which adjoins, abuts or is adjacent to the site which is in the control of the applicant.

- **20211652**: Planning permission refused for the construction of a development of 9 number fully serviced dwelling houses consisting of 2 number detached dormer bungalows, 4 number semi-detached dwellings, terrace of 3 dwellings and a 3 storey apartment block consisting of 3 number apartments and 1 number caretaker's office with bedroom and bathroom, connection to all main services(foul, storm, water) to include landscaping and all associated site works. Permission was refused for the following reason:

1. Having regard to the location and width of the proposed entrance, the development, if permitted, would give rise to an unacceptable intensification of traffic turning movements on the existing estate road. In addition, having regard to the lack of turning provision for large service vehicles and the proliferation of on street parking in the Carricklawn estate, it is considered that the proposed development would create a traffic hazard by way of intensification, would create serious traffic congestion and would endanger public safety, therefore the proposed development would be contrary to the proper planning and sustainable development of the area.

- **20211163**: Planning permission granted with standard conditions to change the location of driveway for the existing house, with alterations to the existing side boundary wall to include the erection of a new section of block wall (1.8m high) with fence and landscaping and all associated site works at No. 13 Carricklawn, Coolcotts.

- **20073142**: Planning permission granted for retention of relocation and alterations to western and southern boundaries as previously granted under planning register number 20033401 also as granted by An Bord Pleanála register number pl26.207422. Also relocation of dwellings number 1 and 6 as previously granted under planning register no 20033401 and An Bord Pleanála register number pl

26.207422 dated 7th May 2004 to facilitate. As built boundaries together with all associated and ancillary site works.

- **20033401 (ABP ref.: 26.207422)**: Planning permission *granted* to erect 6no. fully serviced dormer dwellings, site entrance and associated site works. A notification to grant permission was issued by the Local Authority which was appealed by a third party. An Bord Pleanála subsequently granted permission subject to standard conditions.
- **991309**: Planning permission refused for construction of 5no. fully serviced dwellings and all associated siteworks with access from Carricklawn. Permission was refused for 4no. reasons as follows:
 1. The proposed development would endanger public safety by reason of traffic hazard because the access to the site is too narrow to accommodate vehicular and pedestrian movements.
 2. The radius of the junction of the access road with the public road is inadequate to permit safe traffic turning movements and would therefore endanger public safety by reason of traffic hazard.
 3. The development as proposed would seriously injure the amenities of property in the vicinity due to its elevation and location to the rear of existing houses.
 4. The height and style of the proposed house would impact adversely on the privacy of existing houses and would therefore be contrary to the proper planning and development of the area.

5.0 Policy Context

5.1. National Planning Framework (first revision, 2025)

- 5.1.1. The National Planning Framework (NPF) is the Government's high-level strategic plan for shaping the future growth and development of the country out to the year 2040. First published in 2018, it replaced the National Spatial Strategy as the overall spatial planning and development strategy for Ireland.
- 5.1.2. National Strategic Outcome (NSO) 1: Compact Growth '*achieving effective density and consolidation, rather than more sprawl of urban development, is a top priority*'.

- 5.1.3. National Policy Objective (NPO) 9: 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 and ensure compact and sequential patterns of growth.
- 5.1.4. NPO 11: Planned growth at a settlement level shall be determined at development plan-making stage and addressed within the objectives of the plan. The consideration of individual development proposals on zoned and serviced development land subject of consenting processes under the Planning and Development Act shall have regard to a broader set of considerations beyond the targets including, in particular, the receiving capacity of the environment.
- 5.1.5. NPO 22: In urban areas, planning and related standards, including in particular building height and car parking will be based on performance criteria that seek to achieve well-designed high quality outcomes in order to achieve targeted growth.
- 5.1.6. NPO 38: Plan for a more diverse and socially inclusive society that targets equality of opportunity and a better quality of life for all citizens, through improved integration and greater accessibility in the delivery of sustainable communities and the provision of associated services.
- 5.1.7. NPO 45: 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, increased building height and more compact forms of development.
- 5.1.8. NPO 67: Support the circular and bio economy including in particular through greater efficiency in land and materials management, promoting the sustainable re-use and refurbishment of existing buildings and structures, while conserving cultural and natural heritage, the greater use of renewable resources and by reducing the rate of land use change from urban sprawl and new development.
- 5.1.9. NPO 79: Support the management of stormwater, rainwater and surface water flood and pollution risk through the use of nature based solutions and sustainable drainage systems, including the retrofitting of existing environments to support nature based solutions.

5.2. RSES

5.2.1. The Regional Spatial and Economic Strategy (RSES) provides the strategic framework for regional development in the Southern Region. Its primary goal is to implement Project Ireland 2040—the National Planning Framework—at a regional level, ensuring balanced and sustainable growth across the region.

5.2.2. Regional Policy Objective 16 refers specifically to Wexford town and seeks the following regarding its growth and development:

- a. *To strengthen the role of Wexford as a strategic location, a self-sustaining regional economic driver and Key Town on the Eastern Corridor. The RSES seeks to leverage its strategic location and accessibility to Rosslare Europort and to build upon its inherent strengths including digital connectivity, skills, innovation and enterprise, tourism, culture and retail services.*
- b. *To develop supporting industrial, commercial infrastructure and residential development in Wexford Town for the Port function at Rosslare Europort.*
- c. *To strengthen ‘steady state’ investment in existing rail infrastructure and seek investment for improved infrastructure and services including increased line speeds to ensure its continued renewal and maintenance to high level in order to provide quality levels of safety, service, accessibility and connectivity including improved frequency and journey times;*
- d. *To support development of additional capacity at Rosslare Europort and provision of freight rail services and facilities to support sustainable increases in port operations;*
- e. *Support development of the Wexford Campus as part of the Multi-Campus TUSE is as a key driver for the economic and social development in the town with a focus on educational attainment and lifelong learning*
- f. *To support the delivery of the infrastructural requirements identified for Wexford subject to the outcome of the planning process and environmental assessments*
- g. *To improve the public realm and attractiveness of the Town Centre through urban regeneration of key locations*

- h. Transport measures through a Local Transport Plan including retention and expansion of the town bus network, improvements to cycling and walking infrastructure and rural transport services into the town.*

5.3. Development Plan

- 5.3.1. The site is governed by the policies and provisions contained in the Wexford County Development Plan 2022-2028 (referred to hereafter as the CDP). Chapter 3 refers to the core strategy of the county and Table 3.5 therein specifically classifies Wexford as a key town with provision for 652no. additional units within the plan period at an average density of 35 units/ha.
- 5.3.2. Objectives CS05 and SH08: 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.
- 5.3.3. Chapter 4 seeks to provide develop sustainable housing throughout the county. Table 4-5 sets out indicative density and scales for housing developments in key towns and in relation to inner suburban and infill sites, it recommends that the relevant local area plan should set out density ranges having regard to the established character of the area.
- 5.3.4. Section 4.8.3 refers to housing for people with disabilities and sets out support for the development of housing in the community.
- 5.3.5. Chapter 5 provides urban design guidance for development towns and villages and I note the provisions of section 5.10.1 which refers to infill development while section 5.10.6 refers to building heights and density. Objective TV43 is set out as follows:

“To adopt a presumption in favour of the development of infill and brownfield sites and to apply flexibility in the application of development management standards allowing for the achievement of performance standards for issues such as the protection of adjoining residential amenities, privacy, light and amenity.

