



An
Coimisiún
Pleanála

Inspector's Report ACP-323466-25

Development	Construction of a house and retention permission for mobile home on site.
Location	Killannaduff, Kilmuckridge, Gorey, Co. Wexford.
Planning Authority	Wexford County Council
Planning Authority Reg. Ref.	20250724
Applicant(s)	Jordan Redmond.
Type of Application	Permission and retention.
Planning Authority Decision	Refuse
Type of Appeal	First Party
Appellant(s)	Jordan Redmond.
Observer(s)	None.
Date of Site Inspection	13/11/25.
Inspector	Hugh O'Neill

1.0 Site Location and Description

- 1.1. The 0.63Ha triangular site is located c. 3 km North West of Kilmuckridge and c.2km west of Morriscastle Beach on a generally straight section of the R472.
- 1.2. The road side boundary of the site is defined by a hedgerow containing a large number of semi mature trees and a small drain which contained water at the time of my site visit.
- 1.3. There was an area of stone hardstanding and a mobile home on the site. I could not see any evidence of connections to waste water treatment facilities, power or water from the mobile home.
- 1.4. Ground conditions were very wet underfoot at the time of my site visit which was during a period of wet weather.

2.0 Proposed Development

- 2.1. Retention of existing 35 sqm mobile home for use for 2 years as temporary accommodation during construction.
- 2.2. Retention of residential access from the R742 which will require removal of c. 60 linear meters of hedgerow/trees with trimming back of hedge beyond in order to achieve entrance safe sightlines as required.
- 2.3. Construction of a 4 bed, 237 sqm bungalow with a 6m ridge height.
- 2.4. Construction of a 48 sqm domestic garage.
- 2.5. Sinking of a private well.
- 2.6. Onsite waste water treatment.
- 2.7. In addition to the application form, maps and drawings the application was supported by the following documents and reports:
 - Cover letter from Jordan Redmond dated 04/06/25 to which the following is appended
 - Map setting out location of site relative to family members
 - Copies of correspondence to the applicant at current and former address

- Cover letter from DJ Fitzpatrick consulting engineers dated 04/06/25
- EPA site assessment for Wastewater treatment by WJG Consultants dated 18/10/22

3.0 Planning Authority Decision

3.1. Decision

The planning authority decided to refuse permission on 13/06/25 for 3 reasons as follows:

- 1. Having regard to the Rural Housing Policy as set out under Section 4.9.1, and Table 4- 6 of the Wexford County Development Plan 2022-2028 relating to this Coastal Zone Policy Area, the applicant has failed to demonstrate compliance with the Rural Housing Policy. Based on the documentary evidence provided in support of the application, the applicant would appear to be resident outside of the required 3 km of this Coastal Zone and is not currently engaged in a full time capacity in agriculture and therefore does not comply with the Rural Housing Policy as set out in Table 4-6 relating to Coastal Zones. The proposed development would therefore be at variance with this Coastal Zone Policy and would be contrary to the proper planning and sustainable development of the area. Access onto the R742 where speed limit exceeds 60kmh contrary to development plan objective, endangering public safety by reason of traffic hazard.*
- 2. The proposed development for a new dwelling with direct access onto a Class 2 (R742) Regional Road is contrary to Objective TS74, which seeks to prevent new, or the material intensification of, existing access points to Class 2 regional roads where a speed limit of greater than 60 kmh applies. The need for the development at that location has not been clearly established. The proposed development is therefore contrary to this policy and would endanger public safety by reason of traffic hazard because it would give rise to an unacceptable increase in traffic turning movements to and from a fast section of a heavily trafficked regional road. The proposed is considered contrary to the proper planning and sustainable development of this area.*

3. *The creation of a private well is proposed. It is noted there is public mains along the R742. The applicant has not provided an explanation or justification for the proposed well and to explain why a connection here to public mains is not feasible. It is the policy of the Council as expressed in the Wexford County Development Plan 2022-2028 (Objective WS07) 'To require new developments to connect to public water supplies for drinking water where services are adequate or where they will be provided in the near future'. A submission of a copy of Confirmation of Feasibility correspondence from Irish Water with regard to connection to existing public mains has not been supplied. Therefore, the development is considered contrary to Objective WS07 and to the proper planning and sustainable development of the area.*

3.2. Planning Authority Reports

3.2.1. Planning Reports

The planning report notes that there is no active enforcement and no pre-planning consultation was undertaken.

The report notes that the applicant has failed to address the reasons for refusal of each of the previous 3 applications which primarily relate to non-compliance with the rural housing policy and concludes that the current proposal is non-compliant with the rural housing policy.

Report dated 30/07/2025 set out analysis of the proposal under the following headings:

- Proposal principle and rural housing policy
- Design Layout and Materials
- Temporary Mobile Home
- Site size
- Landscaping/Biodiversity
- Access
- Domestic garage
- Water supply

- Onsite wastewater treatment
- Drainage
- Flood risk.

3.2.2. Other Technical Reports

- Senior executive scientist (environmental) report recommends a grant of permission subject to 10 conditions. Including that the borehole be located where indicated on the submitted plans.

3.3. Prescribed Bodies

No report on file.

