



An  
Coimisiún  
Pleanála

## Inspector's Report ACP-323192-25

<b>Development</b>	Residential and Creche facility. 103 houses and 22 apartments and creche facility. A Natura Impact Statement was submitted with this application at planning.
<b>Location</b>	Newtown Road & Glenville Road, Coolcots, Co. Wexford.
<b>Planning Authority</b>	Wexford County Council
<b>Planning Authority Reg. Ref.</b>	20241358
<b>Applicant(s)</b>	Newmount Homes Limited
<b>Type of Application</b>	Planning permission
<b>Planning Authority Decision</b>	Grant permission with conditions
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Catherine Cunningham
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	17 <sup>th</sup> October 2025
<b>Inspector</b>	Sarah O'Mahony

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## 1.0 Site Location and Description

- 1.1. The 3.84ha greenfield site is situated at the north west outskirts of Wexford town. The R769 regional road is situated along the north/northwestern boundary while the L7603-1 Coolcots/Glenville road is situated alongside the west/southwestern boundary. The N25 and N11 'New Ross Road Roundabout' is situated 300m west of the site alongside the Newtown Park Hotel.
- 1.2. The site slopes steeply from south down to north and is in agricultural use, set in tillage at the time of the inspection. Access is provided from an ungated agricultural entrance at the west to the L7603-1. Boundaries comprise mature and mixed species native hedgerows and trees. There are two detached dwellings situated alongside the northeastern boundary and a third situated alongside a small portion of the southeastern boundary, in the southern most corner of the site. The remainder of the adjacent land along the southeastern boundary is a large parcel of poor-quality scrub habitat with rocky outcrops with two large water reservoirs situated 125m southeast of the site.
- 1.3. Land at the western side of the L7603-1 is an active construction site for a residential scheme for 40no. units. Land to the north of the R769 is a mix of commercial and residential use as well as natural woodland and river habitat. The Carrig River/Coolree Stream is culverted under the R769 60m west of the site.

## 2.0 Proposed Development

- 2.1. Planning permission is sought for development which comprises the following:
  - A ten-year permission to be carried out in six phases to construct 125no. residential units and a creche as follows:
    - (a) 103 dwelling houses, consisting of:
      - a. 17 no. 2-bedroom houses,
      - b. 52 no. 3-bedroom houses,
      - c. 30 no. 4-bedroom houses,
      - d. 4 no. 5-bedroom houses,

(b) Block A1, mixed-use block over 4 floors comprising:

- a. 289.5m<sup>2</sup>, 34 child-place creche at ground and first floors,
- b. 2 no. 1-bedroom apartments,
- c. 3 no. 2-bedroom apartments,
- d. 2 no. 3-bedroom duplex apartments,
- e. associated circulation, plant, secure bicycle and bin storage, and communal amenity space roof terrace. Block A1 total floor area ca. 1,033.4m<sup>2</sup>;

(c) Block A2, residential block over 4 floors comprising:

- a. 5 no. 1-bedroom apartments,
- b. 10 no. 2-bedroom apartments,
- c. associated circulation, plant, secure bicycle and bin storage and communal amenity space roof terrace. Block A2 total floor area ca. 1,405.4m<sup>2</sup>,

- Removal of the 160m western/southwestern boundary hedgerow to widen the L7603-1 to 6m for the entire length of the development boundary to provide a 2m cycle path, new vehicular access and temporary construction access,
- Pedestrian and cycle access to existing active travel infrastructure on Newtown Road (R769),
- Installation of a temporary Wastewater Pumping Station (WWPS) and connection to Uisce Éireann infrastructure (waste and mains water) in accordance with Confirmation of Feasibility. This area to become open space/amenity use upon decommissioning of the temporary WWPS.
- Surface water/SuDS basins, attenuation, and controlled discharge strategy,
- All associated & ancillary siteworks required to facilitate the development including internal roadways, footpaths, road signage and markings, pedestrian connections, parking areas, bicycle stands, public amenity spaces, biodiversity trail, amenity spine, formal and informal play areas, hard and soft landscaping and boundary treatments.

2.2. The following documentation was submitted with the application together with standard and application drawings, application form and statutory notices etc:

- Natura Impact Statement
- Engineering Services Report
- Environmental Impact Assessment Screening
- Design and Access Statement
- Traffic and Transport Assessment
- Housing Schedule
- Phasing Schedule
- Archaeological Desktop Assessment
- Tree Survey
- Road Safety Audit Stage 1/2
- Construction Environmental Management Plan
- Outdoor Lighting Report
- Mobility Management Plan

2.3. The following tables set out some key aspects of the proposed development:

<b>Site area (Gross/net)</b>	3.84ha.
<b>Number of units</b>	125
<b>Height</b>	Two storey dwellings to four storey apartment blocks.
<b>Net Density (dwellings per hectare (dph))</b>	32.5
<b>Dual Aspect (Apartments)</b>	All units are double aspect minimum, with many apartments triple aspect.

<b>Open Space / Amenities</b>	A series of linear open spaces will be provided around the boundaries of the site and one new central spine providing a total of 13.3% open space and 3no. dedicated children’s play areas. The full 13.3% will be provided once the temporary WWTP is decommissioned and that area transformed to a MUGA. In the meantime, the total open space area would be 11.8%.
<b>Pedestrian / Cyclist Infrastructure</b>	2no. new pedestrian connections will be provided at the northwest and northeast to the R769 and more to the west and southwest connecting to the L7603-1.  A new cycle path will be provided on the L7603-1 alongside the entire southwestern boundary.
<b>Car and Bicycle Parking</b>	242no. car parking spaces are required under the CDP provisions and 253no. are proposed.  With regard to bicycle parking the CDP requires 1 space per bed space and 1 visitor bicycle space per two housing units insofar as they relate to apartments/duplexes only. This equates to a requirement for 86no. spaces for the apartments where 92no. are proposed. Bicycle parking is stated to be provided within the curtilage of all houses.  An additional 1 bike space per car space, or 20% of employee numbers in general is required for the creche. 12no. are required however 16no. are proposed.
<b>Part V</b>	26no. agreed units comprising 10no. dwellings and 15no. apartments, equating to 20%. A drawing is provided illustrating the location of the units in question.

Table 1: Key Statistics

	<b>1-bed</b>	<b>2-bed</b>	<b>3-bed</b>	<b>4-bed</b>	<b>5-bed</b>	<b>Total</b>
<b>House</b>	0	17	52	30	4	103
<b>Apartment</b>	7	13	2	0	0	22

<b>Total</b>	7 (5.6%)	30 (24%)	54 (43.2%)	30 (24%)	4 (3.2%)	125 (100%)
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Table 2: Unit Breakdown

### 3.0 Planning Authority Decision

#### 3.1. Further Information

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

- Social Infrastructure Audit
- Revised drawings providing additional passive surveillance as well as addressing overlooking and disamenity.
- Revised drawings addressing the road widening at the L7603-1 including construction access, proposed boundary treatments, sightlines, cycle tracks and crossing points.
- Clarification of short, medium and long-term intentions for the site shared by the proposed wastewater pumping station and open space area along the northwestern boundary of the site.
- Revised surface water proposals including
  - Existing pipe condition assessment,
  - Demonstration of existing outfall capacity and existing receiving waters capacity,
  - Consideration of an alternative outfall to existing manhole on R769.
  - Alternative attenuation tank design
  - Silt management proposals
- Demonstrate compliance with Part M regarding accessibility including clarification of how wheelchair users can navigate the central spine open space.
- A revised phasing schedule to comply with a reduced timeline as the Planning Authority generally does not grant 10-year permissions.

- Address concerns regarding potential rock breaking.
  - Update the NIS on foot of the above further information request.
  - Address concerns raised in third party submissions.
- 3.1.2. The applicant submitted the requested items including a qualitative written response regarding passive surveillance at no. 32 and upholding amenity in cases where separation distances are less than 16m. No alterations were made in these cases to the previously proposed dwellings, but a narrative was provided to demonstrate how the layout upholds high amenity such as placing stairwells, bathrooms or similar secondary non-habitable rooms along elevations with shorter separation distances and carefully positioning their windows to reduce intervisibility.
- 3.1.3. The response outlines a commitment that the construction entrance, footpath and cycle tracks serving the site will be fully established and available for public use prior to commencement of enabling works on the site.
- 3.1.4. In response to item 3(h) which requested an additional pedestrian/active travel crossing on the northern side of the R769, the applicant considered this to be unjustified and inappropriate due to constraints such as the vertical and horizontal alignment of the 60km/h road making such a crossing unsafe. It highlighted existing more strategic crossing points in the area and considered the presence of another may dilute the effectiveness and safety of pedestrian infrastructure. It states that the matter was agreed in a meeting with the Local Authority however the applicant is agreeable to the attachment of a special financial contribution towards its provision.
- 3.1.5. Regarding the short, medium and long term plans for the area of, and surrounding, the WWTP, it is proposed to landscape around the plant during the operational phase of the plant, and following its decommissioning it will be transformed into a multi-use games area (MUGA).
- 3.1.6. The applicant considered a 10-year permission is essential to ensure flexibility, quality and the timely integration of new residential development into the local context.
- 3.1.7. The response states that rock breaking is not anticipated based on the preliminary geotechnical investigation submitted with the initial application documents however

in the event it is required, it will be carried out in accordance with management measures set out in the CEMP as well as a method statement.

- 3.1.8. The last item of the further information request sought a response to issues raised in third party submissions and the applicant's response states these have already been considered comprehensively during the feasibility, design development and planning application stages and therefore the application as lodged already addresses the material planning considerations raised in the submissions and no additional specific responses are required.

### 3.2. **Decision**

- 3.2.1. A notification to grant permission was made on 09<sup>th</sup> July 2025 subject to 32no. conditions including the following:

- 2. This permission is for 5 years from the final grant of permission.

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

- 4. Prior to the commencement of development, full details shall be submitted for the written agreement of the Planning Authority of proposals for the wastewater pumping station and play/landscaped area at the northwestern side of the site:

a) Full details of the pumping station design, capacity, location, security measures and timescales for construction and operation.

b) Evidence of the written consent of Uisce Éireann to the pumping station design, capacity, location, security measures and timescales for construction and operation.

c) Details of the provision of hard and soft amenity landscaping and play equipment (including timescales for provision) at and around the site of the wastewater pumping station.

The development shall be carried out in accordance with the agreed details.

Reason: In the interests of public health, protection of the environment and the proper planning and sustainable development of the area.

- 23. Unless as otherwise agreed in writing by the Planning Authority all first floor windows within 8m of adjoining private open space and within 16m of adjoining windows shall be obscurely glazed at all times.

Reason: In the interests of residential amenity.

### 3.3. Planning Authority Reports

#### 3.3.1. Planning Reports

- There are two case planner's 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.
- The report noted that there are no zoning provisions in place for the site but that the principle of residential use was deemed acceptable during pre-planning discussions while the density was also considered acceptable for the characteristics of the site. It also states "*Having regard to the characteristics of the site and existing and permitted development in the vicinity, development of this site can be viewed as natural extension to the urban form of Wexford.*"
- In terms of the layout and design, it states "*The overall scheme layout and design approach is considered to be an appropriate response to the characteristics of the site*" and "*The variety of frontages proposed would also lead to interesting street scenes, which would not be unduly car-dominated.*"
- It noted the applicant's response regarding a 10-year permission but recommended a condition is attached limiting the appropriate period to 5 years.

#### 3.3.2. Other Technical Reports

- Heritage Officer: Recommends referral to the Development Applications Unit.
- Housing Department: Part V agreement in principle in place for the transfer of 26no. units to the Local Authority or Approved Housing Body.

- Disability Access Officer: Two reports received, one where a list of issues was presented and the applicant advised to apply for a disability access certificate prior to submitting a commencement notice. The second report set out the same advices.
- Chief Fire Officer: Report received outlining a requirement to comply with building regulations and obtain a Fire Safety Certificate.
- County Architect: No response received.
- Roads Department: Two reports received, one recommending further information and the latter outlining recommended conditions.

### 3.4. Prescribed Bodies

- Uisce Éireann: Report received outlining the applicant's engagement and confirmation that a Confirmation of Feasibility was issued for both water and wastewater. The report refers to an previous further information request issued by Uisce Éireann stating that there is insufficient detail present in terms of the location, size and capacity of the proposed WWPS however this report is not on file. The report present on the file notes that the site includes a potential location for a strategic wastewater pumping station (WWPS) to serve the wider area and therefore the proposed pumping station should be designed with consideration for this, and the applicant is required to enter into a Connection Agreement.
- Development Applications Unit: Mitigation measures outlined in the archaeology report should be implemented in full. Recommended conditions attached.
- An Taisce: No response received.
- The Heritage Council: No response received.

### 3.5. Third Party Observations

3.5.1. 3no. submissions were received from the following:

1. Rita Roche
2. Margaret Boland
3. Declan and Catherine Cunningham

3.5.2. The following concerns were raised:

- Lack of local area plan and zoning. Land was previously zoned for open space/amenity and should be retained as such.
- Impact on existing swale on site and associated impacts to adjoining residential amenity at northeast.
- Inappropriate high density and insufficient open space proposed.
- Inaccurate documentation and drawings, misleading development description.
- Rock breaking and associated impacts to residential amenity.
- An EIA is required.
- No ecological impact assessment. Proposals will impact local biodiversity.
- Overlooking to existing dwellings.
- Overshadowing and impact to existing solar panels.
- Inappropriate scale and mass of proposed dwellings adjacent existing dwellings.
- Retaining wall should also be provided alongside proposed hedgerows between existing dwellings and the site.
- Proposed pedestrian routes at north east and southwest will impact adjoining existing residential amenity and result in a loss of privacy.
- Attenuation ponds are inappropriate and pose a safety risk to humans and animals. Insufficient boundary information provided. The site is not suitable for such development given the gradient, topography, bedrock and soils. Failure risks flooding to the regional road to the north. Drainage will be exacerbated by removal of mature trees.
- Replacement trees take many years to establish. Clarification required regarding extent of tree removal. Some trees on the survey are situated on an adjoining property.
- Lack of social infrastructure.
- Inaccurate traffic surveys.
- Construction noise and disturbance.

- Operational noise and disturbance.
- Traffic hazard on narrow local road which is already at capacity.
- Existing flooding issues.
- No liaison with local residents.

## 4.0 Planning History

- 4.1.1. There is no planning history on the subject site. The following is noted on land opposite the subject site, to the southwest, on the western side of the L7603-1:
- 20211495: Planning permission granted for the construction of 40no. dwellings and all associated site development works.
  - 20240544: Planning permission granted for alterations to dwelling types permitted under ref. 20211495.
- 4.1.2. A notification to grant permission was issued on 31<sup>st</sup> October 2025 for development on a site situated 740m northeast of the site as follows:
- 20250486: Planning permission sought for 98no. dwellings, a creche and all associated site development works.
- 4.1.3. A notification to grant permission was issued on 03<sup>rd</sup> October 2025 for the following development on a site situated 700m northeast of the site:
- Permission for the proposed erection of 6 no. additional residential units which are supplementary to the 99 residential units and creche facility permitted under previously granted Planning Permission Reg. No.20241132/ABP-321942-25.

## 5.0 Policy Context

### 5.1. Development Plan

### 5.2. National Planning Framework (first revision, 2025)

- 5.2.1. 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.