- 5.3.6. Objective TV44 also refers to infill development as follows:

“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.”

5.3.7. Objective TV54 refers to building heights as follows:

“To require all development proposals where the building height will be above prevailing heights, including infill development, to include an analysis of the impact of building height and positioning of buildings on:

- The immediate and surrounding environment e.g. streetscape, historic character;*
- Adjoining structures;*
- Open spaces and public realm; and*
- Views and vistas.”*

5.3.8. Volume 2 of the CDP is a development management manual I note the provisions therein including sections 2.6 (amenity), 2.9 (boundary treatments), 3.8 (backland residential development), 3.9 nursing homes/residential care homes, 3.10 (sheltered housing) and 3.12 regarding multi-unit residential schemes. The latter requires planning applications for residential schemes of two or more dwellings to be accompanied by a phasing schedule detailing the number of dwellings, quantum of public open space and infrastructure which will be developed as part of each phase.

5.4. Wexford LAP

5.4.1. A note on the Wexford County Council website states that the Wexford Town and Environs Development Plan 2009-2015 (as extended) has expired. A pre-draft consultation to inform the preparation of a new Wexford Local Area Plan (LAP) was undertaken in 2023 however no draft LAP has been published to date.

5.4.2. The land use zoning for the site under the expired Plan was for ‘residential medium’. All residential zoned lands however (which includes medium, low and super low) had the following objective:

“To protect and enhance the residential amenity of existing and developed communities.”

5.4.3. It further states:

“This zoning relates to existing residential lands. The purpose of this zone is to preserve existing residential uses and to provide for infill residential development at a density that is considered suitable to the area and to the needs of the population. While infill or re-development proposals would be acceptable in principle, careful consideration would have to be given to protecting residential amenities.”

5.5. **Section 28 Guidelines**

NPF Implementation: Housing Growth Requirements

5.5.1. These Guidelines replace the Section 28 “Housing Supply Target Methodology for Development Planning” Guidelines published in December 2020 and provide updated housing growth requirements to planning authorities in order to facilitate the revision and update of development plans in accordance with the National Planning Framework – First Revision (2025). The Guidelines interpret the national housing growth requirements identified in the Revised National Planning Framework for implementation through development plans.

5.5.2. Policy and Objective 1 therein states the following:

“It is a policy and objective of these Guidelines that the housing growth requirements for each planning authority set out in Appendix 1 are reflected in the relevant City or County Development Plan, subject to consistency with the policies and objectives of the National Planning Framework – First Revision (2025), relevant Ministerial Guidelines issued under Section 28 of the Planning and Development Act 2000 (as amended), relevant Government policy, and the undertaking of necessary environmental assessments.”

5.5.3. Policy and Objective 1 therein states the following:

“It is a policy and objective of these Guidelines that ‘additional provision’ of up to 50% over and above the housing growth requirement for each local authority set out in Appendix 1 is reflected within the relevant City or County

Development Plan, subject to consistency with the policies and objectives of the National Planning Framework – First Revision (2025), relevant Ministerial Guidelines issued under Section 28 of the Planning and Development Act 2000 (as amended), relevant Government policy, and the undertaking of necessary environmental assessments.”

Section 28 Guidelines for Planning Authorities: Design Standards for New Apartments, 2023

- 5.5.4. For the information of the Coimisiún, I note that updated apartment guidelines were published in July 2025 which supercede the above noted 2023 version. Circular letter NSP 04/2025 issued to bodies including Planning Authorities, Regional Assemblies and An Coimisiún Pleanála clarified that the new guidelines are applicable to any application for planning permission and to any subsequent appeal or direct application to An Coimisiún Pleanála submitted after the issuing of the Guidelines, i.e. from 9th July 2025. This application does not fall within the scope of that definition and therefore the 2023 guidelines apply.
- 5.5.5. The 2023 guidelines, hereafter referred to as the Apartment Guidelines, provides quantitative and qualitative standards for apartment development across a range of thresholds depending on the number of units proposed and the site's context. It also sets out SPPRs to be adhered to across a range of parameters including aspect, unit mix, car parking and minimum floor areas.

Section 28 Guidelines: Sustainable Residential Development and Compact Settlement Guidelines

- 5.5.6. The guidelines, hereafter referred to as the Compact Settlement Guidelines, set out a context to create higher density settlements to underpin sustainable development principles. Specific Planning Policy Requirements (SPPRs) are set out including SPPR 1 which refers to minimum standards for separation distances between residential units and opposing windows in habitable rooms.

5.6. **DMURS**

- 5.6.1. DMURS provides guidance relating to the design of urban roads and streets. It is designed to be universally accessible to all professionals associated with street design. It presents a series of principles, approaches and standards that are

necessary to achieve balanced, best practice design outcomes with regard to street networks and individual streets. It does so by presenting these in a structured format, ranging from macro level to micro level considerations.

5.7. Traffic Signs Manual (Department of Transport, 2024)

- 5.7.1. The Traffic Signs Manual provides details of the traffic signs which may be used on roads in Ireland, including their layout and symbols, the circumstances in which each sign may be used and rules for positioning them.

5.8. Natural Heritage Designations

- 5.8.1. The site is situated 933m southwest of the Slaney River Valley Special Area of Conservation and proposed Natural Heritage Area. It is also situated 933m southwest of Wexford harbour and Sloba Special Protection Area.

5.9. EIA Screening

- 5.9.1. The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. 4no. appeals were received from the following:
 - 1. Donal Siggins
 - 2. Noel Cummins
 - 3. William Roche

4. Eugene Walsh and Miriam Walsh

6.1.2. The following grounds of appeal were made:

- Principle of development is premature in the absence of an LAP for Wexford. Surrounding property has been developed in the absence of an LAP substantially increasing population and traffic in the area. Previous residential zoned land constituted an over provision of such land. Permission should be refused in accordance with reason nos. 3, 15 and 20 of the non-compensatable reasons set out in Schedule 4 of the Planning and Development Act 2000 (as amended).
- An audit of housing requirements should be carried out followed by allocation of necessary zoned lands.
- Inappropriate housing mix which does not meet the needs of the area or the CDP.
- Proposed density and scale are out of character with established development and would not comply with Section 5.10.1 of the CDP.
- Inappropriate apartment block design in terms of height and scale which is contrary to section 3.8 of the CDP, out of character with the area and would dominate the skyline. The 1.52m reduction in height of the apartment block is insufficient to address previous refusal reasons relating to height.
 - No shadow or sunlight analysis.
 - No photomontages.
 - Ref. 20033401 only permitted single storey units in the same location as the now proposed apartment block.
 - The apartment block would preclude future expansion of existing dwellings.
 - Overlooking particularly to existing single storey unit no. 19.
 - Lack of proposed ridge levels on drawings or distances between proposed and existing structures.