3.4. Third Party Observations

No report on file.

4.0 Planning History

4.1. **20240536** Jordan Redmond. Permission for house and retention of temporary mobile home refused for 2 reasons summarised as follows:

- Non compliant with Coastal Zone Rural Housing Policy.
- Contrary to policy restricting new access to class 2 Regional Roads

4.2. **20230976** Jordan Redmond. Permission to erect a single storey dwelling with services domestic garage and ancillary works. Refused for 2 reasons as per above.

4.3. **20221379** Jordan Redmond. Permission for house. Refused for 4 reasons as per above with additional reasons summarised as follows:

- Inadequate information regarding onsite waste water treatment
- Landscape impact of 2 storey house.

5.0 Policy Context

5.1. Wexford County Development Plan 2022-2028

Volume 1

4.9 Housing in the Open Countryside

4.9.1 Single (one off) Rural Housing context.

The Council will continue to support sustainable rural settlement in accordance with the National Planning Framework, the RSES and the Sustainable Rural Housing-Guidelines for Planning Authorities (DEHLG, 2005) and any future updates of those guidelines.

There are landscape and heritage areas within the county which need to be afforded a high level of protection including Coastal and Distinctive Landscapes. There are strict local need requirements in these areas.

There are also restrictions relating to one-off housing along national and regional roads.

In order to be considered for a single dwelling in the open countryside, an applicant must meet one of the following categories:

A. A person who has a demonstrable **social functional need** to reside in a particular rural area (except for Structurally Weak Rural Areas)

Or

B. A person who has a demonstrable **economic functional need** to reside in a particular rural area (except for Structurally Weak Rural Areas)

Table 4.6 sets out the Criteria for One-Off Rural Housing; the following is an extract relevant to the subject case with emphasis added.

Rural Area Type Area	Category A	Category B
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	Housing for persons who have a demonstrable social functional rural housing need to live in a particular rural area and who are building a permanent home for their own use.	Housing for persons who have a demonstrable economic functional rural housing need to live in a particular rural area and who are building a permanent home for their own use.
Strong Urban Influence	A person who has lived full-time in a principal residence for a minimum of 7 years (not necessarily concurrently and at any time in their life) in that local rural area and the site is within 7km radius of where the applicant has lived or is living and who has never owned a rural house. (See Point 4 in Definitions and Notes regarding owning a rural house). The dwelling must be the person's permanent place of residence. The person can work from home or commute to work daily.	Persons who by the nature of their work have a functional need to reside permanently in the rural area close to their place of work. Functional economic need must be related to a rural resource based activity such as fulltime agriculture or horticulture and the nature of the activity or business must require the person to live at on or in close proximity to the business . Similar part-time occupations can also be considered where it can be demonstrated that it is the predominant occupation. The applicant must be able to provide documentary evidence that the employment is full-time or predominant employment when part-time. The applicant must be able to demonstrate that the landholding is such to support a viable enterprise.
Coastal Zone	A person who has lived full-time in a principal residence within the Coastal Zone for a minimum period of 10 years (not necessarily concurrently and at any time in their life) and the subject site is within 3km radius of where the applicant has lived or is living and who has never owned a rural house. (See Point 4 in Definitions and Notes regarding owning a rural	Such persons shall be defined as persons who by the nature of their work have an overriding economic functional need to reside permanently in the specific Coastal Zone area and do not have access to appropriate land outside that area. Such circumstances will normally apply to land or business owners involved in full-time farming, horticulture, marine or tourism (not

	house). The person can work from home or commute to work daily.	including B&Bs) related activities and where the business requires them to be located on the premises/holding. The applicant must be able to provide documentary evidence that the employment is full-time. The applicant must be able to demonstrate that the landholding is such to support a viable enterprise.
Coastal landscape units	A person who has lived full-time in a principal residence within that particular landscape or heritage area for a minimum period of 10 years (not necessarily concurrently and at any time in their life) and the subject site is within 3km radius of where the applicant has lived or is living and who has never owned a rural house.	Such persons shall be defined as persons who by the nature of their work have an overriding economic functional need to reside permanently in the specific Landscape and Heritage Area and do not have access to appropriate land outside that area. Such circumstances will normally apply to land or business owners involved in full-time farming, horticulture, marine or tourism (not including B&Bs) related activities and where the business requires them to be located on the premises/ holding. The applicant must be able to provide documentary evidence that the employment is full-time. The applicant must be able to demonstrate that the landholding is such to support a viable enterprise.

Table 4-6 Definition and Notes:

Note 1: In the event of two or more rural policy areas overlapping, the more restrictive policy will apply.

Note 5: In determining whether an applicant has an overriding need to live at the particular location the Council will consider whether the applicant has a

demonstrable economic need in accordance with the criteria set out in Table 4-6 for the Coastal Zone and the Landscape and Heritage Areas e.g. full-time farming. In determining whether the applicant has an overriding social need to reside at that particular location, the Council will consider long-term landownership and exceptional health circumstances as outlined in Point 6. In both cases (either overriding social or economic need), the applicant must demonstrate that the need for a dwelling cannot be accommodated elsewhere and the development must comply with Points 7 and 8 relating to access to national and regional roads.