- 5.2.2. National Strategic Outcome (NSO) 1: Compact Growth *‘achieving effective density and consolidation, rather than more sprawl of urban development, is a top priority’*.
- 5.2.3. 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.
- 5.2.4. 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.
- 5.2.5. 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.
- 5.2.6. 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.
- 5.2.7. 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.

### 5.3. **Regional Spatial and Economic Strategy**

- 5.3.1. 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.

- 5.3.2. Wexford is identified as a key town in the RSES and Regional Policy Objective 11 sets out guidance for such settlements. Part (a) recommends that key towns achieve 30% growth subject to capacity analysis and sustainability. It states that the appropriate level of growth is to be determined by the core strategy of development plans.
- 5.3.3. 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. ...
  - d. ...
  - e. ...
  - f. *To support the delivery of the infrastructural requirements identified for Wexford subject to the outcome of the planning process and environmental assessments*
  - g. ...
  - 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.*

#### 5.4. **Development Plan**

- 5.4.1. 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.

- 5.4.2. 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.
- 5.4.3. 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 such as Wexford and in relation to outer suburban/greenfield sites, it recommends net densities in the range of 35-50 dph and that densities below 30dph should be discouraged on sites over 0.5ha.
- 5.4.4. The following objectives are particularly noted:
- SH15: To ensure the density of residential development is appropriate to the location of the proposed development having regard to the benefits of ensuring that land is efficiently used and in accordance with the Sustainable Residential Development in Urban Areas and the accompanying Urban Design Manual-A Best Practice Guide (DEHLG, 2009) and subject to compliance with normal planning and environmental criteria and the development management standards in Volume 2.
  - SH16: To require new apartment developments to comply with the Specific Planning Policy Requirements and standards set out in out in the Apartment Guidelines for Planning Authorities (Department of Housing, Environment and Local Government, 2020, where relevant. Proposals for apartment block developments in excess of 50 units will also be assessed having regard to the nature of existing developments in the area, existing and planned social facilities and the need to ensure that apartment developments contribute to the development of sustainable communities into the future. Generally, where the site permits it, each apartment should have its own door access to the external street/external communal access area.
  - SH17: To require new residential schemes to comply with the Urban Development and Building Height Guidelines for Planning Authorities (Department of Housing, Planning and Local Government) 2018 and the Specific Planning Policy Requirements set out therein where relevant and the considerations set out in Chapter 5 Design and Place-making in Towns and Villages.

- SH21: To require new build house and apartment schemes and building refurbishment schemes to provide a mix of unit types in accordance with Section 4.7.5 House Types to ensure that there is a range of house types available to suit the needs of the various households in the county.
- SH22: To ensure that required physical and/or social infrastructure is provided either prior to or in tandem with new residential developments in the interests of the proper planning and sustainable development of the area.
- SH23: To ensure that new housing developments contribute to the social or recreation infrastructure of the community in which they will be located, either through the provision of amenities or through financial contribution.

5.4.5. Chapter 5 provides urban design guidance for development towns and villages and I note the provisions of section 5.9.3 regarding street design and section 5.10 regarding compact growth and regeneration. I also note the following objectives:

- TV04: To promote compact urban form, which is appropriate to context, in the interests of the efficient use of resources and optimising the opportunities to walk and cycle and the feasibility of public transport.
- TV33: To pursue a compact growth policy in our existing settlements and maximise their potential as places to live, work and visit.
- TV34: To require that all new development represents an efficient use of land and supports national policy objectives to achieve compact growth in towns and villages. The location of new development should be based on the sequential approach focussing on the development of lands within and closest to the town and village centre and should avoid 'leap-frogging' where development of new areas is removed from the existing contiguous village. Development of lands with no links to the town or village centre will be refused.

5.4.6. Chapter 14 provides for Recreation and an Open Space Strategy. Table 14-1 identifies a hierarchy of public open spaces and states:

*In general, 15% of the total area of a residential site will be allocated to public open space. Neighbourhood parks will account for 10% of this allocation. These parks may be achieved by combining with existing spaces*

*to make one large useful open space. It is envisaged that they will provide active playing fields, a playground, outdoor gym equipment and seating areas.*

5.4.7. It also states that pocket parks will account for the remaining 5% of the public open space allocation in a residential scheme.

5.4.8. Section 14.5.4 refers to delivery of such parks and states:

*If there is no identified/zoned Neighbourhood Park parcel in the area of the proposed development, the 10% neighbourhood park open space allocation may be provided as follows:*

- It may be offset against other neighbourhood parks previously provided by the developer where there is in excess of the 10% of the previous development site and which will serve the proposed development. That Neighbourhood Park must be within a five minute walk of the proposed development. In order to avail of this, it will be necessary to identify the open space in the earlier planning application, identify which lands it serves and to design the space so that it serves both developments in terms of area, quality, linkages and play facilities.*
- The 10% is provided within the residential scheme as a single space.*
- The developer may contribute a special financial contribution to be used by the Council in the provision of a neighbourhood park in the area.*

5.4.9. It goes on to provide the following guidance in cases where there is a deviation from quantitative standards:

*In cases where the density required or site topography or configuration do not allow for the quantitative standards above, the Planning Authority will accept an increase in the qualitative standards of the site in lieu or the payment of a special development contribution to the Planning Authority. In such cases, the onus will be on the applicant to demonstrate that the new development will be high quality. The developer must, at minimum, invest the equivalent monetary value of the deficit in the 15% in improvements to the quality of the scheme. The developer shall submit a valuation of the deficit and add to it the cost of 'standard landscaping' (site works and grass/footpaths/planting). The net improvements must be at minimum equivalent to site cost and the*

*landscaping costs. The costing for the land must be based on evidenced current market value and the cost of the landscaping (both standard and proposed) must be provided by a landscape architect or quantity surveyor. Where such a reduction in quantum of space is accepted the Planning Authority will require the proposed design to be of exceptional quality. Examples of improved quality will be high quality paved public realm areas, biodiversity enhancements, play or outdoor gym equipment, high quality seating/outdoor dining areas.*

*In all cases, full specifications for paving, landscaping, planting etc. will be required to be submitted with the planning application in order for the Planning Authority to fully assess the quality of the space.*

5.4.10. I note the provisions therein, particularly the following objectives:

- ROS11: To require the provision of good quality, accessible, well located and functional open spaces in new residential developments in accordance with the guidance in this chapter, the standards in Sustainable Residential Development in Urban Areas- Guidelines for Planning Authorities and its companion document Urban Design Manual (Department of the Environment, Heritage and Local Government, 2009), and where applicable, the standards in Sustainable Urban Housing Design Standards for New Apartments Guidelines for Planning Authorities (Department of Housing, Planning and Local Government, 2020) and any future version of these guidelines documents and save as otherwise required by the objectives and development management standards in this Plan.
- ROS17: To require the provision of public open space to comply with the quantitative standards set out in Section 14.5.4. Where this is not possible for reasons including density and site topography, the Planning Authority will consider a deviation from those quantitative standards in favour of increases in the quality of the open space that comply with the measures also set out in Section 14.5.4. The Planning Authority will not accept open space lands which are too sloped or otherwise unusable in fulfilment of either quantitative or qualitative space requirements.

5.4.11. Volume 2 of the CDP is a development management manual I note the provisions therein including sections 2.6 amenity, 2.7 public lighting, 2.8 open space and green

infrastructure, 2.9 boundary treatments and Section 3 regarding residential development. Section 3.12 regarding multi-unit residential schemes 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.

## 5.5. Wexford LAP

- 5.5.1. 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.
- 5.5.2. There were three different land use zonings for the site under the expired Plan comprising open space and amenity along the northeastern boundary with the remainder comprising residential uses, with low density to the north and super low to the south. The open space area at the east also had a pedestrian movement objective connecting the site to lands at the northwest and south. Cumulatively, the land was situated within an area referred to as 'Zone 9 Coolcotts and Knockcumshin'.

## 5.6. Section 28 Guidelines

### Section 28 Guidelines for Planning Authorities: Design Standards for New Apartments, 2020

- 5.6.1. For the information of the Coimisiún, Objective SH16 of the CDP requires new apartment developments to comply with the Specific Planning Policy Requirements and standards set out in the 2020 apartment guidelines and notably, there is no additional text in the objective referring to any potential later updates to the guidelines. Objective ROS11 however requires the provision of public open space to be provided in accordance with the 2020 apartment guidelines and other housing guidelines and in this case the objective includes a sentence stating '*and any future version of these guidelines documents and save as otherwise required by the objectives and development management standards in this Plan*'.

- 5.6.2. Updated apartment guidelines were published in 2023 which removed provision for Co-living and Build-to-Rent type schemes however all other aspects of the previous 2020 guidelines were unchanged, save for updated references where applicable, including reference to the latest guidance on the assessment of daylight provision.
- 5.6.3. Further 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.
- 5.6.4. Therefore, having regard to the definition above as well as the text of Objectives SH16 and ROS11, the general layout and internal amenity standards of the proposed apartments must comply with the provisions of the 2020 apartment guidelines while the open space provisions should be assessed against the 2023 guidelines as well as the Compact Settlement Guidelines as described later below.
- 5.6.5. The **2020** guidelines, hereafter referred to as the Apartment Guidelines, provide 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, 2024

- 5.6.6. 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, SPPR 2 regarding private open space for houses, SPPR 3 provides for car parking rates while SPPR 4 provides for cycle parking and storage.
- 5.6.7. Table 3.5 sets out density targets/recommendations for Local Authorities to be incorporated into their Development Plans. It provides for a suburban/urban extension to a key town such as Wexford as follows:

Suburban areas are the low density car-orientated residential areas constructed at the edge of the town, while urban extension refers to greenfield lands at the edge of the existing built-up footprint area that are zoned for residential or mixed-use (including residential) development. It is a policy and objective of these Guidelines that residential densities in the range 30 dph to 50 dph (net) shall generally be applied at suburban and urban extension locations of Key Towns and Large Towns, and that densities of up to 80 dph (net) shall be open for consideration at 'accessible' suburban / urban extension locations (as defined in Table 3.8).

### **5.7. Additional Guidance**

- Design Manual for Urban Roads and Streets, DTTS & DoHPLG, 2013
- Appropriate Assessment of Plans and Projects in Ireland, Guidance for Planning Authorities, DoEHLG 2010
- OPR Practice Note 01 Appropriate Assessment Screening for Development Management, 2021
- OPR Practice Note PN02 Environmental Impact Assessment Screening, 2021

### **5.8. Natural Heritage Designations**

- 5.8.1. The site is situated 100m south of the Slaney River Valley Special Area of Conservation (SAC) and Wexford Slobbs and Harbour proposed Natural Heritage Area (pNHA). Wexford Slobbs and Harbour Special Protection Area (SPA) is situated 1km north of the site.

### **5.9. EIA Screening**

- 5.9.1. Having regard to: -

(1) the criteria set out in Schedule 7, in particular

(a) the nature and scale of the proposed housing development, in an urban area served by public infrastructure

(b) the location of the site relative to the Slaney River Valley SAC and pHNA, Wexford Slob and Harbour pNHA and SPA

(c) the location of the development outside of any sensitive location specified in article 109(4)(a) of the Planning and Development Regulations 2001 (as amended),

(2) The results of other relevant assessments of the effects on the environment submitted by the applicant including an EIA Screening report, Traffic and Transport Assessment, Archaeological Desktop Assessment, Social Infrastructure Audit and NIS, as well as an EIA screening and an AA carried out by the Local Authority,

(3) the features and measures proposed by applicant envisaged to avoid or prevent what might otherwise have been significant effects on the environment,

5.9.2. It is concluded that the proposed development would not be likely to have significant effects on the environment, and that an environmental impact assessment report is not required.

## **6.0 The Appeal**

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

6.1.1. One appeal was received from Catherine Cunningham which raised the following matters:

- Development is premature in the absence of an LAP. 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). Development comprises a Large-Scale Residential Development and therefore cannot be granted permission in the absence of an LAP.
- The density and layout differ significantly from the zoning indicated in the now expired Wexford and Environs Development Plan 2008-2015 (WEDP).
- There is an existing drain and existing swale situated alongside the northeastern boundary. The proposed development could impact this drainage route and adjoining property.

- Objective CS04 of the CDP promotes infill, brownfield and regeneration sites over development of greenfield sites. An audit of housing requirements should be carried out followed by allocation of necessary zoned lands. There was an overprovision of zoned land in the expired WEDP.
- A rockbreaker is likely to be required which will generate significant noise and disturbance. Significant rockbreaking was required for a nearby permitted scheme (ref. 20211495). GSI data suggests there is rock close to the surface.
- The EIA screening report failed to consider cumulative impacts from a nearby proposed housing scheme ref. 20241132 or from potential rock breaking on the site. Distances to European Sites are not stated. An EIA should have been prepared due to impacts on watercourses, European Sites and possible use of a rockbreaker.
- The NIS report failed to consider cumulative impacts from a nearby proposed housing scheme ref. 20241132. No ecological assessment to identify existing flora or fauna was undertaken as part of the NIS however it should be carried out. The NIS fails to take into account species for which the site is not listed and implications for habitats outside the site. The use of a rockbreaker was not considered in the NIS for impacts to SPAs.
- All house types near the appellants two storey dwelling at the northeast of the site are three stories. A separation distance of 22.79m is proposed between the closest proposed dwelling (T.11A) and the existing dwelling however given the increased scale of the proposed dwelling this separation is insufficient to negate overlooking and issues related to mass and scale. An increased separation distance should be provided to protect privacy and amenity as well as providing two storey dwellings in lieu of three stories in this location.
- This area adjacent the appellants dwelling should be retained as green space/amenity use as per the previous zoning and a new retaining boundary wall provided in addition to proposed hedgerow reinforcements in order to protect from subsidence and provide privacy and security. The proposed pedestrian route in this area should be moved further west to eliminate impacts to privacy and amenity.
- The further information response is incorrect where it states that third party concerns were addressed inherently in the submitted design.

- Drawing discrepancies including for house type T.11A regarding the positioning of windows and lack of floor and ridge levels.
- Overshadowing impact on existing solar panels at appellants property.
- Attenuation ponds pose a risk to human and animal safety. No boundary details are provided despite their location adjacent to a pedestrian route. Insufficient maintenance details are provided for the ponds. The site is unsuitable for such ponds due to the gradient, topography and ground conditions meaning soakway drainage is not feasible. There is a risk of flooding the regional road if the ponds fail. Drainage issues are exacerbated due to removal of mature trees. Insufficient details are also provided regarding the existing swale at the southwest of the site.
- Insufficient green space/amenity space is provided. Large areas of the biodiversity trail area will be unusable during periods of heavy rain.
- An exact date of the tree survey should be provided. The survey does not clarify which trees will be removed however it implies that those requiring removal are mature. New tree planting will take many years to mature. Trees help prevent flooding and their removal will impact drainage. Viability of replacement hedgerows is not guaranteed and is compounded by the wet nature of the attenuation ponds.
- Lack of social infrastructure. Students will likely travel to school by car as evidenced in the Mobility Management Plan submitted with the application. The SIA does not discuss an existing lack of capacity of GPs in the area and has discrepancies regarding future populations of children. Permission should be refused due a lack of social infrastructure, particularly school places and GP care.
- The development description is misleading as it does not state the total number of proposed residential units which is contrary to public access and participation.
- Three storey dwellings are out of character with the established pattern of one and two storey dwellings in the area. This is compounded by the topography of the site with an increased elevation in the south.
- The traffic count survey was conducted on an inappropriate date and time so therefore does not fully account for school and commuter traffic. The proposed development will increase existing congestion at the nearby N11/N25 roundabout due to the development's dependence on private cars.