- No condition attached requiring opaque glazing as recommended in the Case Planners report. Such a measure would however be insufficient to maintain privacy and amenity of adjoining property.
- 16m separation distances are insufficient to maintain privacy due to ground level differences and position of balconies.
- Northwest facing balconies on proposed unit nos. 3 and 6 would result in little sunlight during the day and dominant evening sun.
- Kitchen/living areas of proposed unit nos. 2, 3, 5 & 6 face north and west again meaning they will have little sun in the morning or day periods therefore the units are poorly designed in terms of light.
- Overlooking and overshadowing from proposed unit no. 5 which would have a finished floor level 6m above the kerb level at existing unit no. 15.
- Traffic and Transportation Impacts
 - Traffic hazard due to increased volume of traffic. Inadequate consideration was given to the extent of existing on-street car parking, particularly during the construction phase. Carricklawn was built in the 1980s during a period of lower private car ownership meaning that dwellings were designed with space for one vehicle and there is now much overflow parking on the access road.
 - The proposed junction and 27% increase in traffic would impact the availability of parking for 4no. dwellings and create further congestion.
 - Previous refusal reasons regarding traffic hazard by means of intensification still apply.
 - Construction phase traffic would cause significant disruption and hazard.
 - Inappropriate and insufficient sightlines crossing footpaths and impacting vulnerable road users. The proposed illustrated stop sign/point is situated deeper within the site than the recommended 3m setback. Large corner radii and vehicle priority over pedestrians are all contrary to Sections 3.4 and 4.2 of DMURS. Sightlines are obscured by existing tall hedgerows and trees on adjoining property.

- Previous local authority reports considered the access route would not comply with DMURS.
- The autotrack drawing illustrates access for a fire tender which would be difficult to achieve in reality due to existing parked cars. Inadequate detail provided for servicing from large vehicles such as refuse trucks.
- Inappropriate footpath layout restricting permeability. No footpaths provided on likely desire lines.
- Impact to residential amenity from headlights on vehicles shining into existing dwellings opposite the junction.
- Modal split targets in the CDP are unlikely to be met given the distance of the site from schools and employment.
- Inaccurate Traffic and Transport Assessment as:
 - Traffic survey data is out of date as it was carried out during school holidays and also does not account for subsequent large developments which have become operational. The survey counters were located inappropriately.
 - Inaccurate opening year of 2025 provided in TTA and therefore growth has been underestimated by 3.3% impacting the Wexford Inner Relief Road.
 - It has not accounted for all permitted developments nearby.
 - Existing Carricklawn traffic is not representative of younger households likely to occupy new units.
 - Construction stage traffic was not modelled although the guidelines require it. Inadequate details provided regarding construction stage car parking.
- Concern regarding surface water flooding. Proposed swales are inappropriate as future owners are not obliged to maintain or retain them. Additionally, their functionality is questioned given the topography of the site.
- No detail design regarding the proposed works to relocate the existing OHL to an underground location. No details of the proposed works involved adjacent to affected properties such as no. 20 Carricklawn. Lack of details regarding access to any retained pylon. Landscaping proposals do not provide for hardstanding access. This

area should not be included in the 10% calculation for open space as hardstanding access should be provided for maintenance at the pylon. Concern submitted regarding health effects from a pylon and appropriate siting of the open space.

- Work has already commenced as evidenced by removal of trees, a streetlight, a boundary wall and provision of foundations and a new boundary wall all adjacent to the site entrance. A referral was made to the enforcement section of the Local Authority with no response received.
- Construction hours are excessive and will cause serious disruption and disturbance.
- Concern regarding construction stage damage to property at no. 12 Carricklawn including destabilisation from passing machinery removing excavated material.
- The applicant is not named as being present during pre-planning discussions. The pre-planning meeting was held 4 years prior to lodging the application with 2no. refused proposals on the site in the intervening time. A new pre-planning meeting should be held.
- No evidence of landowner agreement regarding proposed tree removal along southern boundary. Inaccuracies regarding site registry and ownership details.
- Drawing and documentation inaccuracies:
 - Regarding the number of bedrooms in proposed units. This is contrary to public participation.
 - Lack of ridge levels.
 - Lack of distances to existing units.
 - Inaccurate distances to existing units.
 - Applicant's adjacent property and wayleave are not illustrated on the site location map.
- The response to further information request item no. 3 requesting building management and support arrangements does not set out building management and support arrangements. Further, the letter from a third-party intellectual disability support service is dated 6 months prior to application lodgement date.

6.2. Applicant Response

6.2.1. Two valid responses were received from the applicant which set out the following points:

- Regarding alleged traffic impact and a traffic hazard, the Local Authority roads section recommended that permission be granted. A TTA and DMURS statement of compliance were submitted together with a response to transport matters raised by third parties at further information stage. The traffic surveys, speed surveys and modelling assessment concluded that the carrying capacity of the junction between the L7084 and Carricklawn estate, and associated roads can accommodate the proposed development.
- The proposed development is DMURS compliant, and sightlines were designed based on accurate survey data.
- Proposed car parking rates comply with the CDP requirements and Compact Settlement Guidelines requirements.
- The rate of car parking provided in Carricklawn estate complies with CDP standards and SPPR3 of the Compact Settlement Guidelines and therefore the appellants perception that the 1980s Carricklawn estate has not been designed to accommodate modern standards in terms of car parking provision is inaccurate.
- Regarding an alleged restriction to fire tender access due to existing on-street car parking opposite the proposed access junction, the applicant's response states that the existing dwellings in question have provision for 2no. parking spaces each in accordance with the guidelines and therefore there is no need for on street car parking in this location. Google streetview images are provided with the response illustrating a low level of on-street car parking.
- Swept path analysis was undertaken to demonstrate safe access for large vehicles.
- References to previous reasons for refusal associated with previous development proposals are irrelevant as the subject proposal represents a different development.
- Regarding the scale and height of the apartment block, the applicant highlights its two-storey nature and contends it would not be visible outside the subject site, will

have no impact on the skyline of Wexford and would not have any impact on the character of the area.

- The apartment block is designed and orientated so there are no directly opposing first floor windows facing existing windows. Separation distances in accordance with SSPR1 of the Compact Settlement Guidelines are demonstrated.
- One appellant's property does not adjoin the site while another is situated up to four times over the recommended SSPR1 16m separation distance and therefore there is no potential for overlooking or loss of amenity.
- A stormwater surface management system incorporating swales and two attenuation tanks is proposed and therefore there is no risk of flooding to any property as a result of the development.

6.3. Planning Authority Response

- None

6.4. Observations

6.4.1. One observation was received from Carline Noctor and Laurence Kehoe which raised the following matters:

- The proposed development would raise an equine welfare concern due to its proximity to the racecourse.
- Vehicular access is too narrow.
- There are existing issues with access to the Carricklawn estate for large vehicles. There are now concerns about emergency access for the proposed development.
- The site is a wildlife haven and environmentally its development would spell disaster including on people's mental health and wellbeing. It is one of the few remaining green areas in Wexford which is overrun with developments.
- The existing Carricklawn estate is a quiet cul-de-sac. The proposed development would change the character of the area.