Note 8. Planning applications for individual rural housing with access to a regional road within any of the rural area types or landscape and heritage areas will be considered on a case-by-case basis in accordance with the criteria set out in Objective TS73 in Chapter 8 Transportation Strategy.

Objective SH39 To consider individual rural housing in the open countryside in accordance with the categories and associated criteria set out in Table 4-6 and subject to compliance with normal planning and environmental criteria and the relevant development management standards.

Objective SH40 To strictly control individual rural housing in the open countryside in areas that are reaching their carrying capacity in terms of effluent treatment capacity, visual amenity and/or roads carrying capacity in accordance with the requirements set out in Table 4.6 and the associated definitions and notes and subject to compliance with normal planning and environmental criteria and the relevant development management standards.

4.9.7 Individual Mobile Homes for use as a Permanent Residence.

Objective SH52 To not permit the use of individual mobile homes as permanent residences. The Council may, in the following exceptional circumstances, allow the use of a mobile home to:

- (a) Provide temporary emergency accommodation where no other suitable options are available and as confirmed by the Council, or
- (b) A temporary planning permission of no more than 2 years for the placement and occupation of a mobile home on a site where a permitted dwelling house is under construction for occupation by the same applicant.

Chapter 8 Transportation Strategy

Table 8-11 categorises the R742 Wexford – Kilmuckridge – Courtown – Gorey as a Class 2 regional road to which Objectives TS74 sets out stricter control over the formation of new and the intensification of existing access points. Objective TS75 and Development Management Manual Policy 6.6 sets out the other criteria to be addressed in the assessment of applications, including the provision of sightlines.

Objective TS74 To prevent new, or the material intensification of, existing access points to Class 2 regional roads where a speed limit of greater than 60 kmh applies (see Table 8-11 Regional Roads), except where a need for the development at that location has been clearly established and there is no suitable alternative access possible from a local road.

These planning applications shall also be assessed having regard to Objective TS75. This objective also applies where access to the regional road is proposed via an existing private lane.

Objective TS79 Where works are required to achieve sightlines at a vehicular access, the following criteria must be complied with:

- The necessary works to achieve the required sightlines must be indicated within the site edged red submitted with the planning application.
- No construction of the dwelling shall take place until the sightlines are in place.

Chapter 9 infrastructure

9.5 Water Supply

Objective WS07 To require new developments to connect to public water supplies for drinking water where services are adequate or where they will be provided in the near future.

Chapter 11 Landscape and Green Infrastructure

Table 11.1 assigns a high sensitivity rating to the Coastal Landscape Unit. Limited ability to absorb new development is also referenced.

Objective L09 To seek to minimise the individual and cumulative adverse visual impacts that rural housing may have on Upland, River Valley, Coastal and Distinctive Landscape Character Units. In this regard, in locations where the Council considers

that there is a risk of individual or cumulative adverse impacts, the Council will only consider proposals for housing developments where a need for the dwelling has been demonstrated in accordance with the criteria contained in Table 4-6 in Chapter 4 Sustainable Housing in Volume 1 Written Statement.

12.4 Coastal Zone Management Spatial Strategy

The Plan contains two maps which relate to the coastal area and they each have a different application:

- Map 3 Coastal Zone in Volume 1 Written Statement shows the Coastal Zone and it is read in conjunction with Chapter 4 Sustainable Housing in so far as it relates to rural housing.
- Map 7.1 Landscape Character Units in Volume 7 Landscape Character Assessment shows the Coastal Landscape Unit, and it is read in conjunction with the policies and objectives of Chapter 4 Sustainable Housing, Chapter 11 Landscape and Green Infrastructure and Volume 7 Landscape Character Assessment.

12.8 Development outside of Existing settlements in the Coastal Zone

Objective CZM84 To consider one-off housing in areas outside of the boundaries of settlements in the coastal zone in accordance with the rural housing objectives in Chapter 4 Sustainable Housing and subject to compliance with normal planning and environmental criteria.

Volume 2 Development Management

3.1 Single Dwellings in Rural Areas

3.1.2 Standards for single dwellings in rural areas.

New vehicular entrances in rural areas should be designed to be discreet and attractive and easily assimilated in their rural setting in accordance with Section 2.8.1.

Table 3.3 set out site/house/biodiversity area sizes.

6.2.6 Siting and Design of Access/Egress points

It shall be demonstrated, using the principles of Sustainable Drainage Systems, that the proposed new/intensified access/egress point would not result in surface water

being brought onto the public road and that existing roadside drainage would not be adversely affected.

It shall be demonstrated that the formation of the access/egress point and its required sightline arrangements would not result in the undue loss of mature trees, or built features such as stone walls and piers, where such natural or built features contribute significantly to the amenity and character of the area.

Volume 7 Landscape Character

3.0 Landscape Character Assessment – Coastal

The coastal landscape character unit is described as having a high sensitivity rating and limited capacity to absorb new development. Objective LO6 state that where a development will have a negative impact on the Coastal Character unit that an overriding need for the development is demonstrated.