- The ten-year construction timeframe will cause significant disruption to residential amenity.
- There are multiple discrepancies in the reports submitted with the application including a variety of different total units proposed, different locations of windows between different drawings of the same unit.

## 6.2. **Applicant Response**

- None

## 6.3. **Planning Authority Response**

- None

## 7.0 **Assessment**

### 7.1. **Introduction**

- 7.1.1. This application seeks permission for 125no. residential units on a greenfield, unzoned site at the northwest of Wexford town.
- 7.1.2. 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
  - Layout and Design
  - Public Open Space
  - Adjoining Residential Amenity
  - Drainage
  - Traffic Impacts
  - Social Infrastructure

- Environmental Impact Assessment
- 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 zoning objective currently in place for the subject site.
- 7.2.2. I do not agree that the principle of development is premature based 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. The site is situated between existing housing to the east, north and south, new housing under construction to the west, commercial lands to the north and municipal lands to the south and is therefore, in my opinion, situated within the existing built-up footprint of the town which is defined in the Compact Settlement Guidelines as ‘the built up area of a settlement i.e. lands that are subject to urban development.’
- 7.2.4. Residential development on this site therefore complies with Objectives CS05 and SH08 of the CDP 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. This further draws on the provisions of Objective TV34 which seeks to prevent ‘leap-frogging’ and promotes sequential development. TV34 specifically states that ‘*Development of lands with no links to the town or village centre will be refused.*’ The site is situated on the edge of Wexford town however the footpaths and cycle lanes situated directly adjacent to the site on the R769 as well as nearby bus stops also on the R769 all provide direct links to the town centre 3km to the east.

7.2.5. Further, as outlined already the majority of adjacent land has already been developed with the exception of the steeply sloping and rocky area of scrubland at the southeast adjacent to the reservoirs. In this regard, I consider the site constitutes a large infill site. I note there are alternative lands situated closer to the town centre which may be suitable for residential development, however given the characteristics of the subject site, together with its connections to the town centre, I consider the development complies with Objective TV34.

7.2.6. The 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.

7.2.1. It 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. Completion of this procedure will feed into the preparation of the Wexford LAP however in the absence of any new zonings in the interim, 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.

7.2.2. Similarly, the appeal suggests that permission should not be granted as the development is over 100 units and therefore comprises a Large-Scale Residential Development, also known as an LRD proposal. LRDs are legislated under the

Planning and Development (Amendment) (Large-scale Residential Development) Act 2021 and Planning and Development (Large-scale Residential Development) Regulations 2021. They comprise three categories of development, one of which comprises the development of 100 houses or more on zoned land. The site in this case does not comprise zoned land and therefore I am satisfied that the development comprises a standard Section 34 planning application and subsequent appeal. In my view the development does not constitute an LRD and therefore normal planning considerations for unzoned land applies.

- 7.2.3. In this context 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. Layout and Design**

- 7.3.1. The appellant contends that the density and layout of the proposed development differs significantly from what was permitted in the land use zoning regime in the now expired Wexford and Environs Development Plan 2008-2015 (WEDP). As has been clearly established however, this plan has expired and is no longer a regulatory control for development on the site. In this regard, the previous open space, low residential and super low residential zonings have no bearing on the adequacy of the proposed development.
- 7.3.2. The proposed development of 125no. dwellings equates to a density of 32.5dph. This complies with the recommendations of the CDP where net densities in the range of 35-50 dph are recommended for outer suburban/greenfield sites such as this. It also recommends that densities below 30dph should be discouraged on sites over 0.5ha. Similarly, the Compact Settlement Guidelines recommend a density of 30 to 50 dph for such sites. In the latter case it specifies this is based on net densities. Table 1 of the Guidelines defines the net site area as including items such as local streets, open space including local parks and plazas, car parking and all areas of incidental open space and landscaping. It excludes major roads and link streets, commercial land uses, schools, churches etc, larger regional or district

parks, wayleaves or rights of way and other areas of land that cannot be developed due to environmental sensitives, topographical constraints (i.e. steepness) and/or are subject to flooding. In my opinion, none of the exclusions apply in the case of this site and the entire 3.84ha comprises the net density. I therefore conclude that the density of the proposed development is acceptable and complies with the relevant guiding criteria.

- 7.3.3. The layout approved by the Local Authority follows the contours of the site, minimising groundworks and any need for a singular platform effect from significant excavations. It retains 3no. of the existing field boundaries and positions open space adjacent to each of these which will protect them in the future, thereby conserving the existing green infrastructure on the site. This layout also allows for higher separation distances between existing and proposed dwellings than a case where dwellings were positioned directly adjacent to the field boundary.
- 7.3.4. The layout provides for new urban streets with a mix of unit types and building forms, creating character areas. Homezones and pocket parks through the central open space spine also aid in the creation of character areas.
- 7.3.5. At the street level, every unit has the benefit of a southern facing aspect, be it southwest or southeast. The circuitous open space around the northwest and northeastern boundaries also means that most open space is overlooked with passive surveillance. Plot no. 32 in the southeast corner which would accommodate house type T16 was the subject of a further information request as an adjacent area of public open space was not considered to be adequately overlooked. The response highlighted the extent of windows proposed on the northern elevation as well as the nature of that open space which will largely comprise a tall mound or earthen embankment due to its incidental nature. I am satisfied therefore that the open space in this location will be overlooked from plot no. 32. I also note on drawing no. PP-S.3.04 that this area could provide future connectivity to adjacent lands and therefore should not be incorporated into the private open space of the plot no. 32.
- 7.3.6. I also note at street level that in-curtilage car parking is provided for a high number of units in response to the challenging terrain and topography on the site. An undercroft type parking space for 1-2 vehicles in different unit types accommodates a podium

level private open space while also helping to improve the visual amenity of the area by removing parked vehicles from the streetscape.

- 7.3.7. Pedestrian connectivity is provided throughout the scheme to each of the open space areas as well as to the adjoining public roads to the north and west while a new cycle lane will also be provided along the entire southwestern boundary connecting to the existing cycle lane on the R763 promoting sustainable movement.
- 7.3.8. With regard to overlooking I note the Local Authority inserted condition no.23 which requires all first- floor windows within 8m of adjoining private open space and within 16m of adjoining windows to be obscurely glazed at all times. Having inspected the site layout plan I note that parcels C and D include two rows of dwellings in a back-to-back arrangement where the separation distance is 14m between the opposing rear elevations due to back garden depths of 5-8m. The eastern southeastern row is situated on a higher ground level meaning the FFL of the higher dwellings would be approximately the same level or slightly above the first-floor level of the opposing dwelling. The dwellings have been designed however with set back first floors which increases separation distances between opposing windows of habitable rooms above ground floor to a minimum of 16m which meets the requirements of SPPR1 of the Compact Settlement Guidelines. In this context, I do not recommend the attaching the same condition again.
- 7.3.9. I also note that separation distances between the two storey units in parcel B are below the recommended standard but that the dwellings are sufficiently designed so that windows to habitable rooms above ground floor are not directly opposing each other and therefore consider the layout to be acceptable. This is also the case in the apartment blocks, however I consider some additional screening to the short end of balconies would improve residential amenity for opposing units without significantly detracting from the amenity of the subject balcony while the northeast kitchen window to unit nos. 1.4 and 2.5 should also be finished with opaque glazing or redesigned to become a high level window only above head height. This would serve to reduce overlooking to opposing units while simultaneously still providing natural light to the kitchen space.
- 7.3.10. In conclusion, I consider the layout is generally acceptable subject to further assessment of the public open space and adjoining residential amenity below.

## 7.4. Public Open Space

- 7.4.1. The appeal suggests that insufficient public open space is provided. The Compact Settlement Guidelines state '*Ideally, all residents within a settlement will have access to a multi-functional public open space within walking distance of their home.*' Table 14-1 of the CDP *generally* requires 15% of a site to be provided for public open space and 10% to be provided as a neighbourhood park. A footnote clarifies that '*It will not be appropriate to provide small parcels to aggregate to the required 15% public open space. A minimum of 10% must be in one large useful space.*' Section 14.5.4 addresses delivery of neighbourhood parks in areas where there is no zoning provision such as this case and includes a requirement that 10% of the provision comprises a single space.
- 7.4.2. The layout as submitted provides 13.3% of the site for public open space across three main areas comprising the central spine, the biodiversity trail along the northwestern boundary and another trail along the northeastern boundary. This 13.3% includes provision of the MUGA following decommissioning of the temporary WWPS. The application documents state that in the interim period when the WWPS is operational, 11.8% of the site will comprise public open space.
- 7.4.3. A number of interconnected pocket park type areas with playground equipment are proposed however their connectivity is either over a shared vehicular space or else a circuitous route around the entire site via the trail. Most of the trail at the northeast will only be c.3-4m in width between the existing northeastern boundary and the new internal access road. This is also the case for areas of the biodiversity trail along the northwestern boundary where the landscaped public open space is as little as 6m in width between the site boundary and the curtilage of dwelling no. T.20E, adjacent to attenuation basin B.2 as well as at the western side of basin B.3.
- 7.4.4. In my opinion such narrow tracts of open space comprise incidental and left over spaces which should not be included in the calculation of open space. Further, while the attenuation ponds will add a visual benefit to the open space as well as a biodiversity benefit and form a SUDS component, all of which complies with requirements to ensure open spaces are multi-purpose, ultimately they will also reduce the amount of usable open space during winter months and during periods of heavy rainfall.

- 7.4.5. Objective ROS 17 states '*the Planning Authority will not accept open space lands which are too sloped or otherwise unusable in fulfilment of either quantitative or qualitative space requirements*' while section 3.12.4 of the Development Management Manual states '*Areas not suitable for development or recreational use such as sloping areas or narrow pieces of open space must be excluded from the calculations*'. I note that the southern area of the site in particular slopes steeply and therefore may not be suitable for a large area of recreational space, however this is not the case for the southern part of the site. The above text also suggests that much of the proposed open space should be excluded from the open space calculation as it is too narrow.
- 7.4.6. There is also uncertainty regarding the delivery of the MUGA. There is no detail in the application documents specifying the likely duration which the temporary WWPS would be required. The further information request asked the applicant for short-, medium- and long-term intentions however a timeframe is not specified in the response. Uisce Éireann's report outlines the requirement for a strategic pumping station within the site to serve adjacent lands and which should be designed to allow for potential future development connections. This implies that the WWPS would be permanent with a subsequent impact that only 11.8% of the site is provided for public open space. I do note additional commentary from Uisce Éireann stating that the detailed design for the WWPS is unclear and therefore it is not certain if there is sufficient space within the site to make this the permanent location for such a pumping station. The report nonetheless recommends a grant of permission subject to conditions requiring the applicant to enter into a Connection Agreement. In my opinion, the uncertainty around the extent of land required for the provision of the WWPS underlines the requirement to assess the provision of open space at the site as a maximum of 11.8% of the site area.
- 7.4.7. Having regard to all of the above, the proposed layout does not meet the 'general' 15% requirement and in my opinion, the layout and quality of the proposed 11.8% is insufficient to be considered a neighbourhood park as it does not form one single space of a minimum of 10%, and therefore the proposal in its current form and layout contravenes the CDP. There is also a lack of detailed design present in the application documents. Section 7.4.2 of the Development Management Manual (Vol 2 of CDP) states '*The proposals shall be accompanied by specifications for*

*materials, workmanship and maintenance, together with proposed design details. Hard landscape details are to include - where applicable - any proposed lighting, seating, kerbing, boundaries, edging, surfacing and water features. Soft landscape details are to include detailed planting plans and planting schedules, stating species/ varieties, quantities, sizes and spacings. The landscape plan shall be accompanied by a timescale for its implementation, including a minimum 18-month landscape maintenance period and a defects liability clause.'* This is largely absent from the application documents.

7.4.8. Section 14.5.4 of the CDP addresses circumstances in the delivery of neighbourhood parks where there is an absence of identified or zoned land. It provides 3no. options as follows:

- Offsetting against neighbourhood parks previously provided by the developer where in excess of 10% of the previous development site, situated within a five minute walk of the site. It specifically states *'In order to avail of this, it will be necessary to identify the open space in the earlier planning application, identify which lands it serves and to design the space so that it serves both developments in terms of area, quality, linkages and play facilities'*. This has not been demonstrated in the application documents and therefore is not a viable option in my opinion.
- The 10% is provided within the residential scheme as a single space. This has not been provided in the proposed layout, however there is scope to address this through the omission of units to increase open space provision.
- Payment of a special financial contribution towards provision of a neighbourhood park in the area.

7.4.9. There is a further option outlined in Section 14.5.4 under the heading of 'Deviations from Quantitative Standards' which states *'In cases where the density required or site topography or configuration do not allow for the quantitative standards above, the Planning Authority will accept an increase in the qualitative standards of the site in lieu or the payment of a special development contribution to the Planning Authority. In such cases, the onus will be on the applicant to demonstrate that the new development will be high quality. The developer must, at minimum, invest the equivalent monetary value of the deficit in the 15% in improvements to the quality of the scheme.'* I note the some of the topography on the site is steep however I do not

agree that this precludes the provision of a large area of usable open space. I also consider that omission of a low number of units would not affect the density of the proposal to such a degree as proposing an inefficient use of serviced land. For example, removing 5no. units would result in a density of 31 dph which is still within the recommended range. Also in relation to the financial contribution, the text above clearly states that the onus is on the developer to demonstrate the proposal constitutes high quality open space which has not been demonstrated in this case. Lastly, I note the Planning Authority did not seek such a contribution and there is no identification in the CDP for a neighbourhood park in this area of Wexford. I therefore do not recommend that this complex CDP provision is put forward.

- 7.4.10. In order to ensure compliance with the CDP I therefore consider the most rational course of action to follow to is to omit some residential units to increase the area of usable open space. In this regard I recommend that Parcel B of the proposed layout is omitted. This space comprises 8no. two-storey detached and semi-detached dwellings situated at the northwest of the site near the MUGA and biodiversity trail. Given the uncertainty surrounding the design and timeframe of the WWPS and associated delivery of the MUGA, I recommend a condition is attached requiring Parcel B to be redesigned following confirmation of the WWPS proposals. The condition should ensure that the open space is delivered early in the scheme in accordance with a revised phasing programme.
- 7.4.11. Parcel B has widths ranging from c.25-40m across a length of c.80m which would comply with the requirement to provide one large usable area of open space. Removal of the 8no. units would result in a lower density of 30.5 dph which is still within the 30-50 dph range and therefore complies with the Compact Settlement Guidelines requirements.
- 7.4.12. I do not consider the shortcomings in open space provision and quality to be a sufficient reason to refuse permission and in my view the insertion of a condition to redesign Parcel B as public open space would ensure a high-quality development is provided which complies with objective ROS11 of the CDP which seeks to require the provision of good quality, accessible, well located and functional open spaces in new residential development.

