



An
Coimisiún
Pleanála

Inspector's Report PL-500200-WX

Development	Permission to extend, renovate and convert existing garage to a house with associated site works
Location	Chapel Lane, Newtownbarry, Bunclody, Co. Wexford.
Planning Authority	Wexford County Council
Planning Authority Reg. Ref.	20250224
Applicant(s)	Ultan Cowman
Type of Application	Permission
Planning Authority Decision	Grant Permission + Conditions
Type of Appeal	Third Party Normal Planning Appeal
Appellant(s)	Eamon Cowman
Observer(s)	
Date of Site Inspection	7 th of January 2026
Inspector	Caryn Coogan

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1.0 Site Location and Description

- 1.1. The subject site is located in the centre of Bunclody town, Co. Wexford along Chapel Lane. Chapel Lane is a narrow cobbled locked street connecting Irish Street with Ryland Road. It forms part of the old town centre street formation. The architectural features of the streetscape in the locally are very strong and traditional. Stone faced facades with red brick pointing are an architectural feature of the streets and laneways in the vicinity of the site.
- 1.2. The subject site, 0.01Ha, includes a single storey garage along the front elevation (northern) on Chapel Lane. Immediately west is another garage of similar scale. The unit has a stone façade and a slate pitched roof, (Photo Plate 3).
- 1.3. To the immediate east of the site along Chapel Lane, is a two-story dwelling. There is a pedestrian pathway between the subject site and the adjoining dwelling to the east. The subject site has a building line approximately 0.8m forward of the adjoining dwelling. There is a residential development on the opposite side of Chapel Lane to the subject site. (Photo plate 4)
- 1.4. At the rear of the structure there is a yard area which is enclosed by a 2metre wall. The site backs onto a residential property which is perpendicular to the properties on Chapel Lane. The site adjoins a large surfaced area which serves a coal shed, a taxi and bus business(owned by an Eamon Cowman) and a dwelling house, plus the rear access to the town hall on Irish Street., see Photo plates 8 and 12. There is a right of way across this yard area to the rear of the subject site.
- 1.5. The Town Hall (St. Aidens) is located on Irish Street and backs onto the yard area associated with the bus and taxi business.

2.0 Proposed Development

- 2.1. The proposed development is to extend, renovate and convert an existing garage into a fully serviced dwelling with associated site works. The gross floor area of the existing structure is 40sq.m. The gross floor area of the proposed works is 99sq.m.
- 2.2. The existing natural stone façade onto Chapel Lane will be maintained. This will form the main entrance to the dwelling. The units will be extended to the rear providing 3No. bedrooms and a private amenity area.

2.3. The planning authority requested further information on the 10th of March 2025 based on the Roads Design report requiring a Construction Management Plan and details of the legal right of way over proposed access routes. These details were submitted to the satisfaction of the planning authority on the 26th of September 2025.

3.0 Planning Authority Decision

3.1. Decision

Wexford County Council decided to grant planning permission for the proposed development on the 22nd of October 2025. There were 10 planning conditions, which are standard planning conditions.

2. The dwelling shall be used as a permanent residence only.

3 and 4. Development Contribution payable of €1092.41

5. Roads and footpaths

6. Water supply, effluent

7. To be carried out in accordance with the Construction Management Plan.

8. Services

9. Waste

10. Site development works.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The planning report stated the proposed development met with the provisions of the current development plan. The First Report recommended further information based on the requirements of the Roads Design Section. Following an assessment of the further information, a recommendation to grant planning permission was forwarded.

3.2.2. Other Technical Reports

- Roads: The applicant should submit a detailed Construction Management Plan and provide a legal right of way over proposed construction access route. The applicant submitted the information on the 26/09/2025, the Roads Department recommended a grant of permission.
- Heritage Officer: No objections.

3.3. Prescribed Bodies

Uisce Eireann has no objections to the proposal.

The Commission referred the case to Department of Housing, Local Government and Heritage. The following is a summary of the response received.

Architectural Heritage

The Department notes that the proposed development involves the conversion of an existing garage into a single residential unit which is located within an Architectural Conservation Area. The application does not propose any significant changes to the front elevation with the exception of the replacement of a garage door with glazing and the insertion of two rooflights, and provides for the construction of a single storey extension to the rear.

The relevant policies and objectives set out in Chapter 13 of Wexford County Development Plan, 2022-2028 are as follows:

Objective ACA 01

Objective ACA 03

Objective ACA 04

Objective ACA 05

Objective ACA 06

This Department has no objection to the proposed development and is satisfied it will not negatively impact on the Architectural Conservation Area. It is however recommended that in the event of a grant of permission the two conditions are attached.