- The area has been subject to flooding historically and is not suitable to be developed due to the slope on the site meaning water will flow downhill to existing dwellings.

7.0 Assessment

7.1. Introduction

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

- Principle
- Qualitative and Quantitative Standards
- Apartment Block Design
- Traffic and Transportation
- Other matters

7.2. Principle

- 7.2.1. The site is situated on lands which were previously zoned for residential purposes under the now expired Wexford Town and Environs Development Plan 2009-2015. The current Wexford County Development Plan 2022-2028 does not include land use zonings for Wexford Town and its surrounding area, with the intention that a Wexford Town and Environs Local Area Plan (LAP) would be adopted within the lifetime of the CDP and include land use zonings for the area. I note pre-draft LAP consultation was held however no draft plan has been published to date and there is no current specific zoning objective for the subject site in place.
- 7.2.2. I do not agree that the principle of development is premature based solely on the absence of a zoning objective or LAP for the site. There is a current CDP and relevant national policies in place which will aid in assessing the application on its own merits, as is the case for any other proposal on un-zoned lands.

- 7.2.3. One appeal suggests permission should be refused in accordance with reason nos. 3, 15 and 20 of the non-compensatable reasons for refusal set out in Schedule 4 of the Planning and Development Act 2000 (as amended). Reason no. 3 states *'Development of the kind proposed would be premature by reference to the order of priority, if any, for development indicated in the development plan or pending the adoption of a local area plan in accordance with the development plan.'* There is however no such order of priority in place in the CDP. Reason no. 15 states *'the proposed development would materially contravene an objective indicated in a local area plan for the area.'* There is no LAP in place governing the subject lands and therefore this reason does not apply. Reason no. 20 states: *'The development would contravene materially a development objective indicated in the development plan for the zoning of land for the use solely or primarily of particular areas for particular purposes (whether residential, commercial, industrial, agricultural, recreational, as open space or otherwise or a mixture of such uses).'* The land in question is not zoned as the previous zoning has expired, and therefore this reason does not apply.
- 7.2.4. Another appeal suggests that an audit should be carried out followed by the allocation of necessary zoned lands. This procedure is partly undertaken as part of the core strategy element of the CDP which identifies the overall housing allocation for each settlement in the County. This allocation will feed into the preparation of the Wexford LAP however in the absence of any new zonings, I do not agree that the development is premature. I consider there is sufficient guidance available in the CDP regarding density, building height, design, layout, housing mix and access etc to facilitate a robust assessment of the proposed development.
- 7.2.5. On the matter of core strategy, I note that 652no. units are proposed for Wexford town during the lifetime of the plan which was adopted in 2022. I also note the recently published Section 28 Guidelines 'NPF Implementation: Housing Growth Requirements' requiring local authorities to revisit their Core Strategy and increase the annual rate of new housing growth. In the case of Wexford, a revised annual rate of 1,622no. units is proposed for the entire County during the period of 2025-2034, up from the adopted rate of 1,072.
- 7.2.6. In this context, together with the policies and objectives set out in the CDP such as Objectives CS05 and SH08 which seek 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, I consider that the principle of development is acceptable. I am satisfied that the principle of development would not conflict with the CDP, NPF, RSES or Section 28 guidelines insofar as they relate to housing growth. Therefore, I am satisfied that the proposed development is not premature pending the preparation of an LAP for Wexford town.

7.3. Qualitative and Quantitative Standards

- 7.3.1. The appeals contend that the proposed density of the development is out of character with the established scale of development in the area and that it would not comply with Section 5.10.1 of the CDP which refers to infill, brownfield and greenfield development.
- 7.3.2. The site is situated to the rear of existing housing to the north, south and east. The only non-residential adjacent land comprises the racecourse to the west which is brownfield land subject to historical development, albeit of a green open space nature. In this regard I consider the site comprises an infill site and Objective TV44 of the CDP states that the scale of infill should have regard to the location and characteristics of the settlement. I also note that Section 5.10.1 specifically states: *Where no LAP is in place 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. The Council will consider the relaxation of quantitative standards subject to certain performance standards being met.* Similarly, Table 4-5 does not specify density standards for infill sites but states that a balance should be struck between existing residential amenity and the need to provide infill housing.
- 7.3.3. The subject development proposes a density of 23.5dph. Carricklawn has a density of 21dph and in this regard I consider the differential to be immaterial and to be consistent with the existing pattern and context. Having regard to policy support to increase the efficiency of land use within existing settlements, I consider this represents a low-density development which is not optimal given its proximity to schools and public transport. However, having regard to other factors such as the

existing pattern of adjacent development as well as the terrain and landform on the site and its constrained nature, I consider the density is appropriate and responds to its built surroundings.

7.3.4. The proposed unit mix is as follows:

1-bed	6	40%
2-bed	0	0
3-bed	7	47%
4-bed	1	6.5
5-bed	1	6.5
Total	15	100%

Table 1: Unit mix

- 7.3.5. The appeals suggest that housing mix does not comply with the CDP or meet the needs of the area. Section 4.7.5 of the CDP sets out a recommended housing mix for proposed schemes over 25 units only and there is no mix specified to govern smaller schemes such as the proposed development. I also note that the apartment block represents a form of sheltered accommodation and therefore should not, in my opinion, be considered as standard residential units.
- 7.3.6. Having regard to this matter together with the mix outlined in table 1 above, I am satisfied that the proposed housing mix represents an appropriate mix of dwelling types which are not monotonous. Further, the variation in housing types which includes single storey, two storey and two and a half storey units is an acceptable variation in unit types which in my view responds to the diverse needs of a thriving community.
- 7.3.7. I note the rate of internal floor areas including storage, room widths, aggregate floor areas etc, as well as matters regarding bin and bike stores, private open space, public open space and the rate of car parking proposed within the development to serve each unit has all been deemed acceptable by the Case Planner. I have reviewed the documentation received with the appeal and agree that the various residential standards have been met and that the design as proposed meets the

required quantitative and qualitative standards as set out in the CDP and various national policy documents.

7.4. Apartment Block Design

- 7.4.1. The proposed two storey apartment block would be situated in the northwest corner of the site and have a total height of 8.684m which is lower than the adjacent proposed 9.55m high 2.5 storey unit while the remaining two storey units would be 8.3m tall but are also situated on higher ground and therefore would have a higher ridge level than the apartment block. I note the appeals suggest that separation distances and the proposed ridge heights are not specified and that photomontages are not produced. I consider all statutorily required information has been provided to enable a robust assessment of the proposed development. The proposed height and finished floor levels are clearly illustrated together with separation distances while photomontages are not a statutory requirement.
- 7.4.2. The further information response drawing clearly illustrates how a 16m separation is maintained from the apartment block to all existing dwellings. In fact, existing unit no. 20 is the closest and only Carricklawn dwelling to have the minimum 16m separation as all other existing dwellings are situated further away again with increased separation distances of 18 and 20m for the next closest dwellings at nos. 19 and 18 Carricklawn respectively. I also note in this regard the variances within Carricklawn as no. 20 is a two-storey dwelling situated between single storey nos. 19 and 21. Additionally, no. 20 is situated on a slightly higher ground level than the single storey no. 19.
- 7.4.3. I note the proposed materials and finishes of the apartment block would comprise a rendered finish, concrete roof tiles PVC joinery and some standing seam metal cladding.
- 7.4.4. Having regard to all the above including ground levels on the site, the layout, orientation, design and separation distances proposed and the proposed design and finish of the apartment block and adjacent proposed dwellings which would provide a varied roof level throughout the proposed development, together with the characteristics and layout of the existing Carricklawn dwellings with varying roof levels and topography, I consider the proposed development would constitute an

acceptable degree of infill development on the site. In my opinion the proposed design would represent an urban extension to Carricklawn which would not be out of character or detrimental to the architectural amenity of the area. In this regard, I do not agree with the appeals where it is suggested that the apartment block is out of character with existing development in terms of height and scale or that it would dominate the skyline. The proposed apartment block would be visible from the public area of Carricklawn however I do not consider it would detract from the architectural or visual amenity of the area.