## 7.5. Adjoining Residential Amenity

- 7.5.1. There are two dwellings situated at the northeast of the site which would have separation distances of 33.5m and 23m from the nearest proposed dwellings. There is also one existing dwelling adjacent to the southernmost corner of the site which would have a separation distance of 19m from the closest proposed dwelling.
- 7.5.2. In each case, these separation distances meet the requirements of SPPR1 of the Compact Settlement Guidelines. The appeal however suggests that the proposed 23m separation is insufficient to protect the appellant's residential amenity when regard is had to the three-storey scale of the proposed dwelling. It suggests that the separation should be increased to negate overlooking as well as stated issues related to mass and scale. The appeal suggests that the proposed three storey dwellings along the northeast of the site should be redesigned to two storey dwellings in order to match the character of the existing adjacent dwellings which are both dormer or two storey dwellings.
- 7.5.3. Based on the submitted drawings including site section, contiguous elevation and individual house type drawings, I note that the ridge level of the proposed two storey dwelling would be approximately 3m higher than the appellants dwelling, however there are no second floor windows proposed on the elevation facing the appellants property, while first floor windows serve a bathroom and a secondary window in a bedroom. In this context I consider the proposed separation distance is sufficient to uphold privacy and amenity concerns. I do not recommend that the secondary bedroom window is finished with opaque glazing as the additional passive surveillance is a benefit to the public open space and as set out already, I do not consider that the proximity of the dwellings to one another would result in significant overlooking or impacts to privacy etc.
- 7.5.4. I also consider that the scale and height of the three storey buildings are not out of character with the existing dwellings and will not negatively impact on the existing structures due to factors such as the proposed separation distance, the existing and proposed landscaping and the layout of the overall scheme which proposes two storey structures to be situated on higher ground than the three storey dwellings in question. This will all help to assimilate the 10m (above ground floor, 13m if lower ground floor is included) high three-storey dwellings into the landscape. I therefore

conclude that the 23m separation is sufficient to mitigate against the differences in building heights and associated visual impacts and an increased separation distance is not justified. I further consider that the provision of three storey dwellings adjacent to two storey structures adds to the visual interest of the scheme and would not detract from the established character of the area.

- 7.5.5. The appeal suggests that the open space area alongside the northeastern boundary should be expanded in line with the previous zoning for the land in order to eliminate impacts to adjoining privacy and amenity. It further requests that a new retaining wall is constructed in addition to the proposed hedgerow reinforcements in order to protect from both subsidence and provide increased security and privacy. I do not agree with either approach. I consider the layout as proposed is acceptable and would not impact adjoining residential amenity as I do not consider it likely that the provision of a walking route adjacent to the existing dwelling will result in adverse security or privacy impacts, particularly as the area is narrow and does not accommodate an area for loitering or dwelling. Further, the proposed hedgerow reinforcements will provide a secure and dense boundary which will provide adequate security and privacy to protect residential amenity. A condition could be added requiring the additional hedgerow planting to be provided early in the commencement of that phase of works as any additional works in this area such as the provision of the footpath and adjacent road would likely be outside of the root protection zone for any such new hedgerow species.
- 7.5.6. For clarity with regard to the requested wall, in my view no evidence has been provided to justify subsidence concerns, particularly when the existing boundary will remain in place and no significant earthworks are proposed adjacent to it. As outlined above I consider a hedgerow would sufficiently protect residential amenity, and I consider that provision of a retaining wall in this location would damage the existing hedgerow. I therefore do not recommend its insertion.
- 7.5.7. The appeal also suggests that the proposed development would result in overshadowing, impacting the efficiency of solar panels at the appellants property. I consider this is unlikely to occur however due to the stated separation distances between the proposed and existing dwellings, as well as orientation of the proposed development which does not position dwellings in close proximity of due south or due west of the existing dwelling.

7.5.8. I have had regard to potential overlooking and general amenity and disturbance impacts to the other two adjoining dwellings. With regard to the dwelling at the north which has an increased separation distance to the appellant's dwelling, I consider negative impacts are unlikely to occur due to that increased separation distance of 33.5m. The dwelling at the south has the shortest separation distance of 19m, however the ground level at that dwelling is situated at approximately the same level as the ridge level of the closest proposed dwellings, and therefore I consider it highly unlikely that any negative impacts would occur.

## 7.6. Drainage

7.6.1. An Engineering Services Report submitted with the application states that 64% of the site will end up as hardstanding which will change run off rates from the current greenfield site which has drainage channels connecting to existing networks in the public roads to the northwest and southwest. It is proposed to construct a series of attenuation ponds along the northwest boundary as well as 3no. attenuation tanks situated underneath car parking and open space to allow surface water to gather and dwell, prior to controlled discharge at the previous greenfield run off rates. The outfall location will connect to the existing network at the west of the site, at the junction between the regional and local roads.

7.6.2. This SUDS network was proposed following site investigations which indicated that the site has poor infiltration rates and is not suitable for soakways. Surface water storage volumes are based on a storm return period of 100years plus 20% climate change and will be discharged via hydrocarbon interceptors using flow control devices. The attenuation ponds are proposed to be landscaped to add to the visual variety and biodiversity benefits of the public open space, while the existing swale/drainage ditches situated along the southeast and northeast boundaries of the site will be retained and maintained.

7.6.3. The appeal suggests a range of issues associated with the proposed drainage regime as outlined previously in the grounds of appeal. I have reviewed the application drawings and in my view the site is suitable for this approach to managing surface water. The appeal disagrees due to the gradient, topography and ground conditions meaning soakway drainage is not feasible, however I note that

soakway drainage is not proposed. I consider that the documentation submitted clearly demonstrates that the proposed drainage regime will not increase flooding risks, has calculated the appropriate attenuation volumes according to the proposed scale of hardstanding and built development on the site, including tree removal, and ultimately is an acceptable proposal appropriate to the topography and ground conditions of the site.

7.6.4. I do not agree that the ponds pose a risk to human and animal safety due to a lack of boundaries. I consider the detailed design of the slopes in each case, together with planting proposals with species appropriate for wet ground conditions can create safe and visually attractive shared use spaces for all. The design calculations mean the basins are unlikely to be entirely full of water for the vast majority of the year and the careful insertion of barriers over high points such as culverts and inlets can be agreed with the Planning Authority prior to the commencement of development if necessary. Regarding the absence of maintenance for the attenuation basins, I note the Planning Authority sought maintenance details regarding the attenuation tanks and not the basins/ponds, and therefore consider the Planning Authority is satisfied with the degree of maintenance typically required with such ponds. I also note that such maintenance measures are agreed at the taking in charge stage. I therefore recommend the insertion of standard surface water, landscaping and taking in charge conditions which require the agreement of detailed design for the edges and overall design of the ponds prior to the commencement of development.

7.6.5. Lastly, the appeal is concerned that the proposed development would impact the existing swales and drains on the site, and that no details are provided regarding their protection however I note that the Engineering Services report states they will be maintained and retained in situ. I am therefore satisfied that the proposed works will not impact on the operational capacity of these existing drainage features as no works are proposed in these areas beyond additional hedgerow planting.

## **7.7. Traffic Impact**

7.7.1. The appeal suggests that the traffic impact assessment conclusions are inaccurate as the traffic surveys undertaken did not fully account for school and commuter traffic and congestion will increase at the nearby N11/N25 roundabout due to the

development's dependence on private cars as demonstrated in the Mobility Management Plan.

7.7.2. The Mobility Management Plan is based on modal splits identified in Census 2022 CSO data for areas adjoining the site with similar characteristics. It sets out initial modal split targets as follows:

- Walking and cycling: 10%
- Public transport: 15%
- Private vehicle/scooter: 75%

7.7.3. It also recommends that surveys are undertaken 12 months following occupation of the development and every subsequent 3-5 years but does not clarify who would undertake the survey, reporting and implement recommendations. I recommend a condition is attached to require the developer to implement of the recommendations arising from future surveys.

7.7.4. The traffic surveys were undertaken on a weekday in June 2024 over a twelve-hour window from 7am to 7pm. I consider this is an acceptable representative sample as primary schools would still have been operational as well as capturing the peak commuting hours. I also note that the study methodology included future year scenarios accounting for likely natural background growth in the meantime. The report concludes that the road network, including the New Ross Rd roundabout to the west, will all operate within or at capacity, albeit with some delays at morning and evening peak periods in the future year scenarios at the roundabout.

7.7.5. I therefore consider that the proposed development is acceptable from a transportation perspective and is unlikely to significantly impact on local traffic and transportation matters. I also note that the Local Authority Transport Department issued a report recommending a grant of permission subject to standard conditions.

## 7.8. **Social Infrastructure**

7.8.1. Objective SH22 requires new physical and/or social infrastructure is provided either prior to or in tandem with new residential developments. A Social Infrastructure Audit (SIA) was prepared and submitted with the further information response and concludes there is adequate social infrastructure in place to accommodate the

proposed development. The appeal suggests that the report is inaccurate as it does not discuss an existing lack of capacity for GPs in the area and has discrepancies regarding future populations of children. It recommends that permission should be refused due a lack of social infrastructure, particularly school places and GP care.

- 7.8.2. Social infrastructure in the form of the creche is being provided with the development which therefore meets the requirements of Objective SH22. I consider the calculations of future populations of children residing at the site are acceptable in the report and any errors identified are minor and immaterial.
- 7.8.3. With regard to the lack of school places I note the SIA identifies schools in the area as well as their capacity, and adopts a worst case scenario of zero capacity where schools did not respond to queries. It indicates there is some limited existing capacity and that together with identified planned school building programmes as well as the proposed phasing of the development, it is likely that sufficient school places will be provided in the town to cater for children living in the proposed development. I agree with this conclusion.
- 7.8.4. Regarding the provision of GP clinics and access to same, this is outside the scope of the application. The Local Authority has not identified the requirement for a neighbourhood centre on this site and having regard to the connectivity of the site to the town centre, I consider there is no additional requirement to provide space for healthcare purposes at the site.
- 7.8.5. I therefore conclude that permission should not be refused as recommended by the appellant on the basis of a lack of social infrastructure.

## **7.9. Environmental Impact Assessment**

- 7.9.1. The appeal suggests that an EIA should have been prepared due to impacts on watercourses, European Sites and possible use of a rockbreaker. I have carried out an EIA Screening exercise which is appended to this report, which had full regard to the matters concerned and which screened out the requirement to carry out a full EIA due to the lack of any likely significant impacts.
- 7.9.2. With specific reference to rockbreaking, the applicant's further information response states that rock-breaking is not anticipated on the site based on the results of the geotechnical survey. While I note the appeal's references to GSI data and alleged

presence of bedrock, this is a generalised database while a geophysical survey is site specific. I also note the proposed contingency and mitigation measures in the event unanticipated rockbreaking is in fact required and I consider those measures are sufficient to ensure no significant impact would occur to neighbouring residential amenity.

7.9.3. The appeal also contends that the EIA Screening report did not have regard to a nearby housing scheme permitted under ref. 20241132/ABP-321942-25. The EIA screening report references a list of other permitted developments but does fail to refer to this scheme which permitted the construction of 99no. dwellings on a site 700m northeast of the subject site. I have had regard to this development, as well as the more recent amendment application (ref. 20250980W) to add an additional 6no. units to the site and other subsequent relevant planning history when undertaking the screening assessment. The conclusion to the EIA screening is set out above and remains unchanged.

#### 7.10. **Other Matters**

7.10.1. The appeal contends that an exact date for the tree survey should be provided however I disagree and consider the month and year as outlined is a sufficient degree of information to inform the assessment as trees follow general seasonality changes and not specific changes from one specific calendar day to another. The appeal states that the survey does not identify which trees will actually be removed and that new tree planting will take many years to mature. In my view it is inherently clear throughout the application documents that the entire western/southwestern boundary alongside the L7603-1 will be removed in order to accommodate road widening proposals, and that all other boundaries will remain in situ and unaltered as no infrastructure or ground works are to be situated in those areas. I agree that new planting will take many years to mature, however I consider that the significant public movement benefits associated with increasing safety and active travel along the local road, together with the degree of new tree planting throughout the site means the moderate impact to biodiversity, the landscape and visual impact from tree removal is acceptable.

- 7.10.2. The appeal states the development description is misleading as it does not state the total number of proposed residential units and considers this to be contrary to public access and participation. I disagree as the number of units proposed is not concealed or otherwise unclear from any member of the public. I note that this matter was considered acceptable by the planning authority and am satisfied that this did not prevent the concerned party from making representations. The above assessment represents my de novo consideration of all planning issues material to the proposed development.
- 7.10.3. I note the appellant considers there are discrepancies in reports submitted which state a variety of different proposed unit numbers including the Engineering Services Report which refers to 150no. proposed dwellings and the Mobility Management Plan which refers to 138no. proposed dwellings. Having regard to these I do not consider the variations are material and also do not consider it likely that they change the outcome of any related assessments.
- 7.10.4. With regard to a lack of floor and ridge levels on elevation drawings, I note that finished floor levels and ridge levels are provided on the drawing for each house type, while site section drawings illustrate existing and proposed contours as well as building heights.
- 7.10.5. With regard to the alleged different locations of windows on the drawings for house type T11, I note that the appellant correctly identified that the elevational drawings are incorrect for one elevation. The house type refers to a pair of mid-terrace and end-of-terrace, three-storey, gable-fronted dwellings which are situated at either end of a terrace of 14no. dwellings. For clarity, the layout proposes a pair of type T11 units at either end of the terrace on both the 'parcel E' floorplan drawing PP-E.1.03 as well as the site layout drawings, however the floorplan drawing PP-HT.11A.1 and the elevation and section drawing no. PP-HT.11A.2 both illustrate the dwellings as a pair of semi-detached structures. I recommend a condition is attached requiring the submission of revised drawings prior to the commencement of development.
- 7.10.6. The appellant suggests that a ten-year construction timeframe will cause significant disruption to residential amenity however this has not had regard to the Local Authority's condition no. 2 which reduced the appropriate period to 5years. I consider this measure, together with the implementation of mitigation measures set out in the

CEMP as well as the phasing proposals are adequate and sufficient to ensure significant construction disturbance will not occur. I note the applicant did not appeal the imposition of this 5-year condition.

7.10.7. Lastly, I note the additional documentation received with the application as listed previously which includes archaeology reports, a housing schedule and Design and Access statement etc and I agree with the conclusions and recommendations set out therein. I also note that the Local Authority's assessment of the entire application proposal. In this regard, I consider that quantitative standards such as unit mix, the rate of car parking and internal residential amenity are all acceptable and meet the relevant SPPRs and CDP standards. Similarly, I consider that outstanding qualitative standards not discussed above such as external materials and finishes are also acceptable and represent a high-quality residential development as well as technical matters regarding water and wastewater connections.

## **8.0 Appropriate Assessment**

### **8.1. Screening Determination**

8.1.1. In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that it is not possible to exclude that the proposed development alone [or in combination with other plans and projects] will give rise to significant effects on 3 European Site(s) in view of the sites conservation objectives. Appropriate Assessment is required to identify the potential for significant effects on the Slaney River Valley SAC, Wexford Harbour and Slobs SPA and The Raven SPA.

8.1.2. This determination is based on:

- The proposed surface water discharges to a stream with associated downstream hydraulic connectivity to 3no. European sites, disturbance of mobile species and loss of feeding grounds.
- The qualifying interests and conservation objectives of those 3no. European sites.
- The proximity of those sites to the subject site.