The capacity of an area to visually absorb development is also influenced by a combination of the following factors:-

1. Topography - development in elevated areas will usually be visible over a wide area; development in enclosed areas will not.
2. Vegetation - areas which support (or which have the potential to support) trees, tall hedges and woody vegetation can screen new development from view. Areas which cannot easily sustain such vegetation will be unlikely to screen new development.
3. Development - New development is less likely to be conspicuous in the context of existing development in the landscape.

Objective L06 To ensure that, where a development will have a negative impact in the Upland, River Valley, Coastal, or Distinctive Landscape Character Unit, an overriding need is demonstrated for that particular development and ensure that careful consideration is given to site selection. The development should be appropriate in scale and be sited, designed and landscaped in a manner which minimises potential adverse impacts on the subject landscape.

Objective L08 To seek to minimise the individual and cumulative adverse visual impacts that rural housing may have on Upland, River Valley, Coastal and Distinctive Landscape Character Units. In this regard, in locations where the Council considers

that there is a risk of individual or cumulative adverse impacts, the Council will only consider proposals for housing developments where a need for the dwelling has been demonstrated in accordance with the criteria contained in Table No. 4-2 [sic] in Chapter 4 Sustainable Housing, Volume Written Statement.

The R472 from which the application site is accessed forms the western boundary of the coastal landscape unit as set out on map 7.1 in Volume 7 of the Development Plan.

5.2. Natural Heritage Designations

- Proposed Natural Heritage Areas: Ballyteige Marsh 1.7km to south east of site
- Cahore Marshes SPA c. 1.5 to east of site.
- Seas off Wexford SPA c. 2.3km south east of site.
- Kilmuckridge-Tinnaberna Sandhills SAC c. 3km south of site.
- Proposed Natural Heritage Areas: Kilmuckridge-Tinnaberna Sandhills c. 3km south of site.

6.0 EIA Screening

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

7.0 The Appeal

7.1. Grounds of Appeal

The appellant (first party) has submitted supporting material previously submitted in support of the application. The grounds of appeal are structured following and

responding to the reasons for refusal, my summary of the grounds of appeal follows the same format:

7.2. Reason for refusal No. 1, rural housing policy.

- The appellant states he was born and reared in the family home at Tomnamuck, Ballygarrett, Gorey. Y25 AK77 which is where he lived up to 2023 and currently lives on the subject site.
- Both areas are rural areas under strong urban influence as per table 4.6 of CDP
- Compliant with Rural Housing Policy RHP criteria as site is within 7 km of location of previous residence for 24 years
- Both proposed site and family home are on the edge of the coastal area.
- Immediate and extended family live in the local area.
- The 2 rural area designations overlap and compliance is demonstrated with criteria for 1 of these as set out in 4.6 of CDP.
- The grounds appeal for flexibility for reasons of,
 - site at edge of designation,
 - housing need,
 - living on the application site for 2 years,
 - precedent for flexibility in reg ref : 20211974,
 - part of the area for last 26 years.
- Sites within 3km of family home are limited due to the small number of roads to north and south within 3km of family home. Combined with ground conditions in coastal area mean viable sites are not available.

7.3. Reason for refusal 2 entrance onto regional road

- The entrance is existing.
- No intensification will occur as currently in use as residential entrance.
- Sightlines achievable, grant recommended by roads section in previous application ref: 20240536.

- Precedent for intensification of entrance to R742 in application ref: 20230098

7.4. Reason for refusal 3 seeking well in location where mains are available

- Oversight in the preparation of the application. An application has now been made to Uisce Eireann to confirm feasibility.
- In housing crisis sinking of a well where mains is available is not an appropriate reason for refusal.

7.5. Planning Authority Response

None on file.

8.0 Assessment

Having reviewed the details and appeal documentation on the file, the submissions made, having inspected the site, and having regard to relevant local and national policy and guidance, I conclude that the main issues are the following:

- The Principle of the Proposed Development / Rural Housing Policy, reason 1.
- Entrance to the R742, reason 2.
- Private well, reason 3.
- Landscape and visual impact.
- Onsite waste water treatment.
- Retention of Mobile Home

8.1. Rural Housing policy, reason for refusal 1

8.2. CDP Policy is to restrict development of rural housing in accordance with NPO 19 of the NPF (NPO 28 first review) which requires a distinction to be made between areas and to provide for development of rural housing *based on the core consideration of demonstrable economic or social need to live in a rural area and siting and design criteria.*