3.4. Third Party Observations

There was one third party objection to the proposed development citing concern regarding:

- Negative impact on neighbouring properties
- The right of way is only 2.8m and the turn into the site is narrow
- Parking provision

4.0 Planning History

There is no relevant planning history.

5.0 Policy Context

5.1. Development Plan

The relevant plan is the Wexford County Development Plan 2022-2028

Volume 3 Section 1: Bunclody Town Settlement Plan

Site is zoned **Town Centre** – *To provide for an attractive vibrant town centre which maximises the use of lands and encourages a mix of residential, retail, commercial and civic uses.*

Residential is permitted in principle.

The site is located within an Architectural Conservation Area.

1.4.5 Urban Design and Public Realm Strategy

It is the objective of the Council:

Objective B2 To seek to formally adopt the proposed Architectural Conservation Area as mapped in Figure B-2 and detailed in Volume 6 Architectural Conservation Areas.

Objective B3 To focus on the rejuvenation of Bunclody and improvements to the visual appearance and public realm to create a welcoming environment.

Objective B4 To protect and promote the sense of place, its culture and the quality, character and distinctiveness of this important landscape that makes Bunclody such an attractive place to live in, work in and visit.

Objective B5 To consolidate the existing built environment in a manner that enhances the setting and character of the area.

Objective B6 To ensure that all new developments employ a high standard of urban design, layout and finish and require sensitive and high quality architectural design for infill and brownfield developments in the town centre. The design and layout of any new development should be respectful of the area's context, streetscape and setting (including the status as a ACA), should provide for a strong and active street edge and sense of enclosure and should comply with the key principles and design approaches outlined in Volume 1 Chapter 5 Design and Place-making in Towns and Villages.

Objective B7 To require development to be designed having regard to the 'movement' function and 'place' function of the route on which it is located.

Objective B8 To require new developments and their associated streets and spaces to place an emphasis on creating attractive places, facilitating social interaction and provide for connectivity, enclosure, active edge and pedestrian facilities.

5.2. **Natural Heritage Designations**

The subject site is not situated within or directly adjoining a Natura 2000 site.

The subject site is situated c. 500m to the west of the River Slaney (site code SAC 000781).

5.3. **EIA Screening**

The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended. No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Appendix 1 of report.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1 Mr. Eamon Cowman has taken this third-party appeal against the planning authority's decision to grant planning permission for the proposed development. His grounds of appeal are summarised as follows:

- The proposed dwelling is north of his property on Irish Street, Bunclody. The main concern is the proposed access to the site, marked in yellow on the submitted plans. This is a designated right-of-way which is only 2.8metres in width.
- The information submitted with the planning application is not entirely accurate. The declaration insinuates a full and unrestricted use of the right-of-way, yet it fails to acknowledge the physical boundaries and legal outlines of his property, which the right-of-way partly adjoins. This misrepresentation the existing access arrangement.
- The 2.8metre wide route is insufficient and unsafe for vehicular access, especially construction vehicles and heavy goods traffic required during building works. The restricted width offers no safe or practical space for turning or redirecting vehicles, raising serious concerns about obstruction, safety and potential damage to adjoining properties.
- It should be noted the right-of-way should remain unobstructed at all times for Health and Safety reasons, it forms an emergency evacuation route for St. Aidan's town hall.
- The Commission is requested to reassess the adequacy, and legitimacy of the proposed access and to ensure the inaccuracies in the supporting documentation are properly addressed.
- Included with the appeal is an extract from the Safety, Health and Welfare Work Regulations No. 12 relating to Emergency Routes and Exits. In addition, a letter from St. Aidan's states the Community Hall has a right of way via Ellis Street to Irish Street as a fire exit.

- The appellant has submitted a map with his appeal indicating his land ownership, and he appears to own properties to the east and south of the subject site, with the emergency access highlighted.

6.2. Applicant Response

A summary of the relevant issues raised in the applicant's response to the third-party appeal is as follows:

- The site is located within the historic urban core of Bunclody, within the designated Town Centre, and the Bunclody Architectural Conservation Area.
- The proposal involves extending the rear of the existing building to create domestic unit consistent with the adjoining buildings along the Chapel Lane. The front façade retains the stone façade., and a flat roof profile to minimise visual impact on the ACA.
- The access to the dwelling will remain via Chapel Lane. The construction access is proposed from the rear via an established right-of-way, as detailed in the Construction Management Plan. The footprint, height and position of the structure closely follow existing garage, resulting in no significant intensification of the built form or encroachment onto adjoining lands.
- The proposal is in line with national planning policy by regenerating underutilised urban lands. It avoids unnecessary greenfield development and reinforces the consolidation of the town centre.
- The Roads Department initially had concerns regarding the road safety, access and protection of the public realm. These matters were addressed by way of further information. A detailed Construction Management Plan was submitted which provided for, a safe construction access via Irish Street and an established right of way. Avoidance of Chapel Lane during construction period, along with other recommendations. The Roads Department recommended granting permission for the proposal following review of the CMP.
- The Heritage Officer had no objection to the proposed development.