## 8.2. **Appropriate Assessment Conclusion: Integrity Test**

- 8.2.1. In screening the need for Appropriate Assessment, it was determined that the proposed development could result in significant effects on the Slaney River Valley SAC, Wexford Harbour and Slobbs SPA and The Raven SPA in view of the conservation objectives of those sites and that Appropriate Assessment under the provisions of S177U was required.
- 8.2.2. Following an examination, analysis and evaluation of the NIS all associated material submitted, I consider that adverse effects on site integrity of the Slaney River Valley SAC, Wexford Harbour and Slobbs SPA and The Raven SPA can be excluded in view of the conservation objectives of these sites and that no reasonable scientific doubt remains as to the absence of such effects.

My conclusion is based on the following:

- Detailed assessment of construction and operational impacts.
- The conservation interest features considered in the AA.
- The proposed development will not affect the attainment of conservation objectives for the European sites or prevent or delay the restoration of favourable conservation condition.
- Effectiveness of mitigation measures proposed including implementation of a CEMP and specification of suitable planning conditions to require implementation of mitigation.

## 8.3. **AA Issues in the appeal**

- 8.3.1. I note the appeal commented on the adequacy of the NIS and suggests it failed to consider cumulative impacts from a nearby housing scheme permitted under ref. 20241132/ABP-321942-25. The NIS references a list of other permitted developments but does fail to refer to this scheme which permitted the construction of 99no. dwellings on a site 700m northeast of the subject site. I have had regard to this development, as well as the more recent amendment application (ref. 20250980W) to add an additional 6no. units to the site and other subsequent relevant planning history when undertaking the appropriate assessment. The conclusion to the appropriate assessment is set out above and remains unchanged.

- 8.3.2. It suggests that no ecological assessment to identify existing flora or fauna was undertaken however Section 5.5 of the report states that a Fossit habitat survey and species scoping survey was undertaken. The appeal goes on to say that the NIS fails to take into account species for which the site is not listed however such species are not Qualifying Interests and therefore do not fall under the remit of an Appropriate Assessment. Having regard to the habitats identified on the site which comprised Arable Crop (BCI), Scrub (WSI) and Treelines (WL2) under the Fossit habit survey, and the lack of any sensitive species noted to be present, I do not consider that an Ecological Impact Assessment is required.
- 8.3.3. The appeal states that the NIS does not assess implications for habitats situated outside the site however I disagree and consider the NIS has clearly assessed the likelihood and potential for impacts to European sites situated outside of the subject site.
- 8.3.4. Lastly, the appeal suggests that the use of a rockbreaker was not considered in the NIS in terms of impacts to SPAs. The further information response however clearly addresses this issue in both the cover letter as well as Section 7.7 of the NIS.
- 8.4. I therefore conclude that the NIS is adequate.

## **9.0 Water Framework Directive Screening**

### **9.1. Assessment**

- 9.1.1. The subject site is located 60m east of the Coolree Stream which flows north into the Slaney River Estuary, Wexford Harbour and the Irish Sea. The underlying aquifer is referred to as Castlebridge North.
- 9.1.2. The proposed development seeks to construct 122no. residential units, a creche and all associated works.
- 9.1.3. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. This assessment is set out in Appendix 3.

9.1.4. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

9.1.5. The reason for this conclusion is as follows:

- The urban infill and domestic nature and the moderate 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. **Screening 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 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, SH22, ROS 11, ROS17, and TV34, the provisions of the Regional Spatial and Economic Strategy for the Southern Region and RPO16 therein, the established and emerging 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 layout, 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 provide a satisfactory level of residential amenity and provide for efficient use of zoned lands and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 12.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 16<sup>th</sup> 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.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The mitigation measures contained in the submitted Natura Impact Statement (NIS), shall be implemented. Details and results of all pre-commencement surveys including any additional mitigation measures shall be submitted to the Planning Authority prior to the commencement of development for written approval.</p> <p>Reason: To protect the integrity of European Sites.</p>
3.	<p>The period during which the development hereby permitted may be carried out shall be 5 years from the date of this Order.</p> <p>Reason: Having regard to the nature of the development, the Board considers it appropriate to specify a period of validity of this permission for five years.</p>

4.	<p>The proposed development shall be amended as follows:</p> <p>(a) Parcel B shall be redesigned omitting the 8no. residential units and providing public open space. The design for this shall be submitted to, and agreed in writing with, the planning authority following agreement from Uisce Éireann on the detailed design and delivery of the wastewater pumping station and multi-use games area.</p> <p>(b) A revised phasing schedule shall be submitted to, and agreed in writing with, the planning authority which provides the open space in Parcel B prior to commencement of Parcels D, E and F.</p> <p>Reason: In the interests of residential amenity.</p>
5.	<p>The proposed development shall be amended as follows:</p> <p>(a) Floorplan and elevation drawings illustrating house type T11 as an end-of terrace unit as illustrated on the site layout drawings and 'parcel E' floorplan drawings.</p> <p>(b) The short end of balconies which face a window serving a habitable room opposite shall be fitted with a 1.5-2m high opaque finish to prevent overlooking.</p> <p>(c) The northeast kitchen window to apartment unit nos. 1.4 and 2.5 shall be finished with opaque glazing or redesigned to become a high level window only above head height.</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 residential amenity.</p>
6.	<p>All mitigation measures in relation to archaeology and cultural heritage as set out in the Archaeological Desktop Assessment prepared by RedArc Consulting included in application documents shall be implemented in full.</p>

	<p>The planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of any archaeological investigative work/ excavation required, following the completion of all archaeological work on site and any necessary post-excavation specialist analysis. All resulting and associated archaeological costs shall be borne by the developer.</p> <p>Reason: To ensure the continued preservation [either in situ or by record] of places, caves, sites, features or other objects of archaeological interest.</p>
7.	<p>The developer shall engage a suitably qualified licence eligible archaeologist (licensed under the National Monuments Acts) to carry out pre-development archaeological testing in areas of proposed ground disturbance and to submit an archaeological impact assessment report for the written agreement of the planning authority, following consultation with the National Monuments Service, in advance of any site preparation works or groundworks, including site investigation works/topsoil stripping/site clearance/dredging/underwater works and/or construction works. The report shall include an archaeological impact statement and mitigation strategy. Where archaeological material is shown to be present, avoidance, preservation in-situ, preservation by record [archaeological excavation] and/or monitoring may be required. Any further archaeological mitigation requirements specified by the planning authority, following consultation with the National Monuments Service, shall be complied with by the developer. No site preparation and/or construction works shall be carried out on site until the archaeologist's report has been submitted to and approval to proceed is agreed in writing with the planning authority. The planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of any subsequent archaeological investigative works and/or monitoring following the completion of all archaeological work on site and the completion of any necessary post-excavation work. All resulting and associated archaeological costs shall be borne by the developer.</p>

	<p>REASON: To ensure the continued preservation [either in situ or by record] of places, caves, sites, features or other objects of archaeological interest.</p>
8.	<p>Details of the materials, colours and textures of all the external finishes to the proposed structures 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>
9.	<p>The landscaping scheme shown on drawing number 10.24.002, as submitted to the planning authority on the 01<sup>st</sup> day of November, 2024 shall be carried out within the first planting season following substantial completion of external construction works. The landscaping for each phase of the development shall be completed prior to the occupation of any unit in that phase.</p> <p>(a) The northeastern boundary planting and hedgerow reinforcements shall occur in the first planting season following commencement of works in parcel E.</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>

10.	<p>Prior to the commencement of development, the developer shall submit the following additional landscaping details for the written agreement of the Planning Authority:</p> <ul style="list-style-type: none"> <li>(c) Details of tree protection measures for all trees and hedgerows along the northwest, northeast and southeast boundaries.</li> <li>(d) Detailed design and full specification for all play equipment.</li> <li>(e) Materials and finishes for all hard surfaces including boundaries, seating, ground surfaces, lighting,</li> <li>(f) Planting plans and schedules</li> <li>(g) Maintenance proposals.</li> </ul> <p>Reason: In the interest of residential and visual amenity.</p>
11.	<p>The development shall be carried out on a phased basis, in accordance with the 5year phasing scheme outlined in the 'Dermot Troy Design' letter submitted to the Planning Authority with the further information response on 16<sup>th</sup> May 2025.</p> <ul style="list-style-type: none"> <li>(h) All works along the southwestern boundary including public infrastructure, road widening and provision of footpaths and cycle lanes on the L7603-1 shall be completed in phase 1.</li> <li>(i) The creche shall be completed to a standard ready for opening and occupation within phase 1.</li> </ul> <p>Reason: To ensure the timely provision of services, for the benefit of the occupants of the proposed dwellings.</p>
12.	<p>The recommendations outlined in the Mobility Management Plan shall be implemented in full. Prior to the first occupation of any unit on the site, the developer shall submit proposals outlining compliance with the Mobility Management Plan recommendations throughout each phase of development for the written approval of the Planning Authority.</p> <p>Reason: In the interest of promoting sustainable and active travel patterns.</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>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>(a) Prior to the commencement of development, the developer shall submit full details of the proposed wastewater pumping station for the written agreement of the Planning Authority and Uisce Éireann including its location, layout, design, capacity, security measures, timescales for construction, operation and decommissioning and subsequent landscaping. Evidence of Uisce Eireann's written consent to these proposals, including a Connection Agreement, shall be submitted to the Planning Authority prior to the commencement of development.</p> <p>Reason: In the interest of public health and to ensure adequate water/wastewater facilities.</p>
15.	<p>The attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Prior</p>

	<p>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. This shall include the detailed design and maintenance requirements for all attenuation basins/ponds and open water channels to ensure safety for children and animals.</p> <p>Reason: In the interest of public health and residential amenity.</p>
16.	<p>Prior to the commencement of development the developer shall notify the Planning Authority of the appointment by the developer of a suitably qualified and indemnified Chartered Engineer who will ensure that the development is constructed in accordance with Wexford County Council's Taking In Charge Policy. The Engineer shall inspect the construction of the development in accordance with the requirements of the Planning Authority and shall submit a final report to the Planning Authority to confirm that the development is in compliance with the required standards and conditions of the planning permission.</p> <p>Reason: To ensure the development is carried out and completed to an acceptable standard.</p>
17.	<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 provision of broadband infrastructure within the proposed development.</p> <p>Reason: In the interests of visual and [residential] amenity.</p>
18.	<p>Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday inclusive, between 0900 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p>

	Reason: In order to safeguard the residential amenities of property in the vicinity.
19.	<p>A revised Construction and Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The CEMP shall include but not be limited to construction phase controls for dust, noise and vibration, waste management, protection of soils, groundwaters, and surface waters, construction phase traffic management, site housekeeping, emergency response planning, site environmental policy, and project roles and responsibilities. It shall also include references to archaeological and cultural heritage constraints as well as any additional mitigation required following pre-commencement ecological surveys.</p> <p>Reason: In the interest of environmental protection, residential amenities and public health and safety.</p>
20.	<p>Prior to commencement of development, a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) shall be prepared and submitted to the planning authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.</p> <p>Reason: In the interest of reducing waste and encouraging recycling.</p>
21.	<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</p>

	<p>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>
22.	<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</p>

	<p>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>
23.	<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>
24.	<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>
25.	<p>Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. 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 Coimisiún Pleanála for determination.</p> <p>Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.</p>

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

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Sarah O'Mahony  
 Planning Inspector

05<sup>th</sup> November 2025

# Appendix 1: Environmental Impact Assessment Screening

## Form 1 - EIA Pre-Screening

<b>Case Reference</b>	323192-25
<b>Proposed Development Summary</b>	122no. residential units, a creche and all associated works.
<b>Development Address</b>	Newtown Road & Glenville Road, Coolcots, Co. Wexford.
	<b>In all cases check box /or leave blank</b>
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b>  (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.
<b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in Part 1.  <b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>	State the Class here
<input type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
<b>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?</b>	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed	

<p>type of proposed road development under Article 8 of the Roads Regulations, 1994.</p> <p><b>No Screening required.</b></p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p><b>EIA is Mandatory. No Screening Required</b></p>	<p><b>State the Class and state the relevant threshold</b></p>
<p><input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p><b>Preliminary examination required. (Form 2)</b></p> <p><b>OR</b></p> <p><b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b></p>	<p>Class 11(b)(i) Construction of more than 500 dwelling units. Threshold = 500 units. Proposal = 122no.</p> <p>Class 11(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 Threshold = 10ha Proposal = 3.84ha.</p> <p>Class 11(dd) All private roads which would exceed 2000 metres in length Threshold = 2km Proposal = 1km</p> <p>Roads Regulations, 1994, as amended: Article 8(a) the construction of a new road of four or more lanes, or the realignment or widening of an existing road so as to provide four or more lanes, where such new, realigned or widened road would be eight kilometres or more in length</p>

	<p>in a rural area, or 500 metres or more in length in an urban area;</p> <p>Threshold = 4 lanes and 500m in length.</p> <p>Proposal = 2 lanes and 160m in length.</p>
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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 checked="" type="checkbox"/>	Screening Determination required (Complete Form 3)
No <input type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

## Form 3: Screening Determination

### A. CASE DETAILS

<b>An Bord Pleanála Case Reference</b>	323192
<b>Development Summary</b>	<p>A 10-year planning permission for a proposed residential development and creche facility, to be completed over six phases, consisting of the following:</p> <p>(a) 103 dwelling houses, consisting of: 17 no. 2-bedroom houses, 52 no. 3-bedroom houses, 30 no. 4-bedroom houses, 4 no. 5-bedroom houses, total floor area ca. 15,340.9sqm;</p> <p>(b) Block A1, mixed-use block over 4 floors comprising; ca. 289.5sqm 34 child-place creche at ground and first floors, 2 no. 1-bedroom apartments, 3 no. 2-bedroom apartments, 2 no. 3-bedroom duplex apartments, associated circulation, plant, secure bicycle and bin storage, and communal amenity space roof terrace. Block A1 total floor area ca. 1,033.4sqm;</p> <p>(c) Block A2, residential block over 4 floors comprising; 5 no. 1-bedroom apartments, 10 no. 2-bedroom apartments, associated circulation, plant, secure bicycle and bin storage and communal amenity space roof terrace. Block A2 total floor area ca. 1,405.4sqm;</p> <p>(d) Widening of Glenville Road (L-7603-1) to 6m for the entire length of the development boundary;</p> <p>(e) 2m bicycle path along Glenville Road (L-7603-1) for the entire length of the development boundary;</p> <p>(f) Vehicular access to development from Glenville Road (L-7603-1);</p> <p>(g) Temporary construction access to the development site from Glenville Road (L-7603-1);</p>