- 7.4.5. With regard to overlooking, I note that the 16m separation distance as required by SPPR 1 of the Compact Settlement Guidelines is achieved for all above ground floor windows. I also note that the layout and orientation of both the existing and proposed units means there is no direct back-to-back arrangement. The apartment block would be offset at an angle to the existing units while the proposed access road, car parking and public open space also provides an additional offset. Further, I note that all proposed balconies are situated on the rear elevation with a primary view from all balconies and kitchen/living/dining areas northwest towards the racecourse.
- 7.4.6. In this regard, I note the topography and height differential between existing units and the apartment block, as well as the single storey nature of most of those units versus the two-storey proposed block. In my view, the orientation of the apartment block together with its layout and proposed separation distances means the only potential for overlooking is to existing unit no. 20 which is a two-storey unit. Again, I note that the SPPR 1 is achieved with a 16m separation however I agree with the Case Planners recommendation that opaque glazing should be provided on the northeast elevation in order to overcome any additional impacts due to the ground level differences. This should also be provided on the northeast side wall of the balconies in order to direct views northwest only towards the racecourse.
- 7.4.7. The affected windows serve bathrooms in some units and comprise the secondary window of the kitchen/living/dining space in other units and in the latter case, the primary window is much larger and faces northwest accessing the balcony. In this regard I am satisfied that internal amenity would not be limited due to the omission of an external view from those windows. I am therefore satisfied that no overlooking would occur from the proposed apartment block to such a degree as to significantly impact residential amenity.

- 7.4.8. I note commentary in the appeals suggesting the location and design of the apartment block precludes future expansion of the existing dwellings however I disagree based on the conclusion above. I also note that all proposed development would occur within the red line boundary and would not physically impact or encroach on adjoining third party properties.
- 7.4.9. Some appeals make references to previous planning history on the site including addressing refusal reasons and earlier statements regarding design. Every planning application is judged on its own merits and for the reasons set out above, I consider the scale and height of the apartment block is acceptable for the site.
- 7.4.10. With regard to overshadowing, I note no shadow or sunlight analysis was submitted and that concerns are raised regarding overshadowing impacts. The apartment block is situated southwest of Carricklawn unit nos. 19, 20 and 21 and therefore these units represent the existing dwellings most likely to be impacted by overshadowing. Unit no. 20 is a two-storey structure which already casts shadows on to the adjacent no. 21 due to its short separation distance, height differences and location immediately south of no. 21. Unit no. 18 also casts some shadow on no. 19 similarly due to its location immediately south of no. 19.
- 7.4.11. I note the apartment block would be situated on a higher ground level than the existing dwellings and therefore there is potential for more shadowing to occur than if the ground was all the same level as adjoining property. However, having regard to:
- the topography of the area,
 - the 8.684m proposed height of the apartment block,
 - its separation distance of 16m to the closest dwelling (no. 20 Carricklawn) and increased separation to other units,
 - its orientation which positions the pitched roof on a northeast/southwest axis and the location of the single storey extension to the rear,
- I am satisfied that any likely overshadowing which may be generated from the apartment block would not significantly impact the adjoining residential amenities.
- 7.4.12. Lastly regarding the apartment block, I note concerns regarding internal amenity to 4no. of the proposed units due to their northwest facing aspect from the kitchen/living/dining area. The appeal suggests that unit nos. 2, 3, 5 and 6 would

have little sunlight. I note however that all proposed units are triple aspect which in my view represents a high quality of internal amenity. The kitchen/living/dining spaces of each unit are all dual aspect and none face due north alone. In this regard, I consider the layout of the units meets and in fact exceeds the requirements of SPPR 4 of the 2023 Apartment Guidelines. I also note that all minimum requirements in terms of floor spaces, storage, room widths etc are exceeded for each unit and therefore am satisfied that a high degree of internal amenity will be achieved.

7.5. Traffic and Transportation

- 7.5.1. It is proposed to upgrade the existing laneway situated between nos. 12 and 13 Carricklawn to provide vehicular access to the site. 27no. parking spaces are proposed with 2no. within the curtilage of each dwelling, 1no. adjacent to the apartment block and the remainder in one row along the eastern side of the access road. This rate of parking complies with the CDP and Compact Settlement Guidelines having regard to the context and characteristics of the site including accessibility to public transport.
- 7.5.2. I note a statement of consistency with the DMURS and a TTA were submitted with the application. I also note that the Transport Department of the Local Authority did not raise any concerns regarding traffic safety or transportation matters. The appeals however raise a number of transport matters summarised as follows:
- Junction design
 - TTA
 - Traffic hazard
 - Footpath layout and
 - Construction traffic.

Junction Design

- 7.5.3. The appeals suggest that inappropriate sightlines are provided as existing trees etc would block the view, however having inspected the site I disagree and consider the sightlines are acceptable. The trees referred to are clear stemmed, meaning the

lower c.1.5m of the tree is clear from vegetation. I also note that the verge adjacent the kerb comprises mown grass which maintains open visibility in both directions.

7.5.4. I do not consider the fact that the proposed access intersects with a footpath is a sufficient reason for refusal. Footpaths regularly intersect with road junctions and design measures are integrated to protect vulnerable road users as is the case in this instance. A stop sign is proposed as well as tactile paving and a raised pedestrian crossing which, in my opinion, is sufficient to uphold safety for vulnerable road users. The layout provides a priority for pedestrians over vehicular traffic which is appropriate given the residential character of the area and the 30kmh design speed of the access road.

7.5.5. The appellants suggest that permission should be refused because previous local authority reports considered the access route would not comply with DMURS. I disagree however and consider the applicants response highlighting the fact that this is a different development to be acceptable. Again, I highlight how every planning application is assessed on its own merits against the policy in place at that time.

7.5.6. The appeals suggest that the stop sign/point illustrated on the site layout drawing is situated deeper within the site than the recommended 3m setback from the road edge. The location of stop signs is determined in the Traffic Signs Manual. Section 5.2.5 therein states:

“The Stop Sign should ideally be sited 1.5m in advance of the associated Stop Line, but in circumstances where this would lead to impaired visibility of the sign this may be increased to a distance not exceeding 6m.”