- 8.3. The application site is as shown on Map 1 (Rural Area Types) Volume 1 of the Wexford Development plan 2022 -2028 (CDP) as a Rural Area under strong urban influence.
- 8.4. The application site is also shown by Map 7.1 of Volume 7 of the CDP to be located in the Coastal Landscape Character Unit and on Map 3 of Volume 1 to be located in the Coastal Zone.
- 8.5. Table 4.6 of the CDP requires, that in **areas under strong urban influence** the application site is to be located within a 7km radius of a location within the rural area where the applicant has lived a minimum of 7 years **or** where there is a functional need to reside close to their place of work which is a rural resource based activity.
- 8.6. In Coastal landscape character areas and Coastal Zones table 4.6 requires the application site to be located within a 3km radius of a location within the Coastal zone/landscape unit for a minimum of 10 years.
- 8.7. Note 1 of table 4-6 states that where two or more rural housing policy areas overlap the more restrictive policy will apply.
- 8.8. As the Coastal Zone and Coastal Landscape Unit policy is identical and more restrictive than that of the area under strong urban influence this is the appropriate policy.
- 8.9. To be considered for a single dwelling in the Coastal Zone and Coastal Landscape Unit, an applicant must meet one of 2 categories, social or economic.
- 8.10. To demonstrate compliance with the category B (economic) the applicant is required to demonstrate that by the nature of their work and the nature of the rural resource based activity/business that they have an overriding economic functional need to live at on or in close proximity to the business.
- 8.11. No evidence has been submitted to support the case that the applicant's resin bound finish business is a rural resource based activity. No case has been made that the nature of the business gives rise to a need for the applicant to live at on or in close proximity to the business or at this location, nor on the basis of the material submitted do I consider such a case could be made. For this reason, I consider that the applicant does not comply with Category B (Economic) of the rural housing policy under any of the applicable Rural Area Types described in table 4.6.

- 8.12. To demonstrate compliance with Category A the applicant is required to first demonstrate that he has lived in the Coastal Zone/Landscape unit for a period of 10 years. I accept that the applicant has demonstrated this by reason of the location of the family home at Tomnamuck.
- 8.13. The application site is required to be within a 3km radius of where the applicant has lived or is living.
- 8.14. The grounds of appeal request flexibility on application of the 3km radius requirement on the basis that there are no sites available to the applicant that qualify and the location of the subject site is at the edge of the rural area type. Exceptional circumstances which could be considered are provided for in notes 4, 5 and 6 of table 4.6. I note that no case in that regard or otherwise to justify flexibility has been set out at application or at appeal stage. The selection of the subject road as the boundary for the rural area type is reasonable and consistent with good practice. I consider the appeal for flexibility due to being on the edge of the designated area does not form a basis upon which flexibility could be applied in the manner sought. .
- 8.15. A precedent case in the area (20211974) where flexibility was afforded by the Planning Authority in application of the 3km radius is referenced the grounds of appeal. I have reviewed the consideration of the planning authority in the referenced case and note the application pre-dates the current development plan. I also note the consideration by the Planning Authority of exceptional health circumstances in that application. I do not consider the referenced case gives rise to any considerations relevant to the subject appeal.
- 8.16. The applicant makes the case and seeks to demonstrate by receipt of post to the mobile home that he has been living on the application site and for that reason is living within the 3km radius as required by policy.
- 8.17. The unauthorised status of the mobile home as demonstrated by the application for its retention undermines any case that a local housing need has been established by the applicant. I do not consider the case that the applicant complies with the requirement of being resident within 3km of the application site by virtue of the unauthorised mobile home to form the basis of a case for compliance with the rural housing policy.

- 8.18. In conclusion I consider that at application and appeal stage the applicant has failed to demonstrate compliance with the rural housing policy which applies to the location of the application.
- 8.19. **Entrance onto R742, reason 2.**
- 8.20. The grounds of appeal state that the entrance to the public road is an existing entrance and that no intensification will occur as it is currently in use as a residential entrance.
- 8.21. The longstanding existence of an established double gated agricultural entrance to the subject site is evident from online resources. The continued use of the entrance for agriculture is not the subject of the application or the appeal.
- 8.22. The alteration of and/or change of use of the entrance from agricultural to residential is a material change and is the subject of the appeal. The use of the entrance to access the mobile home for which retention is sought confers no planning status on the existing entrance / use thereof, and forms no basis for the justification of permitting its use as such. The planning application for a new residential use includes consideration of the creation of a new residential entrance.
- 8.23. The Wexford County Development Plan seeks to protect the efficient and safe operation of the regional road by resisting the proliferation of new entrances. The location of the proposed residential entrance is designated in Table 8-11 as a class 2 regional road to which Objective TS74 therefore applies.
- 8.24. Objective TS74 seeks to prevent new entrances except where a need for the development at that location has been clearly established. Taking account of failure of the applicant to establish compliance with the Rural Housing policy as set out above no such exceptions can be made in the subject case. I therefore agree with the Planning Authority that the proposal is contrary to TS74.
- 8.25. The grounds of appeal refer to a precedent case re: 20230098 where a new entrance was permitted onto a laneway which in turn accessed the Class 2 R742. I note that the proposal included works to improve the sightlines at the junction utilised by a number of houses accessed from the subject lane. In addition the applicant in that instance was determined to have complied with the Rural Housing Policy and as such had established a need, and therefore compliant with Objective TS74. I

consider this case not to give rise to any considerations for An Coimisiún relative to the subject appeal.