	<p>(h) Pedestrian and cycle access to existing Active Travel infrastructure on Newtown Road (R769);</p> <p>(i) All internal roadways, footpaths, road signage and markings, pedestrian connections, parking areas, bicycle stands, public amenity spaces, biodiversity trail, amenity spine, formal and informal play areas, hard and soft landscaping and boundary treatments;</p> <p>(j) Installation of a Wastewater Pumping Station (WWPS) and connection to Uisce Eireann infrastructure (waste and mains water) in accordance with Confirmation of Feasibility;</p> <p>(k) Surface water/SuDS basins, attenuation, and controlled discharge strategy;</p> <p>(l) All associated &amp; ancillary siteworks required to facilitate the development.</p> <p>A Natura Impact Statement shall be submitted to the Planning Authority with this planning application</p>	
	<b>Yes / No / N/A</b>	<b>Comment (if relevant)</b>
1. Was a Screening Determination carried out by the PA?	No	A high-level preliminary screening was carried out which notes the applicants EIA Screening report and concludes by saying the proposed development is not of a scale which requires EIA.
2. Has Schedule 7A information been submitted?	Yes	
3. Has an AA screening report or NIS been submitted?	Yes	NIS submitted with the application.
4. Is a IED/ IPC or Waste Licence (or review of licence) required from the EPA? If YES has the EPA commented on the need for an EIAR?	No	

5. Have any other relevant assessments of the effects on the environment which have a significant bearing on the project been carried out pursuant to other relevant Directives – for example SEA	No	<ul style="list-style-type: none"> <li>• SEA of the Wexford County Development Plan 2022-2028</li> <li>• Construction Environmental Management Plan including a Construction Resource and Waste Management Plan referencing the Waste Directive.</li> </ul>	
<b>B. EXAMINATION</b>	Yes/ No/ Uncertain	<p><b>Briefly describe the nature and extent and Mitigation Measures (where relevant)</b></p> <p>(having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact)</p> <p><b>Mitigation measures</b> –Where relevant specify features or measures proposed by the applicant to avoid or prevent a significant effect.</p>	<p><b>Is this likely to result in significant effects on the environment ?</b></p> <p><b>Yes/ No/ Uncertain</b></p>
<b>This screening examination should be read with, and in light of, the rest of the Inspector’s Report attached herewith</b>			
<b>1. Characteristics of proposed development</b> (including demolition, construction, operation, or decommissioning)			
1.1 Is the project significantly different in character or scale to the existing surrounding or environment?	No	The 3.84ha greenfield site is situated in an area characterised by a mix of agricultural, residential and commercial properties. The screening report provides examples of similarly scaled permitted projects in the area.	No
1.2 Will construction, operation, decommissioning or demolition works cause physical changes to the locality (topography, land use, waterbodies)?	Yes	Construction and operation will change the land use from agricultural to residential and childcare purposes.	No

		<p>170m of hedgerows and trees will be removed along the western boundary of the site in order to wider then road. A landscaping scheme was submitted which includes replacement native hedgerows as well as attenuation ponds.</p> <p>The existing groundform slopes steeply from south down to north with a 20m differential across the site. Some cut and fill is therefore proposed in order to accommodate the proposed structures however the general slope will still be retained and visible.</p> <p>No demolition or decommissioning is proposed.</p>	
<b>1.3</b> Will construction or operation of the project use natural resources such as land, soil, water, materials/minerals or energy, especially resources which are non-renewable or in short supply?	No	<p>Natural resources such as water, stone and sand will be required during the construction stage while water will be required also during the operational stage. Water saving devices such as low-flow and aeriated taps will be installed in the finished units.</p> <p>c.3,900m<sup>3</sup> of soil will be excavated and removed from the site. This is not considered significant.</p>	No
<b>1.4</b> Will the project involve the use, storage, transport, handling or production of substance which would be harmful to human health or the environment?	No	<p>Standard construction activities and management of materials and substances such as concrete and hydrocarbons will occur on the site and be managed in accordance with standard practise as outlined in the CEMP.</p>	No
<b>1.5</b> Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?	Yes	<p>Solid waste will be produced during the construction stage mainly in the form of packaging materials. Standard domestic refuse</p>	No

		<p>and human wastewater will be produced during the operational stage.</p> <p>Construction stage refuse and wastewater is addressed in the CEMP while domestic wastewater is the subject of a connection to the Uisce Éireann network.</p> <p>Domestic refuse will be managed via standard third-party collections/operators. Bin storage is provided for the creche, apartments and all mid-terrace units.</p>	
<p><b>1.6</b> Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?</p>	Yes	<p>Surface water protection measures are outlined in the CEMP to protect receiving waters during the construction stage.</p> <p>SUDS measures including attenuation ponds and swales are proposed for the operational stage.</p>	No
<p><b>1.7</b> Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?</p>	Yes	<p>Noise, vibration and light during the construction stage will all be managed by appropriate measures specified in the CEMP.</p> <p>A Public Lighting Report was submitted which addresses operational stage lighting.</p>	No
<p><b>1.8</b> Will there be any risks to human health, for example due to water contamination or air pollution?</p>	Yes	<p>The scale of the proposed development together with the CEMP and mitigation measures outlined within adequately ensures there will be no risk to human health during the construction stage. The CEMP includes a comprehensive Waste Management Plan as well as an Emergency Response Plan.</p> <p>Embedded design measures such as discharging wastewater to the public network results in no</p>	No

		likelihood of human health impacts from the operational stage. The residential and childcare use of the site will not give rise to emissions or pollution.	
<b>1.9</b> Will there be any risk of major accidents that could affect human health or the environment?	No	The CEMP includes an Emergency Response Plan and a Communications Plan. There are no COMAH sites in the area and the site is not situated within a flood zone.	No
<b>1.10</b> Will the project affect the social environment (population, employment)	Yes	There may be a minor increase in population due to the requirement for construction staff during the construction phase however this would be temporary and short term.  The proposed development will result in an increased resident population in the immediate area however this is a natural increase which is accounted for through the Core Strategy, NPF and RSES.	No
<b>1.11</b> Is the project part of a wider large scale change that could result in cumulative effects on the environment?	No	There are permitted residential schemes in the area which, together with the proposed development, cumulatively impact on environmental fields such as traffic, landscape and wastewater etc. None of the cumulative effects are considered significant however.	No
<b>2. Location of proposed development</b>			
<b>2.1</b> Is the proposed development located on, in, adjoining or have the potential to impact on any of the following: - European site (SAC/ SPA/ pSAC/ pSPA) - NHA/ pNHA - Designated Nature Reserve	Yes	The site is situated 100m south of the Slaney River Valley SAC, Wexford Slobs and Harbour pNHA and downstream Wexford Slobs and Harbour SPA. A NIS and CEMP were submitted with the application which outline many mitigation measures surrounding standard good	No

<ul style="list-style-type: none"> <li>- Designated refuge for flora or fauna</li> <li>- Place, site or feature of ecological interest, the preservation/conservation/ protection of which is an objective of a development plan/ LAP/ draft plan or variation of a plan</li> </ul>		<p>construction practices to protect the surrounding natural environment. No ex-situ impacts were identified.</p> <p>Buffers from watercourses are proposed as well providing gaps to security fences to allow mammal passage and pre-construction bird surveys while water management measures at both construction and operational stages will ensure no significant negative effects will occur.</p>	
<p><b>2.2</b> Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, for example: for breeding, nesting, foraging, resting, over-wintering, or migration, be affected by the project?</p>	No	<p>No sensitive species were noted on the site during the inspections. The site supports potential otter commuting and foraging habitat however mitigation measures are set out in the NIS and CEMP to address potential impacts.</p>	No
<p><b>2.3</b> Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?</p>	No	<p>An Archaeological Impact Assessment submitted with the application concludes there are no likely impacts to the archaeological resource of the area.</p> <p>There are no known built heritage features in the area.</p> <p>The landscape is not designated for scenic value and there are no scenic routes or protected views and prospects in the area.</p>	No
<p><b>2.4</b> Are there any areas on/around the location which contain important, high quality or scarce resources which could be affected by the project, for example: forestry, agriculture, water/coastal, fisheries, minerals?</p>	No		No

<b>2.5</b> Are there any water resources including surface waters, for example: rivers, lakes/ponds, coastal or groundwaters which could be affected by the project, particularly in terms of their volume and flood risk?	No	The site is not situated in a flood zone and there are no watercourses on the site.	No
<b>2.6</b> Is the location susceptible to subsidence, landslides or erosion?	No		No
<b>2.7</b> Are there any key transport routes (e.g. National primary Roads) on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?	Yes	There is a roundabout situated 300m west of the site which connects the R769 (which runs along the northern boundary of the site) to the N25 and N71. Vehicular access to the site will be from the local road along the western boundary which in turn connects to the R769 at the north and N25 at the south.  A Traffic and Transport Impact Assessment was undertaken and concludes that the nearby junctions will operate within or at capacity with small - medium queues for all future scenarios. A Mobility Management Plan was also submitted with the application.	No
<b>2.8</b> Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be affected by the project?	No		No
<b>3. Any other factors that should be considered which could lead to environmental impacts</b>			
<b>3.1 Cumulative Effects:</b> Could this project together with existing and/or approved development result in cumulative effects during the construction/ operation phase?	No	There are permitted residential schemes in the area as outlined in Section 4.3.2 and Table 2.2 of the applicant's EIA screening report which, together with the proposed development, cumulatively impact on environmental fields such as traffic, landscape and wastewater etc. Additionally, there may be cumulative	No

		<p>construction impacts such as noise and air quality concerns.</p> <p>None of the cumulative effects are considered significant however, particularly due to construction management via the CEMP and the domestic nature of the operational stage.</p>	
<b>3.2 Transboundary Effects:</b> Is the project likely to lead to transboundary effects?	No		No
<b>3.3</b> Are there any other relevant considerations?	No		No
<b>C. CONCLUSION</b>			
No real likelihood of significant effects on the environment.	<input checked="" type="checkbox"/>	EIAR Not Required	
Real likelihood of significant effects on the environment.	<input type="checkbox"/>	EIAR Required	
<b>D. MAIN REASONS AND CONSIDERATIONS</b>			
<b><i>EG - EIAR <u>not</u> Required</i></b>			
<p>Having regard to: -</p> <ol style="list-style-type: none"> <li>1. the criteria set out in Schedule 7, in particular <ol style="list-style-type: none"> <li>(a) the nature and scale of the proposed housing development, in an urban area served by public infrastructure</li> <li>(b) the location of the site relative to the Slaney River Valley SAC and pHNA, Wexford Slobs and Harbour pHNA and SPA</li> <li>(c) the location of the development outside of any sensitive location specified in article 109(4)(a) of the Planning and Development Regulations 2001 (as amended)</li> </ol> </li> </ol>			

2. the results of other relevant assessments of the effects on the environment submitted by the applicant including an EIA Screening report, Traffic and Transport Assessment, Archaeological Desktop Assessment, Social Infrastructure Audit and NIS, as well as an EIA screening and an AA carried out by the Local Authority,
3. the features and measures proposed by applicant envisaged to avoid or prevent what might otherwise have been significant effects on the environment,

The Board concluded that the proposed development would not be likely to have significant effects on the environment, and that an environmental impact assessment report is not required.

## Appendix 2: Appropriate Assessment

Screening for Appropriate Assessment Test for likely significant effects	
<b>Step 1: Description of the project and local site characteristics</b>	
<b>Brief description of project</b>	125no. residential units comprising 103no. dwellings and 22no. apartments, a creche and all associated site development works including attenuation basins, open space, wastewater pumping station, access roads and landscaping. A ten year permission is sought.
<b>Brief description of development site characteristics and potential impact mechanisms</b>	<p>The 3.84ha site is situated 100m south of the Slaney River Valley Special Area of Conservation (SAC) and 1km south of Wexford Slobs and Harbour Special Protection Area (SPA).</p> <p>Surface water currently discharges from the greenfield site to the public network in the adjacent road, which in turn discharges to the Carrig river/Coolree stream via an outfall situated 60m northwest of the site.</p> <p>Proposed surface water management includes provision of attenuation ponds and underground tanks to ensure run off is maintained at greenfield rates.</p> <p>Wastewater will be connected to the public network.</p>
<b>Screening report</b>	Yes
<b>Natura Impact Statement</b>	Yes
<b>Relevant submissions</b>	The Development Applications Unit submitted and observation however it related to archaeology only and no nature related concerns were raised.
<p>The applicant submitted two different combined AA screening and NIS reports, one at application stage and one at further information stage. The reports are largely similar however I note some important differences such as identifying the Zone of Influence (Zol). In the earlier report a standard 15km radius was adopted however in the latter report a case-by-case basis was adopted based on the source-pathway-receptor model recommended in the OPR guidance document. Both reports identify 8no. European sites during the screening stage and both carry forward 3no. to stage 2.</p> <p>In both cases the reports included Screen Hills SAC and Tacumshin Lake SAC and Tacumshin Lake SPA within the Zol however having regard to the qualifying interests of both SACs, the lack of any hydrological connection and their location outside of the core foraging range for the birds in question, I do not agree that they are within the Zol and I therefore have not included them below.</p>	

**Step 2. Identification of relevant European sites using the Source-pathway-receptor model**

European Site (code)	Qualifying interests <sup>1</sup> Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections <sup>2</sup>	Consider further in screening <sup>3</sup> Y/N
Slaney River Valley SAC	Estuaries habitats Salt meadow habitats Dune habitats Alluvial forests and oak forests Freshwater pearl mussel Sea, brook and river Lamprey Shad, salmon, otter, seal  <a href="#">NPWS Conservation Objectives</a>	100m north	Indirect hydrological connection via surface water outfall to Coolree Stream  Possible ecological connection for otter commuting.	Yes
Raven Point Nature Reserve SAC	8no. habitats including 5no. dune types, mudflats, sandflats, salt meadows and drift lines.  <a href="#">NPWS Conservation Objectives</a>	8km northeast	Indirect hydrological connection	No – 11km downstream separation distance provides a significant marine buffer to any water-based contaminant.
Long Bank SAC	Sandbanks which are slightly covered by sea water all the time.  <a href="#">NPWS Conservation Objectives</a>	11km east	Indirect hydrological connection	No – 17km downstream separation distance provides a significant marine buffer to any water-based contaminant.
Wexford Harbour and Slobs SPA	Waterbirds including some wintering species x 28 Hen harrier Golden and grey plover  <a href="#">NPWS Conservation Objectives</a>	1km north	Indirect hydrological connection via surface water outfall to Coolree Stream  Possible direct ornithological connection due to use of site for feeding grounds	Yes

The Raven SPA	6no. bird species including wintering species. Also, wetland and waterbirds. <a href="#">NPWS Conservation Objectives</a>	8.4km northeast	Indirect hydrological connection, however, its distance via 11.5km of waterbodies means there is a significant marine buffer which dilutes potential water-based contaminants.  There is low potential that the site may provide foraging habitat for some qualifying interests and therefore this site is screened in.	Yes
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The existing site comprises low ecological, local value habitats made of arable crop (BCI), scrub (WSI) and treelines (WL2) following Fossit habitat surveys on the site. No sensitive habitats were noted to be present. It is removed from all European sites and therefore there will be no direct effects.

The 100m separation distance between the site and the Slaney River Valley SAC means direct impacts from construction stage surface water impacts are unlikely to occur. The topography of the site however is such that surface water during the construction stage would flow north towards the Coolree stream and 250m downstream to the Slaney River Valley SAC, Wexford Harbour and Slobs SPA and The Raven SPA. Operational stage surface water is also proposed to discharge to this stream following treatment and attenuation. The surface water design includes standard SUDS measures to protect water quality including retention basin, permeable paving and hydrocarbon interceptors.

The 1km separation between the site and the Wexford Harbour and Slobs SPA and the arable nature of the agricultural land means the site could form ex-situ foraging grounds for species such as whooper swan, Greenland white-fronted goose black-headed gull and lesser black-headed gull.