7.5.7. I note that the site layout drawing does not specifically illustrate a proposed stop sign to be erected on a pole but provides stop markings on the roadway. Chapter 7 of the Traffic Signs Manual states such markings may only be used in conjunction with the stop sign. Having reviewed the proposed layout I consider there is sufficient space to erect such signage on the site and that a condition should be attached requiring the detailed design of the junction, including signage to be agreed with the Local Authority in advance of works commencing.

7.5.8. Corner radii of 6m are proposed at the junction and 4m internally which will facilitate access for large vehicles such as fire tenders and refuse trucks. Section 4.3.3 of DMURS states that a maximum radius of 1-3m should be applied on local streets

where movements by larger vehicles are infrequent. Having regard to the vertical alignment of the junction together with required accessibility from fire tenders and refuse trucks, together with matters regarding existing car parking occurring on the Carricklawn local road, I consider the proposed 6m radius is acceptable and appropriate.

- 7.5.9. I note that the design of the cul-de-sac with a hammerhead junction provides a turning space for large vehicles such as refuse trucks and fire tenders. Concerns are raised in the appeal which suggest fire tender access would be restricted by existing car parking, while references are also made to the impact of the loss of car parking due to the creation of the junction. I note the applicant's response to this matter which outlines how the rate of car parking associated with the Carricklawn dwellings complies with existing standards. In this regard, I consider it highly unlikely that emergency access would be restricted to the proposed development. I also note that the Transport Department of the Local Authority did not raise any concerns on this matter.
- 7.5.10. Lastly regarding the junction design, one appeal suggests residential amenity would be impacted in the dwellings situated opposite the junction as a result of headlights shining in through windows. Having regard to the scale of traffic likely to be generated and associated movements through the junction, together with proposed and existing public lighting I do not consider it likely that residential amenity would be impacted by headlights from vehicles existing the development.

Traffic and Transport Assessment

- 7.5.11. I have reviewed the TTA and consider it is acceptable and was largely carried out in accordance with the Traffic and Transport Assessment Guidelines as published by the National Roads Authority, 2014. The traffic surveys were carried out on weekdays in June which is still within the school year. The counters were located at 3 locations including within the Carricklawn estate and either side of its junction with the L7084 (Wexford Inner Relief Road), therefore capturing all traffic entering and exiting the estate which is acceptable in my view.
- 7.5.12. I note concerns that the survey data does not account for subsequent large developments which have become operational or that the conclusions have been underestimated by 3.3% due to the delay between writing the report and lodging this

application. I note however that the survey and associated modelling, which was carried out with approved PICADY software, included a projected growth as far as 2040. This projected growth accounts for general population and car ownership growth and therefore I am satisfied that the TTA has been carried out appropriately.

Traffic Hazard

- 7.5.13. The appellants suggest that the proposed development would increase traffic to such an extent which would constitute a traffic hazard. The conclusions of the TTA however demonstrate that the existing access and junction with the L7084 would all operate within their designed capacity.
- 7.5.14. The report suggests that the proposed 15no. units would result in an 37% increase in traffic for the 100m section of the Carricklawn estate road between the L7084 and the proposed entrance to the development. The report however suggests that the new junction would operate with 98% spare capacity in the AM peak and 100% spare capacity in the PM peak. Having regard to the scale of likely traffic generation together with the 100m extent of Carricklawn access road which would be utilised by the proposed development, I do not consider it likely that the development would create a traffic hazard.

Footpath Layout

- 7.5.15. The appeal suggests that the proposed footpath layout is inappropriate as it restricts permeability and does not reflect the desire line. I disagree however and consider the footpath layout to be acceptable in providing access to the entire development. Appropriate crossing points have been incorporated together with public lighting and landscaping to provide a robust and safe sense of place encouraging pedestrian movements.

Construction Traffic

- 7.5.16. Concerns are raised that the construction stage traffic would cause significant disruption and hazard which was not addressed in the TTA. I note the TTA was not statutorily required and therefore there was no requirement to include construction stage traffic.

- 7.5.17. I also note that a Construction Environmental Management Plan (CEMP) was submitted with the application which provided high level information regarding managing waste material and ensuring the public road is kept clean.
- 7.5.18. In my opinion the scale of the proposed development and associated timeline of construction works means a significant disruption is not likely to occur to traffic flows in the area or constitute a traffic hazard. I note there would likely be short timeframes of disruption to enable the delivery of machinery and plant to the site or to connect into services however this disruption can be effectively managed through the preparation and agreement of a comprehensive CEMP. I therefore recommend that a revised CEMP is agreed with the Local Authority prior to the commencement of development which addresses construction stage traffic and parking etc.

7.6. Other Matters

- The appeals state that work has already commenced on the site and that referrals have been made to the Local Authority enforcement department. This matter is outside the scope of an appeal as all enforcement lies within the remit of the Local Authority.
- The appellants contend that a new pre-planning meeting should be held as the applicant was not named as being present and there was a 4yr gap since the last meeting. I note however that there are no statutory provisions which would require the undertaking of a new meeting or which specifically require the applicant to attend together with their agent.
- Concern is raised that hardstanding should be provided to access the existing pylon being retained in the southwest of the site in order to facilitate maintenance. I note the existing pylon does not currently have any such access, which reflects the majority of cases as pylons are often situated on agricultural land. I also note that the ESB did not specify any such requirement in their written communication submitted with the application and therefore consider it would be inappropriate to require its inclusion by means of a condition.
- Section 3.12 of the Development Management Manual in volume 2 of the CDP requires a phasing schedule to be submitted with any residential scheme over 2 units. This has not been expressly provided, however having regard to the timescale

set out in the CEMP which suggests a 12 month construction timeframe, I consider it is inherently understood that one phase only is proposed.

- Concerns are raised regarding overlooking from some of the housing units however I note that the 16m separation distance as required by SPPR 1 is provided in all cases for the two storey units. I also note the higher ground level on the site means overlooking could be facilitated also from single storey dwellings, however I consider the separation distances together with the fact that there are no directly opposing units are sufficient measures to protect residential amenity for existing dwellings both in Carricklawn as well as within Monforte Close to the south of the site.
- Concerns are raised regarding non-compliance with Objective TV54 which requires all development proposals where the building height will be above prevailing heights, including infill development, to include an analysis of the impact of building height and positioning of buildings on:
 - *The immediate and surrounding environment e.g. streetscape, historic character;*
 - *Adjoining structures;*
 - *Open spaces and public realm; and*
 - *Views and vistas."*

Documentation received with the application did not expressly respond to those specific headings, however I note a Design Statement submitted with the application which discusses the impact of the development on the 12no. urban design criteria and which I consider is sufficient to address the spirit of Objective TV54.

- The topic of flooding is raised in the third party appeals due to the higher ground level on which the site is situated. I note a surface water design was submitted with the application which includes multiple SUDS features including permeable paving and swales within the curtilage of each dwelling. Appellants are concerned about the functionality of the swales given that they are proposed to be situated to the rear of the site which has a higher ground level. I note a moderate degree of cut and fill is illustrated on the site section drawing however this drawing also would appear to suggest that the swales would be situated on a terrace at a higher ground level than

the finished floor level of the dwelling. In my opinion, there is sufficient space within the site and each dwelling to accommodate such nature based solutions and therefore I recommend a condition is attached requiring the detailed design of surface water management to be agreed with the local authority prior to the commencement of development. This should also address the management of surface water flowing downhill on the new access road towards the proposed new junction as well as communication to prospective owners of the new units regarding maintenance requirements of the swales.