- 8.26. I note the contention of the applicant that appropriate (safe) sightlines for the proposed residential use of the site can be achieved by means of removal of c.60m of mature hedgerow and trees. Objective TS79 requires such sightlines to be contained within the red line boundary, which is not the case in the subject application. The extent of hedgerow removal would be likely to result in an unacceptable landscape and biodiversity impact, contrary to 3.1.2 of volume 2. No accommodation has been made in the entrance design for the roadside drainage evident during my site inspection. An Coimisiún will note that as the principle of the entrance is unacceptable these matters are considered not to merit further consideration.
- 8.27. In conclusion I concur with refusal reason no. 2 of the Planning Authority that the creation of a new residential entrance to the subject site would be contrary to Objective TS74.
- 8.28. **Private well in an area with Mains water, reason 3.**
- 8.29. The appellant makes the case that the application for a well was an oversight in the design of the proposal and considers the matter could have been resolved by way of a further information request or a condition requiring connection.
- 8.30. I agree with the appellant on this point. Having regard to the submissions and the substantive reasons for refusal reasons set out above, notwithstanding the fact that the proposal is contrary to WS07, I consider the inclusion of this reason for refusal unnecessary in this case I therefore do not propose inclusion of a reason for refusal relating to the proposed well as was the case in the PA decision to refuse.
- 8.31. **Landscape and visual impact.**
- 8.32. The reduction in height from the 2 storey house proposed in planning ref: 20221379 to the single storey house now proposed addressed the concerns of the Planning Authority to the extent that subsequent applications did not include the landscape impact as a reason for refusal.

- 8.33. The Wexford County Development Plan (CDP) assigns a high quality status, vulnerability and protection to the Coastal Landscape. Objective LO9 in Chapter 11 Volume 1 of the CDP seeks to minimise the individual and cumulative adverse visual impact of rural housing by only considering applications for rural housing in the Coastal Area which comply with the rural housing policy.
- 8.34. In the event of permission being granted the removal of the front boundary for the achievement of sightlines would result in the most significant landscape impact arising from the subject proposal.
- 8.35. I consider the design of the house to be such that the landscape impact of the house on its own would be at the lower end of magnitude of impact. However, the proposed siting of the house relative to the entrance and particularly due to the extent of removal of the front roadside boundary would significantly exacerbate the impact of the house alone and in combination with the landscape impact of the roadside boundary removal.
- 8.36. Setting aside space for new enhanced biodiverse boundaries is positive and could contribute to mitigation of the landscape impact. However, insufficient detail has been provided in the application regarding the proposed boundary treatment to adequately assess the potential mitigation.
- 8.37. An Coimisiún will note that as the principle of the development generally and of the entrance is unacceptable I consider these matters do not merit further consideration.
- 8.38. **Onsite waste water treatment.**
- 8.39. I have reviewed the site characterisation and proposal for an onsite wastewater treatment system (WWTS) and the reporting of the Planning Authority thereof which recommended a grant of permission.
- 8.40. The submitted Site Suitability Assessment Report prepared by WJG consultants notes the aquifer type is Locally Important (LI) with low groundwater vulnerability and a ground water protection response of R1. The depth to bedrock and water table was noted in the site characterisation at a depth greater than 2.1 m as the trial hole depth was 2.1m. The sub-surface percolation test result using standard methods was noted to be 207. Although less than 210 the sub surface characterisation proceeded to step 5 (modified method) the result of which was found to be 70. The surface test

result was reported as 215 at step 3, and 59.99 at step 5. Based on these results, the designer proposed a Tertiary treatment system and 150sqm infiltration area be installed, laid on suitable imported material at a pipe invert of 800mm BLG with a gravel bed invert of 1000mm BLG.

8.41. The proposal is consistent with EPA Code of Practice for Domestic Wastewater Treatment Systems (Population Equivalent less than or equal to 10) 2021 including Table 6.2 (Minimum Separation Distances), Table 6.3 (Minimum Unsaturated soil and/or subsoil requirements) and with Table 6.4 (Percolation) Values. I am therefore satisfied that the proposed WWTS would accord with the EPA Code. However, An Coimisiún will note that as the principle of the development is unacceptable this matter does not merit further consideration.

8.42. **Retention of Mobile Home**

8.43. The retention of the mobile home for the period of the construction of the house is implied in the application description. The non-compliance with the rural housing policy is established above. However, for the avoidance of doubt I will now consider the retention of the mobile home as an element of the application.

8.44. The applicant has not demonstrated compliance with the rural housing policy and for that reason the placing and use of the mobile home on the subject is contrary to the policy of the Wexford Development plan as set out above.

8.45. The placing of the mobile home on the subject site has an adverse impact on the character of a landscape unit which it is an objective of the Wexford County Development Plan to preserve and as such is contrary to the policy of the Wexford Development plan 2022-2028 including objective L09 and for that reason contrary to the proper planning and sustainable development of the area.

8.46. The placing of a mobile home on the subject site has the effect of changing and intensifying the use of the established agricultural entrance. It has been demonstrated in the materials submitted with the planning application that the minimum prescribed sightlines are not available at this entrance. The intensified use of the entrance thereby creates an intensified traffic hazard as well as negatively impacting on the efficient operation of an important piece of public infrastructure. The retention of the mobile home would for that reason be contrary to the objectives of

the development plan as set out above and the proper planning and sustainable development of the area.