- ***Alleged Interference with Rights of Way/ Access Dispute*** The issues arising from interference with a right of way, historical use and entitlement are not planning issues. Allegations regarding encroachments on right of ways are not planning issues and should not form the basis for refusal. This is repeatedly confirmed by the Commission in a number of cases assessed such as Landsdowne Place (PL29S.246605) and Clery's Quarter (PL29.N. 247847). In relation to the Apple Data Centre (PL07.244053) the Board reaffirmed that landownership or private access claims were not a material planning consideration. The proposed dwelling is accessed via an established entrance on Chapel Lane which remains unaltered by the development. The appellant has provided no statutory right-of-way documentation, no court order and no registered mapping demonstrating that any legal right is being extinguished.
- ***Alleged Obstruction of Emergency Exit/ Health and Safety Claims.*** The appellant cites a number of extracts from the Safety, Health and Welfare at Work Regs 2007, claiming the development obstructs an emergency route associated with St. Aidens Hall. These arguments are not relevant to the assessment of a residential planning application. The quoted legislation applies to workplaces and internal workplace escape routes. It does not apply to external laneways adjoining private residence.

6.3. Planning Authority Response

- A right of way has been established. This is not a sole access but a right of way shared with other users/ adjacent property owners.
- The submitted Construction Management Plan was deemed to be acceptable. It is anticipated there will be disturbance and that such disruption will be temporary with mitigation measures as specified in the construction management plan to be implemented.

7.0 Assessment

8.0 I have considered the appeal file and inspected the site and I will assess the relevant issues arising under the following headings:

- Planning Policy
- Design and Layout
- Access to the site during Construction Phase

8.1. Planning Policy

8.1.1 The relevant development plan is the ***Wexford County Development Plan 2022-2028 Volume 3 Section 1: Bunclody***. Bunclody town is designated as a Level 3(a) Service Settlement in the Core Strategy Settlement Hierarchy. Level 3(a) settlements are important service settlements for their local communities and their wider rural hinterlands. The town boasts quality architecture and heritage which is due to historical estate influence, with local stone facades sourced from quality local materials. The street layout and streetscapes are vernacular. The subject site is located on a cobble locked laneway called Chapel Lane, which connects Irish Street to Ryland Road. There are a number of stone-faced dwellings along the street. The site is a stone-faced garage with a slate roof. It has an enclosed rear yard area. It is proposed to convert and extend the structure for residential use, with three bedrooms and an open plan living area to the rear.

8.1.2 The site is located within Bunclody's Architectural Conservation Area. The proposed development complies with a number of the Core Strategy's for Bunclody. It promotes regeneration and renewal of an old vacant building. The proposed residential development takes place within the existing built-up footprint of the town, the important historic town layout and street pattern is retained in terms of character, fabric, scale, width and alignment under the current proposal.

8.1.3 The subject site is zoned Town Centre. The proposal complies in principle with the core strategy, zoning and conservation provisions of the current development plan.

8.2 Design and Layout

8.2.1 The proposed design retains the main features of the front face of the existing structure in terms of its massing, stone facing, and slate roof. The internal layout extends into a rear yard area which is currently vacant and overgrown. The proposal will create a vibrant, inclusive and adaptable development along Chapel Lane, complying with the essence of the Architectural Conservation Area. In addition, the proposal complies with the planning authority's objectives outlined under section 1.4.5. relating to Urban Design and Public Realm Strategy.

8.2.2 The proposed layout and massing of the extension to the rear will ensure adequate private amenity area to serve the future residents of the unit. In addition, the proposed height, massing and orientation ensures there is no undue loss of light or privacy associated with the contiguous properties arising from the development.

8.3 **Access to the site**

8.3.1 The front and main access to the proposed dwelling will remain as existing, off Chapel Lane. The third-party appellant is concerned about the rear access to the site during the construction phase of the development. He has submitted the drawings do not depict the designated right-of-way accurately on the drawings. He further submits, the proposed development, during construction phase will result in an obstruction due to insufficient vehicular access. It is also submitted that the right-of-way should remain unobstructed at all times for emergency evacuation of the town hall, in the interests of Healthy and Safety.

8.3.2 The access to the site during the construction phase was addressed in detail by the planning authority. The Roads Inspection Report dated 10th of March 2025 requested a detailed Construction Management Plan to address vehicular access for the construction period, the compound location, sequence of works, and details of provisions for the maintenance of safety of vehicles and pedestrians.