- I note the eastern portion of the access laneway will be resurfaced with permeable paving which should improve drainage in this location which is stated to affect an adjacent third party property. The removal of grass and compacted hardstanding and its replacement with appropriately laid permeable paving would, in my view, likely prove beneficial to adjacent landowners by improving the drainage regime and reducing maintenance requirements.
- No detailed design has been provided regarding the proposal to relocate the existing OHL underground and how this may affect unit no. 20 which has a timber twin pole pylon situated in its side garden but outside of the subject site. The red line boundary for the site does not extend as far as this pylon or any part of no. 20 and therefore is situated outside of the application site and scope of this appeal. In my view, the extent of works required to underground the cable within the site can be feasibly carried out within the red line boundary with no impact to the existing pylon on no. 20 Carricklawn.
- Concerns are submitted regarding health affects from the existing pylon and inappropriate siting of an open space area at the southwest adjacent to the pylon. I note such cables and pylons are already in close proximity to dwellings adjacent the site to the south while the same cables are also carried overhead within Carricklawn to the north of the site in very close proximity to existing dwellings. I also note that the ESB communication did not raise any concerns in this regard. I am satisfied therefore that the location and relationship of the proposed dwellings and open space in close proximity to electricity cables and an associated steel support structure is not likely to result in negative health impacts to future occupants of the development.

- The appellants suggest that construction hours are excessive and will cause serious disruption and disturbance. The permitted hours as per condition no. 10 are 07:00-19:00 Monday to Friday and 09:00-16:00 on Saturdays which is a standard condition in the Wexford County Council functional area. In my view, these hours are not excessive and are not likely to significantly impact residential amenity, particularly when regard is had to the overall short and temporary timescale of the construction phase.
- Concern is set out regarding construction stage damage to property at no. 12 Carricklawn adjacent to the access laneway including destabilisation from passing machinery removing excavated material. Condition no. 10 also required the preparation of a Construction Management Plan to address matters including noise and vibration to adjoining properties. I consider this is sufficient to address the concerns outlined, particularly when regard is had to the scale of excavation proposed which is not significant.
- The appeals submit that no evidence of landowner agreement was submitted regarding the proposed tree removal along the southern boundary of the site however consent for such works is a civil matter which is not statutorily required in a further information response. The appeals also suggest there are inaccuracies regarding site registry and ownership details and that the applicant's adjacent property at no. 13 Carricklawn and associated wayleaves are not included on the application drawings. I have reviewed the Tailte Éireann folios and maps submitted with the application and note the extent of landownership and wayleaves illustrated therein. I am satisfied that the applicant has demonstrated all relevant landownership and wayleaves pertinent to the application and that the material submitted did not prevent any third party from understanding landownership of the various areas of the site.
- One appeal suggests that there are drawing and documentation inaccuracies including regarding the number of bedrooms proposed in each unit. I have reviewed the documentation and consider it largely consistent throughout. In my opinion any discrepancies are typographical errors and are immaterial.
- One appeal queries the accuracy of the further information request where the Local Authority sought building management and support arrangements and the

appellant suggests that the response does not address this. The request did not refer to statutory documentation requirements and I note that the Case Planner was satisfied with the response. I therefore do not consider this constitutes sufficient grounds for refusing permission and nor do I consider it necessary to request the same further information again from the applicant. On the same matter of managing the building, the applicant's response included a letter from a third-party intellectual disability support service outlining their interest/willingness to be involved with the 6no. apartments and provide a residential support service for occupants. The appellant submitted concerns that the letter was dated 6 months prior to the application lodgement date however I do not consider this to be inappropriate or grounds to refuse permission.

- The observation suggests that the development would raise an equine welfare concern due to its proximity to the racecourse. I note no observation/submission was received from the racecourse operators or any equine sports representative body. I also note the extent of existing housing situated alongside the east, west and southern boundaries of the racecourse and am not aware of any operational issues or impacts as a result of this proximity. I am therefore satisfied that the proposed development is not likely to impact the welfare of horses on the adjacent racecourse.
- The observation also suggests the site is a wildlife haven and that removing the green space would impact mental health and wellbeing. I note the site is significantly overgrown with no pedestrian access currently and therefore consider that developing the site would increase the availability of usable green space for local residents resulting in a positive impact. With regard to ecological impacts, I am not aware of any sensitive species utilising the site and did not note any noteworthy or protected habitats during the site inspection. In my view, any wildlife on the site is likely to be limited to common urban species such as foxes and garden birds which are not endangered. I consider any impact to local wildlife would be localised and minor.

8.0 Appropriate Assessment

8.1. Screening

- 8.1.1. I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended.
- 8.1.2. The site is situated 933m southwest of the Slaney River Valley Special Area of Conservation Wexford harbour and Sloba Special Protection Area.
- 8.1.3. The proposed development seeks to construct 15no. dwelling units and all associated site development works.
- 8.1.4. 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.
- 8.1.5. The reason for this conclusion is as follows:
- The urban infill nature and modest scale of the works,
 - The location of the site removed from any waterbodies and lack of any hydrological connectivity,
 - Connection to existing public water services and
 - Taking into account the screening report/determination by Wexford County Council.

8.2. Conclusion

- 8.2.1. 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.
- 8.2.2. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

9.0 Water Framework Directive

9.1. Screening

- 9.1.1. The subject site is located 1.1km west and southwest of the River Slaney estuary with the Irish Sea. I note there is a small lake/large pond situated 100m northwest of the site within the adjacent racecourse property with a number of drains leading into and out of it. The EPA GIS based mapping illustrates a stream flowing through the racecourse and lake from west to east and downstream through the northern section of Carricklawn housing estate. I did not note any evidence of this stream at surface level during the site inspection.
- 9.1.2. The proposed development seeks to construct 15no. residential units.
- 9.1.3. No water deterioration concerns were raised in the planning appeal.
- 9.1.4. 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.
- 9.1.5. The reason for this conclusion is as follows:
- The urban infill nature and modest scale of the works.
 - The location of the site removed from any waterbodies and lack of any hydrological connectivity.
 - Connection to existing public water services.

9.2. Conclusion

- 9.2.1. 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

I recommend that planning permission is granted in accordance with the conditions set out below.