- 8.47. The placing and retention of a mobile home on the subject site without the benefit of a means of treating waste water creates a risk of environmental pollution and a risk to human health and as such is contrary to the proper planning and sustainable development of the area.
- 8.48. The placing and retention of a mobile home on the subject site on its own and by the precedent it would set serves to undermine the operation of a plan led approach to development and is for that reason contrary to the proper planning and sustainable development of the area.
- 8.49. In conclusion for these reasons and for the purpose of clarity I consider that retention of the mobile home should be refused in its own right as set out below.

9.0 AA Screening

I have considered the proposal to construct a one off house with on site wastewater treatment, new residential entrance and garage in light of the requirements S177U of the Planning and Development Act 2000 as amended.

The subject site is currently in use as a residential property, without services, in an undeveloped area located

- c. 1.5 to west of Cahore Marshes SPA [004143](#)
- c. 2.3 km west of Seas off Wexford SPA [004237](#).
- c. 3km North of Kilmuckridge-Tinnaberna Sandhills SAC [001741](#)

The proposed development comprises the construction of a new one-off rural house with entrance from R742 and an on-site waste water treatment system.

No nature conservation concerns were raised in the planning appeal.

Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.

The reason for this conclusion is as follows:

- The small scale and nature of the development.
- The site specific assessment and design of the waste water treatment proposal.
- The location of the site and its distance from nearest European site
- Lack of identified historical or current active hydrological connections.

I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.

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

10.0 WFD screening

I have concluded, 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 (refer to form in Appendix 2 for details).

11.0 Recommendation

I recommend permission be **Refused**, for the reasons and consideration below.

12.0 Reasons and Considerations

1. Having regard to the Rural Housing Policy as set out under Section 4.9.1, Table 4- 6 and Objective SH39 of Volume 1 of the Wexford County Development Plan 2022-2028 as relates to the Coastal Zone, and Coastal Landscape Character Unit within which the subject site is located, the applicant has failed to demonstrate compliance with the Rural Housing Policy. Based on the documentary evidence provided in support of the application, the application site is outside of the required 3 km radius from the property in which the applicant was a long-term resident and therefore fails to meet

category A, social functional need. The applicant has not demonstrated an overriding economic functional need to reside permanently in the Coastal Zone and therefore does not meet category B requirements set out in Table 4-6 relating to Coastal Zones and Coastal Landscape Character Unit. The proposed development would therefore be at variance with this Coastal Zone and Coastal Landscape Character Unit Policy and would be contrary to the proper planning and sustainable development of the area.

2. The proposed development for a new dwelling with direct access onto a Class 2 (R742) Regional Road is contrary to Objective TS74, which seeks to prevent new, or the material intensification of, existing access points to Class 2 regional roads where a speed limit of greater than 60 kmh applies. The need for the development at that location has not been clearly established. The proposed development is therefore contrary to this policy and would impact on the efficient and safe use of the Regional Road as a result of increased turning movements. The proposed is considered contrary to the proper planning and sustainable development of this area.
3. The retention of the mobile home would be contrary to the policies and objectives of the Wexford County Development Plan 2022-2028, would set a poor precedent and serve to undermine plan led development of the area. The retention of the mobile home without access to wastewater treatment would cause serious water pollution and would be prejudicial to human health. The retention of the mobile home would result in the ongoing intensified use of an entrance without adequate and safe sightlines, would endanger public safety by reason traffic hazard and would by itself and by the precedent it would set, adversely affect the use of a regional road. The retention of the mobile home would lead to the establishment of a new residential use in contravention of the Rural Housing Policy as set out under Section 4.9.1 of Volume 1 of the Wexford County Development Plan 2022-2028.

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 me, directly or indirectly, following

my professional assessment and recommendation set out in my report in an improper or inappropriate way.

Hugh O'Neill
Planning Inspector

28 January 2026

Appendix 1
Form 1 - EIA Pre-Screening

Case Reference	323466
Proposed Development Summary	One off house
Development Address	Killannaduff, Kilmuckridge, Gorey, Co. Wexford
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1.	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	State the Class and state the relevant threshold
<input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.	Class 10 b) (i) of Part 2: Construction of more than 500 dwelling units. Proposal for 1 house only
4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes <input type="checkbox"/>	

No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)
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Form 2 - EIA Preliminary Examination

Case Reference	323466
Proposed Development Summary	Permission for one off house onsite WWTS garage and entrance
Development Address	Killannaduff, Kilmuckridge, Gorey, Co. Wexford
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development	One off house, on site WTTS with garage and entrance from regional road requiring removal of c.65 linear meters of mature hedgerow containing trees.
Location of development	<p>There is a shallow roadside drain, 2 existing boundaries comprising hedgerow, with a third boundary proposed to be planted up as hedgerow.</p> <p>The site is 2km from the coast in a Coastal landscape character area, 1.7km from Ballyteige Marsh, 1.5km from Cahore Marsh SPA however the site has no hydrological connections. Seas off Wexford SPA 2.3 km to east and Kilmuckridge – Tinnaberna sandhills SAC c.3km to the south.</p> <p>SMR record WX022-009, the location of a cross now in the county museum is recorded in the field to the opposite side of the road.</p> <p>I have identified no ecological, archaeological or architectural sensitivities.</p>
Types and characteristics of potential impacts	Having regard to the relatively small scale nature of the proposed development, its location removed from sensitive habitats/features, the likely limited magnitude and spatial extent of effects, and the absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.