A confirmation of feasibility was submitted from Uisce Éireann confirming that connection to the wastewater network is feasible.

Deterioration of surface water quality is a potential significant impact during both construction and operational phases with potential effects on both habitats (QI of SAC) or birds (QI of SPA) which may depend on good water quality.

In considering the potential for significant effects on Raven Point Nature Reserve SAC and Long Bank SAC, based on objective information provided I am satisfied the proposed development

would not result in impacts of such magnitude that could undermine the conservation objectives set for this site. Notwithstanding that there is some uncertainty that potential for significant effects cannot be excluded for the remaining 3no. European sites due to surface water pollution risks, any such risk in the marine environment would be rapidly dispersed and diluted to non-significant levels insofar as they relate to Raven Point and Long Bank SACs.

The matrix below identifies possible significant effects on the European sites in view of the conservation objectives (alone or in combination with other plans and projects).

**Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites**

- (a) Identify potential direct or indirect impacts (if any) arising from the project alone that could have an effect on the European Site(s) taking into account the size and scale of the proposed development and all relevant stages of the project (See Appendix 9 in Advice note 1A).
- (b) Are there any design or standard practice measures proposed that would reduce the risk of impacts to surface water, wastewater etc. that would be implemented regardless of proximity to a European Site?
- (c) Identify possible significant effects on the European sites in view of the conservation objectives (alone or in combination with other plans and projects)

**AA Screening matrix**

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
<p><b>Site 1:</b> Slaney River Valley SAC Site Code: 000781.</p> <ul style="list-style-type: none"> <li>• Estuaries</li> <li>• Mudflats and sandflats not covered by seawater at low tide</li> <li>• Atlantic salt meadows</li> <li>• Mediterranean salt meadows</li> <li>• Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche Batrachion vegetation</li> <li>• Old sessile oak woods with Ilex and Blechnum in the British Isles</li> </ul>	<p>The project is not directly connected with or necessary to the management of a European Site.</p> <p><b>Direct:</b> No direct impacts and no risk of habitat loss, fragmentation or any other direct impact.</p> <p><b>Indirect:</b> Construction phase; Low risk of surface water runoff from construction reaching sensitive receptors but could potentially enter estuary/harbour waters.</p> <p>Emissions and particulate matter during the construction phase could also have an indirect impact on qualifying species and/or habitats.</p> <p>Disruption from noise and visual presence during construction and operational phase and loss of commuting habitat phase may impact otter.</p>	<p>Risk of surface water borne pollutants and particulate matter reaching the SAC resulting in changes to habitat quality arising from deterioration in water quality.</p> <p>Degradation to water quality and subsequent habitat may undermine conservation objectives associated with the qualifying impacts for the site.</p> <p>Disturbance and loss of suitable commuting habitat would reduce the commuting range of otter and access to breeding and foraging sites.</p>

<ul style="list-style-type: none"> <li>• Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i></li> <li>• Freshwater Pearl Mussel</li> <li>• Sea Lamprey</li> <li>• Brook Lamprey</li> <li>• River Lamprey</li> <li>• Twaite Shad</li> <li>• Salmon</li> <li>• Otter</li> <li>• Harbour Seal</li> </ul>	<p>No likely spread of invasive species due to the existing urban nature of the site and no requirement to import soils.</p> <p>Operational phase: surface water and wastewater will connect into the existing public infrastructure and network serving the site.</p>	
	<p><b>Likelihood of significant effects from proposed development (alone):</b> Yes</p>	
	<p><b>If No, is there likelihood of significant effects occurring in combination with other plans or projects?</b> N/A</p>	
	<p><b>Possibility of significant effects (alone) in view of the conservation objectives of the site*</b> Yes</p>	
	<p><b>Impacts</b></p>	<p><b>Effects</b></p>
<p><b>Site 2:</b> Wexford Harbour and Slob SPA Site Code: 004076</p> <ul style="list-style-type: none"> <li>• Little Grebe</li> <li>• Great Crested Grebe</li> <li>• Cormorant</li> <li>• Grey Heron</li> <li>• Bewick's Swan</li> <li>• Whooper Swan</li> <li>• Light-bellied Brent Goose</li> <li>• Shelduck</li> <li>• Wigeon</li> <li>• Teal</li> <li>• Mallard</li> <li>• Pintail</li> <li>• Scaup</li> <li>• Goldeneye</li> <li>• Red-breasted Merganser</li> <li>• Hen Harrier</li> <li>• Coot</li> <li>• Oystercatcher</li> <li>• Golden Plover</li> <li>• Grey Plover</li> <li>• Lapwing</li> <li>• Knot</li> </ul>	<p>The project is not directly connected with or necessary to the management of a European Site.</p> <p><b>Direct:</b> No direct impacts and no risk of habitat loss, fragmentation or any other direct impact.</p> <p><b>Indirect impacts:</b> As above for surface water, pollutants, particulate matter and disturbance in terms of noise during construction and operational phases.</p> <p>The arable nature of the site provides potential feeding grounds for:</p> <ul style="list-style-type: none"> <li>• Bewick's Swan</li> <li>• Whooper Swan</li> <li>• Light-bellied Brent Goose</li> <li>• Golden Plover</li> <li>• Lapwing</li> <li>• Black-headed Gull</li> <li>• Lesser Black-backed Gull</li> <li>• Greenland White-fronted Goose</li> </ul>	<p>Risk of surface water borne pollutants and particulate matter reaching the SPA resulting in changes to habitat quality arising from deterioration in water quality.</p> <p>Degradation to water quality and subsequent habitat may undermine conservation objectives associated with the qualifying impacts for the site.</p> <p>Loss of potential ex-situ feeding grounds and disturbance may undermine conservation objectives associated with the qualifying impacts for the site.</p>

<ul style="list-style-type: none"> <li>• Sanderling</li> <li>• Dunlin</li> <li>• Black-tailed Godwit</li> <li>• Bar-tailed Godwit</li> <li>• Curlew</li> <li>• Redshank</li> <li>• Black-headed Gull</li> <li>• Lesser Black-backed Gull</li> <li>• Little Tern</li> <li>• Greenland White-fronted Goose</li> <li>• Wetland and Waterbirds</li> </ul>		
	<b>Likelihood of significant effects from proposed development (alone):</b> Yes	
	<b>If No, is there likelihood of significant effects occurring in combination with other plans or projects?</b>	
	<b>Possibility of significant effects (alone) in view of the conservation objectives of the site*:</b> Yes	
	<b>Impacts</b>	<b>Effects</b>
<p><b>Site 3:</b> The Raven SPA. Site Code: 004019</p> <ul style="list-style-type: none"> <li>• Red-throated Diver</li> <li>• Cormorant</li> <li>• Common Scoter</li> <li>• Grey Plover</li> <li>• Sanderling</li> <li>• Greenland White-fronted Goose</li> <li>• Wetland and Waterbirds</li> </ul>	<p>The project is not directly connected with or necessary to the management of a European Site.</p> <p><b>Direct:</b> No direct impacts and no risk of habitat loss, fragmentation or any other direct impact.</p> <p><b>Indirect impacts:</b> As above for surface water during construction and operational phases.</p> <p>The arable nature of the site provides potential feeding grounds for:</p> <ul style="list-style-type: none"> <li>• Greenland White-fronted Goose</li> </ul>	<p>Risk of surface water borne pollutants and particulate matter reaching the SPA resulting in changes to habitat quality arising from deterioration in water quality.</p> <p>Degradation to water quality and subsequent habitat may undermine conservation objectives associated with the qualifying impacts for the site.</p> <p>Loss of potential ex-situ feeding grounds and disturbance may undermine conservation objectives associated with the qualifying impacts for the site.</p>
	<b>Likelihood of significant effects from proposed development (alone):</b> Yes	
	<b>If No, is there likelihood of significant effects occurring in combination with other plans or projects?</b>	

	<b>Possibility of significant effects (alone) in view of the conservation objectives of the site* Yes</b>
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**Step 4 Conclude if the proposed development could result in likely significant effects on a European site**

Based on the information provided in the screening report and Natura Impact Statement, application documents including drawings and drainage design, site visit and a review of the conservation objectives and supporting documents, I consider that in the absence of mitigation measures beyond best practice construction methods, the proposed development has the potential to result significant effects on the 3no. European sites as follows:

- Slaney River Valley SAC
- Wexford Harbour and Slobbs SPA, and
- The Raven SPA.

Impacts relate to surface water contamination, disturbance of mobile species and loss of feeding grounds.

An appropriate assessment is required on the basis of the possible effects of the project 'alone'. Further assessment in-combination with other plans and projects is not required at screening stage.

**Screening Determination**

**Significant effects cannot be excluded**

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that it is not possible to exclude that the proposed development alone [or in combination with other plans and projects] will give rise to significant effects on 3 European Site(s) in view of the sites conservation objectives. Appropriate Assessment is required.

This determination is based on:

- The proposed surface water discharges to a stream with associated downstream hydraulic connectivity to 3no. European sites, disturbance of mobile species and loss of feeding grounds.
- The qualifying interests and conservation objectives of those 3no. European sites.
- The proximity of those sites to the subject site.

**Appropriate Assessment  
Stage 2**

The requirements of Article 6(3) as related to appropriate assessment of a project under part XAB, sections 177V of the Planning and Development Act 2000 (as amended) are considered fully in this section.

Taking account of the preceding screening determination, the following is an appropriate assessment of the implications of the proposed development of 125no. residential units comprising 103no. dwellings and 22no. apartments, a creche and all associated site development works including attenuation basins, open space, wastewater pumping station, access roads and landscaping in view of the relevant conservation objectives of the Slaney River Valley SAC, Wexford Harbour and Slobs SPA and The Raven SPA, based on scientific information provided by the applicant.

The information relied upon includes the following:

- Natura Impact Statement prepared by Verdé Neo Environmental
- Planning application documents including engineering and landscaping proposals
- NPWS website outlining conservation objectives, site synopsis and statutory instruments for protected sites.
- Water Quality data from the EPA online GIS system

I am satisfied that the information provided is adequate to allow for Appropriate Assessment. I am satisfied that all aspects of the project which could result in significant effects are considered and assessed in the NIS and mitigation measures designed to avoid or reduce any adverse effects on site integrity are included and assessed for effectiveness.

**Submissions/observations**

N/A

**Site 1: Slaney River Valley SAC (000781)**

**Summary of Key issues that could give rise to adverse effects (from screening stage):**

- (i) Water quality degradation (construction and operation)
- (ii) Disturbance of mobile species

See Paragraph 6.11 of NIS

Qualifying Interest features likely to be affected	Conservation Objectives	Potential adverse effects	Mitigation measures (summary)
<ul style="list-style-type: none"> <li>• Estuaries</li> <li>• Mudflats and sandflats not covered by seawater at low tide</li> <li>• Atlantic salt meadows</li> </ul>	Maintain / restore favourable conservation condition	<p>Water quality degradation and/or alteration of habitat quality would undermine conservation objectives.</p> <p>Loss of commuting range could undermine otter conservation</p>	Best practice pollution control and biosecurity measures including maintaining a buffer from watercourses.

<ul style="list-style-type: none"> <li>• Mediterranean salt meadows</li> <li>• Annual vegetation of drift lines</li> <li>• Sea Lamprey</li> <li>• Twaite Shad</li> <li>• Salmon</li> <li>• Otter</li> <li>• Harbour Seal</li> </ul>		<p>objectives however the presence of other more suitable habitat within the SAC and wider area means adverse impacts are not likely.</p>	<p>Application of industry standard controls including provision of a silt fence, appropriate timing of works, dust suppression</p> <p>Implementation of the CEMP</p> <p>Cover excavations or provide a means of escape for otter and carry out pre-commencement surveys.</p>
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The above table is based on the documentation and information provided on the file and I am satisfied that the submitted NIS has identified the relevant attributes and targets of the Qualifying Interests.

**Site 2: Wexford Harbour and Slobs SPA (004076)**

**Summary of Key issues that could give rise to adverse effects (from screening stage):**

- (i) Water quality degradation (construction and operation)
- (ii) Disturbance of mobile species
- (iii) Feeding Grounds

See Paragraph 6.40 of NIS

Qualifying Interest features likely to be affected	Conservation Objectives	Potential adverse effects	Mitigation measures (summary)  NIS SECTION 7
<ul style="list-style-type: none"> <li>• Little Grebe</li> <li>• Great Crested Grebe</li> <li>• Cormorant</li> <li>• Grey Heron</li> <li>• Bewick's Swan</li> <li>• Whooper Swan</li> <li>• Light-bellied Brent Goose</li> <li>• Shelduck</li> <li>• Wigeon</li> <li>• Teal</li> <li>• Mallard</li> </ul>	<p>Maintain favourable conservation condition</p>	<p>No QI species were identified on the site during the surveys in May 2024.</p> <p>Greenland White-fronted Geese, Lesser Black-headed Gulls, Black-headed Gulls, Whooper Swan, Bewick's Swan, Golden Plover, Lapwing, and Light-bellied Brent goose do forage on arable land having regard to its use as tillage</p>	<p>Pre-commencement wintering bird surveys and phased construction works to minimise disturbance.</p> <p>Best practice pollution control and biosecurity measures including maintaining a buffer from watercourses.</p>

<ul style="list-style-type: none"> <li>• Pintail</li> <li>• Scaup</li> <li>• Goldeneye</li> <li>• Red-breasted Merganser</li> <li>• Hen Harrier</li> <li>• Coot</li> <li>• Oystercatcher</li> <li>• Golden Plover</li> <li>• Grey Plover</li> <li>• Lapwing</li> <li>• Knot</li> <li>• Sanderling</li> <li>• Dunlin</li> <li>• Black-tailed Godwit</li> <li>• Bar-tailed Godwit</li> <li>• Curlew</li> <li>• Redshank</li> <li>• Black-headed Gull</li> <li>• Lesser Black-backed Gull</li> <li>• Little Tern</li> <li>• Greenland White-fronted Goose</li> <li>• Wetland and Waterbirds</li> </ul>		<p>ground, its semi-urban character, and the availability of similar sites or more preferable feeding grounds in the area closer to the core SPA, it is not considered likely that the loss of the site for feeding grounds would result in significant impacts.</p> <p>Given the level of suitable habitat within the wider landscape it is not considered likely that noise and disturbance would cause significant impacts.</p> <p>Water quality degradation and/or alteration of habitat quality would undermine conservation objectives.</p>	<p>Application of industry standard controls including provision of a silt fence, appropriate timing of works, dust suppression</p> <p>Implementation of the CEMP</p>
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The above table is based on the documentation and information provided on the file and I am satisfied that the submitted NIS has identified the relevant attributes and targets of the Qualifying Interests.