11.0 Reasons and Considerations

Having regard to the location of the infill site within the 'existing built up area' of Wexford on serviced lands, the provisions of the Wexford County Development Plan 2022-2028, specifically Objectives CS05, SH08 and TV44, the established pattern of residential development in the area, the nature and scale of the proposed development, the Sustainable Residential Development and Compact Settlements – Guidelines for Planning Authorities, 2024, and the Guidelines for Planning Authorities: Design Standards for New Apartments, 2023, it is considered that, subject to compliance with the conditions set out below, the proposed development would be appropriate in terms of density, scale and height, would not result in the creation of a traffic hazard, and would not seriously injure the amenities of neighbouring properties in the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

12.0 Conditions

1.	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 01 st day of May 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.
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	Reason: In the interest of clarity.
2.	<p>a) Prior to the commencement of the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house or duplex unit), pursuant to Section 47 of the Planning and Development Act 2000, that restricts all relevant residential units permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.</p> <p>(b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each of the residential units for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing.</p> <p>(c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified housing units, in which case the planning authority shall confirm in writing to the applicant or any person with an interest in the land that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit.</p> <p>Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.</p>

3.	<p>Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority [in relation to the transfer of a percentage of the land, to be agreed with the planning authority, in accordance with the requirements of section 94(4) and section 96(2) and 96(3)(a), (Part V) of the Planning and Development Act 2000, as amended, and/or the provision of housing on lands in accordance with the requirements of section 94(4) and section 96(2) and 96(3) (b), (Part V) of the Planning and Development Act 2000, as amended], unless an exemption certificate has been granted under section 97 of the Act, as amended. Where such an agreement cannot be reached between the parties, the matter in dispute (other than a matter to which section 96(7) applies) shall be referred by the planning authority or any other prospective party to the agreement, to An Coimisiún Pleanála for determination.</p> <p>Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan for the area.</p>
4.	<p>The proposed development shall be amended as follows:</p> <p>(a) Opaque glazing shall be provided to all first floor windows serving bathrooms and kitchens on the northeast and southwest elevations of the apartment block.</p> <p>(b) Screening shall be provided on the side elevation of each balcony of the apartment block.</p> <p>Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interests of and residential amenity.</p>

5.	<p>Details of the materials, colours and textures of all the external finishes to the proposed dwellings and associated structures including boundary treatments shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.</p>
6.	<p>The landscaping scheme shown on drawing titled 'Landscape Scheme', as submitted to the planning authority on the 01st day of May, 2025 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 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>
7.	<p>The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company, or by the local authority in the event of the development being taken in charge. Detailed proposals in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: To ensure the satisfactory completion and maintenance of this development.</p>
8.	<p>(a) The internal road network serving the proposed development including turning bays, junctions, parking areas, footpaths, and kerbs</p>

	<p>shall comply with the detailed construction standards of the planning authority for such works and design standards outlined in Design Manual for Urban Roads and Streets (DMURS).</p> <p>(b) Details of all locations materials and signage to be used shall be submitted to, and agreed in writing with the planning authority prior to the commencement of development.</p> <p>Reason: In the interest of amenity and of traffic and pedestrian safety.</p>
9.	<p>Prior to the commencement of development the developer shall enter into a Connection Agreement (s) with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply and/or wastewater collection network.</p> <p>Reason: In the interest of public health and to ensure adequate water/wastewater facilities.</p>
10	<p>The attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority which shall include the following:</p> <p>(a) management of surface water flowing downhill on the new access road towards the proposed new junction with the Carricklawn access road.</p> <p>(b) Communication to prospective owners regarding maintenance requirements of the swales within the curtilage of each housing unit.</p> <p>Reason: In the interest of public health.</p>
11	<p>All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the</p>

	<p>provision of broadband infrastructure within the proposed development.</p> <p>Reason: In the interests of visual and [residential] amenity.</p>
12	<p>Public lighting shall be provided in accordance with a scheme which shall be submitted to, and agreed in writing with the planning authority prior to the commencement of development. The scheme shall include lighting along pedestrian routes through open spaces and shall take account of trees within the drawing [landscape plan drawing no. xxx]. Such lighting shall be provided prior to the making available for occupation of any residential unit.</p> <p>Reason: In the interest of amenity and public safety.</p>
13	<p>Proposals for an estate/street name, house/apartment numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate and street signs, and house/apartment numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).</p> <p>Reason: In the interest of urban legibility and to ensure the use of locally appropriate placenames for new residential areas.</p>
14	<p>Site development and building works shall be carried out between the hours of 07:00 to 19:00 Mondays to Fridays inclusive, between 09:00 to 16:00 on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.</p>

	Reason: To safeguard the amenity of property in the vicinity.
15	<p>The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:</p> <ul style="list-style-type: none"> (a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse; (b) Location of areas for construction site offices and staff facilities; (c) Details of site security fencing and hoardings; (d) Details of on-site car parking facilities for site workers during the course of construction; (e) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site; (f) Measures to obviate queuing of construction traffic on the adjoining road network; (g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network; (h) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works; (i) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels; (j) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater; (k) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil; (l) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.

	<p>(m) A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be available for inspection by the planning authority;</p> <p>Reason: In the interest of amenities, public health and safety and environmental protection</p>
16	<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 Coimisiún 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 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.</p>
17	<p>Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the satisfactory reinstatement of the site upon cessation of the project coupled with an agreement empowering the planning authority to apply such security or part thereof to such reinstatement. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An</p>

	Coimisiún Pleanála for determination. Reason: To ensure satisfactory reinstatement of the site.
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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

10th September 2025

Appendix 1 - Form 1

EIA Pre-Screening

Case Reference	322699-25
Proposed Development Summary	15no. residential units
Development Address	Carricklawn, Coolcots, Wexford Rural, Co. Wexford
In all cases check box /or leave blank	
1. Does the proposed development come within the definition of a ‘project’ for the purposes of EIA? (For the purposes of the Directive, “Project” means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a ‘Project’. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road	

development under Article 8 of the Roads Regulations, 1994. No Screening required.	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
<input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	Class 10 (b)(i) Construction of more than 500 dwelling units. The proposal comprises 15no. units. Class 10 (b)(iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere. The site comprises 0.64ha.

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes <input type="checkbox"/>	Screening Determination required (Complete Form 3)
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Form 2 - EIA Preliminary Examination

Case Reference	
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	

<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 urban site is serviced and its size is not exceptional in the context of the prevailing plot size in the area.</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 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>The size and scale of the proposed development is not significantly or exceptionally different to the existing building or developments in the area.</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 subject site is not located in or immediately adjacent to ecological, archaeological, architectural or culturally sensitive sites. It is considered that, having regard to the limited nature and scale of the development, there is no real likelihood of significant effect on other significant environmental sensitivities in the area.</p> <p>It is not likely to have any cumulative impacts or significant cumulative impacts with other existing or permitted projects.</p>
<p>Types and characteristics of potential impacts</p> <p>(Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).</p>	<p>The size of the proposed development is notably below the mandatory thresholds in respect of a Class 10 Infrastructure Projects of the Planning and Development Regulations 2001 as amended and no significant impacts are predicted due to the scale of the development.</p> <p>Localised construction impacts will be temporary. The proposed development would not give rise to waste, pollution or nuisances beyond what would normally be deemed acceptable.</p> <p>Having regard to the nature of the proposed development and works constituting development within an urban area, 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.</p>
<p>Conclusion</p>	
<p>Likelihood of Significant Effects</p>	<p>Conclusion in respect of EIA</p>

There is no real likelihood of significant effects on the environment.	EIA is not required.
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Inspector: _____ **Date:** _____