Appendix 2

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Bord Pleanála ref. no.	323466	Townland, address	Killannaduff, Kilmuckridge, Gorey, Co. Wexford
Description of project	Permission for one off house onsite WWTS garage and entrance		
Brief site description, relevant to WFD Screening,	<p>Soil on the site is generally poorly drained there is a shallow roadside drain to the boundary with the site and a drain to the opposite side is evident on modern mapping.</p> <p>The site is 2km from the coast in a Coastal landscape character area, 1.7km from Ballyteige Marsh, 1.5km from Cahore Marsh SPA.</p> <p>The site has no hydrological connections mapped by the EPA, or on historical mapping. It is however reasonable to assume that the subject site and wider are drain to the east.</p>		
Proposed surface water details	Soakaways are proposed for disposal of surface water to ground.		
Proposed water supply source & available capacity	Although the application includes a proposed well there is a public main in the road to which the site is accessed, in the event of residential development		

		being permitted on the subject site a connection to this main would be required as a result of Development Plan Policy.				
Proposed wastewater treatment system & available capacity, other issues		The application includes an onsite waste water treatment plant. A site characterisation and a design complaint with the EPA Code of Practice for Domestic Wastewater Treatment Systems (Population Equivalent less than or equal to 10) 2021 was submitted.				
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection						
Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)
River Waterbody	500	LITTER_MO RE_010 IE_SE_11L01 0400	Moderate	At risk	None identified	Overground flows, no mapped evidence of connectivity to water bodies.
River Waterbody	600	IE_SE_11C0 20150 CAHORE CANAL_010	Moderate	At risk	Nutrients, organic, ag and DWTS	Overground flows, no mapped evidence of connectivity to water bodies.

Groundwater Waterbody		Underlying site	IE_SE_G_02 5 Cahore Point	Good	At risk	DWTS, Ag	Drainage to groundwater
Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.							
CONSTRUCTION PHASE							
No.	Component	Waterbody receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.
1.	Surface	LITTER_MOR E_010 IE_SE_11L01 0400	Overground flows to drainage ditches	Siltation, pH (Concrete), hydrocarbon spillages	Standard construction practice	no	Screened out
2	Surface	IE_SE_11C02 0150 CAHORE CANAL_010	Overground flows to drainage ditches	Siltation, pH (Concrete), hydrocarbon spillages	Standard construction practice	no	Screened out

3	Ground	IE_SE_G_025 Cahore Point	Pathway exists but poor soil drainage characteristics	spillages	As above	No	Screened out
OPERATIONAL PHASE							
4.	Surface	LITTER_MOR E_010 IE_SE_11L01 0400	Overground flows	Hydrocarbon spillage	Attenuation of surface water and discharge via soakaways	No	Screened out
5	Surface	IE_SE_11C02 0150 CAHORE CANAL_010	Overground flows	Hydrocarbon spillage	Attenuation of surface water and discharge via soakaways	No	Screened out
6	Ground	IE_SE_G_025 Cahore Point	Pathway exists but poor drainage characteristics	Failure of design or operation of Waste water treatment system	Site specific design for wwts	No	Screened out
DECOMMISSIONING PHASE							
7.	NA						
STAGE 2: ASSESSMENT							

Details of Mitigation Required to Comply with WFD Objectives – Template					
Surface Water					
Development/Activity e.g. culvert, bridge, other crossing, diversion, outfall, etc	<u>Objective 1:Surface Water</u>	<u>Objective 2:Surface Water</u>	<u>Objective 3:Surface Water</u>	<u>Objective 4: Surface Water</u>	Does this component comply with WFD Objectives 1, 2, 3 & 4? (if answer is no, a development cannot proceed without a derogation under art. 4.7)
	Prevent deterioration of the status of all bodies of surface water	Protect, enhance and restore all bodies of surface water with aim of achieving good status	Protect and enhance all artificial and heavily modified bodies of water with aim of achieving good ecological potential and good surface water chemical status	Progressively reduce pollution from priority substances and cease or phase out emission, discharges and losses of priority substances	
	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	Standard construction methods	Standard construction methods	NA	NA	YES
Stormwater drainage	Adequately designed soakaways	Adequately designed soakaways	NA	NA	YES
Details of Mitigation Required to Comply with WFD Objectives – Template					
Groundwater					
Development/Activity e.g. abstraction, outfall, etc.	<u>Objective 1: Groundwater</u>	<u>Objective 2 : Groundwater</u>	<u>Objective 3:Groundwater</u>	Does this component comply with WFD	

	Prevent or limit the input of pollutants into groundwater and to prevent the deterioration of the status of all bodies of groundwater	Protect, enhance and restore all bodies of groundwater, ensure a balance between abstraction and recharge, with the aim of achieving good status*	Reverse any significant and sustained upward trend in the concentration of any pollutant resulting from the impact of human activity	Objectives 1, 2, 3 & 4? (if answer is no, a development cannot proceed without a 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:	
On site waste water treatment	Site specific design of WWTS	N/A	N/A	Yes
Disposal of surface water to groundwater	Site specific design of soakaways	N/A	N/A	Yes