**Site 3: The Raven SPA (004019)**

**Summary of Key issues that could give rise to adverse effects (from screening stage):**

- (i) Water quality degradation (construction and operation)
- (ii) Disturbance of mobile species
- (iii) Feeding Grounds

**See paragraph 6.62 of NIS**

Qualifying Interest features likely to be affected	Conservation Objectives	Potential adverse effects	Mitigation measures (summary)
			NIS SECTION 7

<ul style="list-style-type: none"> <li>• Red-throated Diver</li> <li>• Cormorant</li> <li>• Common Scoter</li> <li>• Grey Plover</li> <li>• Sanderling</li> <li>• Greenland White-fronted Goose</li> <li>• Wetland and Waterbirds</li> </ul>	<p>Maintain favourable conservation condition</p>	<p>No QI species were identified on the site during the surveys in May 2024.</p> <p>Greenland white-fronted geese do forage on arable land however having regard to the site's use as tillage ground, its semi-urban character, and the availability of similar sites or more preferable feeding grounds in the area closer to the core SPA, it is not considered likely that the loss of the site for feeding grounds would result in significant impacts particularly given the location of the site just outside the general core foraging range of the geese.</p> <p>Water quality degradation and/or alteration of habitat quality could undermine conservation objectives but this is unlikely given the marine buffer and significant dilution likely to occur.</p>	<p>Pre-commencement wintering bird surveys and phased construction works to minimise disturbance.</p> <p>Best practice pollution control and biosecurity measures including maintaining a buffer from watercourses.</p> <p>Application of industry standard controls including provision of a silt fence, appropriate timing of works, dust suppression</p> <p>Implementation of the CEMP</p>
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The above table is based on the documentation and information provided on the file and I am satisfied that the submitted NIS has identified the relevant attributes and targets of the Qualifying Interests.

**Assessment of issues that could give rise to adverse effects view of conservation objectives**

**Water quality and status**

The following surface, ground, transitional and coastal water bodies are situated between and around the site and the affected European sites.

Water quality of the Coolree Stream was classified as having a moderate status in the 2019-2024 reporting period while its WFD status is under review. The Lower Slaney Estuary is assigned a poor status and is considered to be at risk of failing to meet the WFD objectives. Wexford Harbour has a moderate status and is also at risk. The southwestern Irish Sea has a good status and is not at risk. Castlebridge north groundwater body similarly has a good status and is not at risk.

**Water quality degradation in SACs**

Good quality water is necessary to maintain the populations of the Annex I habitats and Annex II animal species listed. Water quality degradation is the main risk from unmanaged site works where silt and pollutant laden surface water reaches the estuary and harbour. Decrease in water quality would compromise conservation objectives for Annex 1 habitats and Annex II species listed and increase sedimentation and pollution could alter habitat quality for spawning or nursery grounds.

**Water quality degradation in SPAs**

Good quality water is necessary to maintain the populations of the Annex I species listed. Water quality degradation is the main risk from unmanaged site works where silt and pollutant laden surface water reaches the estuary and harbour. Decrease in water quality would compromise conservation objectives for Annex 1 species listed and increased sedimentation and pollution could alter habitat quality for feeding and nesting grounds.

**Loss of Foraging Grounds**

Ecological surveys undertaken in May 2024 at the site showed no signs of birds listed as Qis. No wintering waterbird surveys were undertaken. The site comprises suitable foraging grounds and is situated within the foraging range for some species associated with the Wexford Harbour and Slobs SPA. It is also situated slightly outside the foraging range for species associated with The Raven SPA. Having regard however to the availability of more suitable and preferential feeding grounds closer to both SPAs it is not likely that loss of the site as feeding grounds would significantly impact the populations of relevant bird species.

**Mitigation measures and conditions**

Please refer to Section 7 of the NIS for a full list of detailed mitigation measures.

The focus of mitigation measures proposed are at preventing ingress of pollutants and silt into surface water, receiving watercourses and wetlands. This is to be achieved via design (avoidance) application of specific mitigation measures as well as recommendations to prepare a CEMP. It is also recommended that excavations are covered or a means of escape is provided to reduce trapping risks to otter while pre-commencement surveys for otter and wintering birds are also recommended.

**In-combination effects**

Plans and projects that could act in combination with the proposed development are detailed and assessed however the NIS does not include all plans and projects. It omitted to consider a permitted proposal for 99no.dwellings (ref 20241132/ABP-321942-25) situated 700m northeast of the site as well as a more recent amendment (ref 20250980W) to add a further 6no. dwellings to that development. More recently an application was lodged and a notification to grant permission issued for 98no. dwellings on a site 740m northeast of the subject site (20250486). The larger of those 3no. applications both had a NIS which no likely significant effects would occur following implementation of the recommended mitigation. The smaller proposal for 6no. dwellings was an amendment to one of the previous proposals subject to Stage 2 AA. The Case Planner's report in this instance concluded in respect of AA that the characteristics and nature of

the proposed development do not give rise to new issues already included in the submission and assessment of the previous NIS.

Having regard therefore to the nature and characteristics of those proposals, their location and relationship to the site and the mitigation measures set out in both NIS, I conclude that in-combination effects are not likely to occur.

### **Findings and conclusions**

The applicant determined that following the implementation of mitigation measures the construction and operation of the proposed development alone, **or in combination with other plans and projects**, will not adversely affect the integrity of this European site.

Based on the information provided, I am / not satisfied that adverse effects arising from aspects of the proposed development can be excluded for the European sites considered in the appropriate Assessment. No direct impacts are predicted. Temporary indirect impacts are addressed with suitable mitigation measures described to prevent ingress of silt laden surface water. Permanent indirect effects including the loss of commuting habitat for otter and the loss of feeding grounds for wintering birds are not considered significant impacts due to the separation from the site to the core SPA in both cases as well as the availability of more suitable foraging grounds in closer proximity to the SPAs. Monitoring measures are also proposed to ensure compliance and effective management of measures. I am satisfied that the mitigation measures proposed to prevent adverse effects have been assessed as effective and can be implemented.

### **Reasonable scientific doubt**

I am satisfied that no reasonable scientific doubt remains as to the absence of adverse effects.

### **Site Integrity**

The proposed development will not affect the attainment of the Conservation objectives of the 3no. European Sites including the Slaney River Valley SAC, Wexford Harbour and Slobs SPA and The Raven SPA. Adverse effects on site integrity can be excluded and no reasonable scientific doubt remains as to the absence of such effects.

### **Appropriate Assessment Conclusion: Integrity Test**

In screening the need for Appropriate Assessment, it was determined that the proposed development could result in significant effects on the Slaney River Valley SAC, Wexford Harbour and Slobs SPA and The Raven SPA in view of the conservation objectives of those sites and that Appropriate Assessment under the provisions of S177U was required.

Following an examination, analysis and evaluation of the NIS all associated material submitted, I consider that adverse effects on site integrity of the Slaney River Valley SAC, Wexford Harbour and Slobs SPA and The Raven SPA can be excluded in view of the conservation objectives of these sites and that no reasonable scientific doubt remains as to the absence of such effects.

My conclusion is based on the following:

- Detailed assessment of construction and operational impacts.
- The conservation interest features considered in the AA.
- The characteristics of the site and its separation from European sites.
- The proposed development will not affect the attainment of conservation objectives for the European sites or prevent or delay the restoration of favourable conservation condition.
- Effectiveness of mitigation measures proposed including implementation of a CEMP and specification of suitable planning conditions to require implementation of mitigation.



## Appendix 3: Water Framework Directive Screening

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
<b>An Bord Pleanála ref. no.</b>	<b>323192-25</b>	<b>Townland, address</b>	Coolcots, Wexford, Co. Wexford
<b>Description of project</b>		125no. residential units comprising 103no. dwellings and 22no. apartments, a creche and all associated site development works including attenuation basins, open space, wastewater pumping station, access roads and landscaping. A ten year permission is sought.	
<b>Brief site description, relevant to WFD Screening,</b>		<p>The 3.84ha site is situated on agricultural land under tillage is situated at the northwest of Wexford town and drains to the public network which in turn discharges to the Coolree stream. Soils are classified as well drained on the national soils hydrology map with stony till subsoils.</p> <p>The stream, at its closest, is culverted under the R769 regional road, 60m west of the site. It flows north towards the Slaney and enters the estuary 1.3km north of the site. The estuary flows southeast and enters Wexford harbour and subsequently the southwest Irish Sea.</p>	

	The underlying bedrock aquifer is classified as poor and generally unproductive except for local zones. The majority of the site is classified as having a high vulnerability with some extreme vulnerability in the southeast.
<b>Proposed surface water details</b>	Site investigations indicated the site has poor infiltration and therefore is not suitable for soakways. Surface water will be collected and attenuated in a series of basins/ponds and underground tanks which will then discharge to the public network at existing greenfield rates.
<b>Proposed water supply source &amp; available capacity</b>	Uisce Eireann mains water connection
<b>Proposed wastewater treatment system &amp; available capacity, other issues</b>	Proposed Uisce Eireann Wastewater connection. A Confirmation of Feasibility was submitted with the application.  The Annual Environmental Report for the Wexford Town Wastewater Treatment Plant and its associated discharge licence (D0030-02) was received by the EPA on 16 <sup>th</sup> July 2025 and noted that the WWTP is operating within capacity and in compliance with the ELVs specified in the discharge licence.
<b>Step 2: Identification of relevant water bodies and Step 3: S-P-R connection</b>	

Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)
River Waterbody	70m	Coolree Stream_10 IE_SE_12C130100	Moderate	Under review	No pressures identified	Surface water discharge
Transitional Waterbody	1.3km downstream	Lower Slaney Estuary IE_SE_040_0200	Poor	At risk	Agriculture and urban wastewater	Surface water discharge
Coastal Waterbody	8km downstream	Wexford Harbour IE_SE_040_0000	Moderate	At Risk	No pressures identified	Surface water discharge
Coastal Waterbody	10km downstream	Southwestern Irish Sea	Good	Not at risk	No pressures identified	Surface water discharge

			IE_SE_010_0000				
Groundwater waterbody	Underlying site	Castlebridge North IE_SE_G_031	Good	Not at risk	No pressures identified	Free draining soil conditions.	
<b>Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.</b>							
<b>CONSTRUCTION PHASE</b>							
No.	Component	Water body receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	<b>Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.</b>

1.	Surface	Coolree Stream_10 IE_SE_12C130100	Existing and proposed surface water discharge	Siltation, pH (Concrete), hydrocarbon spillages	Standard construction practice CEMP	No	Screened out
2.	Surface	Lower Slaney Estuary IE_SE_040_0200	Existing and proposed surface water discharge	As above	As above	No	Screened out
3.	Surface	Wexford Harbour IE_SE_040_0000	Existing and proposed surface water discharge	As above	As above	No	Screened out
4.	Surface	Southwestern Irish Sea IE_SE_010_0000	Existing and proposed surface water discharge	As above	As above	No	Screened out
5.	Ground	Castlebridge North IE_SE_G_031	Existing and limited/reduced discharge to ground	As above	As above	No	Screened out
<b>OPERATIONAL PHASE</b>							
1.	Surface	Coolree Stream_10 IE_SE_12C130100	Surface water discharge to Coolree stream	Hydrocarbon spillage and siltation	Hydrocarbon interceptors and general	No	Screened out

					maintenance of surface water system		
2.	Surface	Lower Slaney Estuary IE_SE_040_0200	As above.  Treated wastewater from the Wexford Town WWTP will discharge to the Lower Slaney Estuary.	As above	As above	No	Screened out
3.	Surface	Wexford Harbour IE_SE_040_0000	As above	As above	As above	No	Screened out
4.	Surface	Southwestern Irish Sea IE_SE_010_0000	As above	As above	As above	No	Screened out
5.	Ground	Castlebridge North IE_SE_G_031	As above	As above	As above	No	Screened out
<b>DECOMMISSIONING PHASE</b>							

5.	N/A						
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**STAGE 2: ASSESSMENT**

**Details of Mitigation Required to Comply with WFD Objectives**

**Surface Water**

<b>Development/Activity</b>	<b><u>Objective</u></b>	<b><u>Objective 2: Surface</u></b>	<b><u>Objective 3: Surface</u></b>	<b><u>Objective 4:</u></b>	<b>Does this</b>
e.g. culvert, bridge, other crossing, diversion, outfall, etc	<b><u>1:Surface Water</u></b> <b>Prevent deterioration of the status of all bodies of surface water</b>	<b><u>Water</u></b> <b>Protect, enhance and restore all bodies of surface water with aim of achieving good status</b>	<b><u>Water</u></b> <b>Protect and enhance all artificial and heavily modified bodies of water with aim of achieving good ecological potential and good surface water chemical status</b>	<b><u>Surface Water</u></b> <b>Progressively reduce pollution from priority substances and cease or phase out emission, discharges and losses of</b>	<b>component comply with WFD Objectives 1, 2, 3 &amp; 4? (if answer is no, a development cannot proceed without a</b>

				priority substances	derogation under art. 4.7)
	Describe mitigation required to meet objective 1:	Describe mitigation required to meet objective 2:	Describe mitigation required to meet objective 3:	Describe mitigation required to meet objective 4:	
Construction Works	Site specific construction mitigation methods described in the CEMP e.g. fuelling areas, material handling and storage procedures, dust suppression, weather appropriate activities, pollution prevention plan, sediment control	Site specific construction mitigation methods described in the CEMP e.g. fuelling areas, material handling and storage procedures, dust suppression, weather appropriate activities, pollution prevention plan, sediment control including	N/A		Yes

	including settlement tanks, silt fences and silt traps.	settlement tanks, silt fences and silt traps.			
Stormwater Drainage	Adequately designed and constructed drainage features including attenuation basins and tanks etc. Implementation of appropriate maintenance.	Adequately designed and constructed drainage features including attenuation basins and tanks etc. Implementation of appropriate maintenance	N/A	N/A	Yes
Wastewater	Wastewater will be pumped to the Wexford Town WWTP which has adequate capacity and is operating within the ELVS of	Wastewater will be pumped to the Wexford Town WWTP which has adequate capacity and is operating		Wastewater will be pumped to the Wexford Town WWTP which has adequate capacity and is	

	its discharge licence.	within the ELVS of its discharge licence		operating within the ELVS of its discharge licence	
<b>Details of Mitigation Required to Comply with WFD Objectives</b>					
<b>Groundwater</b>					
<b>Development/Activity</b> e.g. abstraction, outfall, etc.	<b><u>Objective 1: Groundwater</u></b> Prevent or limit the input of pollutants into groundwater and to prevent the deterioration of the status of all bodies of groundwater	<b><u>Objective 2: Groundwater</u></b> Protect, enhance and restore all bodies of groundwater, ensure a balance between abstraction and recharge, with the aim of achieving good status*	<b><u>Objective 3: Groundwater</u></b> Reverse any significant and sustained upward trend in the concentration of any pollutant resulting from the impact of human activity	<b>Does this component comply with WFD Objectives 1, 2, 3 &amp; 4? (if answer is no, a development cannot proceed without a derogation under art. 4.7)</b>	

	Describe mitigation required to meet objective 1:	Describe mitigation required to meet objective 2:	Describe mitigation required to meet objective 3:	
Construction Works	Site specific construction mitigation methods described in the CEMP e.g. fuelling areas, material handling and storage procedures, dust suppression, weather appropriate activities, pollution prevention plan, sediment control including settlement tanks, silt fences and silt traps.	Site specific construction mitigation methods described in the CEMP e.g. fuelling areas, material handling and storage procedures, dust suppression, weather appropriate activities, pollution prevention plan, sediment control including settlement tanks, silt fences and silt traps.	N/A	N/A

Stormwater Drainage	Adequately designed and constructed drainage features including attenuation basins and tanks etc. Implementation of appropriate maintenance.	Adequately designed and constructed drainage features including attenuation basins and tanks etc. Implementation of appropriate maintenance	N/A	N/A
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