8.3.3 The Construction Management Plan was submitted to the P.A. on the 26th September 2025. The proposed development is for the renovation and extension of an existing structure on the site to provide a residential dwelling from a vacant garage and yard area. There is ample space in the rear garden area to store construction materials/ waste. Given that the scale of the development is minor, it will not generate a high volume of HGV traffic. There is a right of way access to the rear of the property off Irish Street, which crosses a yard area, that is principally

owned by the third-party appellant. However, ALL parties of the appeal acknowledge there is a 2.8m wide right of way from Irish Street to the rear of the subject site. The Right of Way legally exists. St. Aidan's community Hall also refers to the right of way to the rear of its premises, which does not reference to fire escapes, as mentioned in the appeal. It is stated in the Construction Management Plan, the larger vehicles such as concrete delivery trucks or plant deliveries will be coordinated and carried out at peak times. All storage of materials will occur within the site boundaries.

8.3.4 The construction deliveries are to the rear of the site. The construction traffic will not interfere with traffic and pedestrian movements along Irish Street or Chapel Lane. I consider the appellants concerns regarding the right of way to be unsubstantiated by any technical evidence or supporting documentation. Furthermore, during my site visit, as the photo plates reveal, the right of way was being obstructed by vehicles which would appear to be associated with the appellant's business and yard area (See photo plates 8 and 13). I note the Roads Department of the P.A. reviewed the Construction Management Plan and it recommended a grant of planning permission. Issues relating to Health and Safety are beyond the remit of the Commission.

8.3.5 The construction works are temporary, and the proposed development is small scale. There are no operational or residential amenity issues arising from the extension and conversion to residential use on the subject site. Given the existence of a right of way to facilitate traffic during the construction works traverses or is contiguous to a third party residential curtilage and commercial business, it is advisable to include Section 34 (13) of the Planning and Development Act, because any issues arising regarding the right of way are beyond the remit of the Commission.

9.0 AA Screening

9.1.1 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 the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on the River Slaney SAC (site code SAC 000781, in view of the conservation objectives of the

site and is therefore excluded from further consideration. Appropriate Assessment is not required.

9.9.2 This determination is based on:

- The relatively minor scale of the development and lack of impact mechanisms that could significantly affect a European Site.
- Distance from and weak indirect connections to the European sites.
- Taking into account screening determination by the planning authority.

9.9.3 See Appendix 2 of this report for Appropriate Assessment Screening Determination. No mitigation measures aimed at avoiding or reducing impacts on European sites were required to be considered in reaching this conclusion.

10.0 **Water Framework Directive**

10.1.1 The subject site is located on Chapel Lane, Bunclody. The proposed development consists of a rear extension and conversion of an existing single storey garage for residential use. No water deterioration concerns were raised in the planning appeal. The River Clody a tributary of the River Slaney runs north of the built-up footprint of Bunclody town. The confluence with the River Slaney occurs approximately 380m north of Chapel Lane, and the River Slaney is also circa 500m east of Chapel Lane. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seeks to protect and, where necessary, restore surface & ground water bodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration.

10.1.2 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. The reason for this conclusion is as follows:

- Nature of works regard the scale;
- Location-distance from nearest Water bodies and/or lack of hydrological connections.

I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

11.0 Recommendation

Having regard to the above, I recommend that permission be granted for the development based on the following reasons and considerations

12.0 Reasons and Considerations

Having regard to the Town Centre zoning of the and the policies and objectives as set out in the Wexford County Development Plan 2022- 2028, the nature and scope of the proposed development and the pattern of development in the area, it is considered that the proposed alterations would be visually harmonious with the surrounding area, would not seriously injure the character or residential amenities of the area and would accord with the proper planning and sustainable development of the area

9.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, and the further information received by the planning authority on 26th of September 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.

Reason: In the interests of clarity

2. Details of the materials, colours and textures of all the external finishes to the proposed dwelling unit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

3. The proposed conversion to a dwelling shall be occupied as a single residential unit only.

Reason: To prevent unauthorised development and to restrict the use of the extension in the interest of the control of development

4. The window to the front elevation of the building shall be of a material dark in colour. Details of the same shall be submitted for the written agreement of the planning authority.

Reason: In the interests of visual amenity

5. No satellite dishes/antenna's or similar utilities shall be erected to the front elevation or to the pitched roof of the existing building unless authorised by a further grant of planning permission.

Reason: In the interests of visual amenity

6. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: To prevent flooding and in the interests of sustainable drainage

7. All necessary measures should be taken by the applicant and contractor to prevent the spillage or deposit of clay, rubble or other debris on the public road network, repair any damage to the public road arising from carrying out works and avoid conflict with between construction activities and pedestrian and vehicular movements on the surrounding public roads. The constructions shall be carried out in accordance with the Construction

Management Plan submitted to the planning authority on the 26th of September 2025.

Reason: In the interest of amenities, public health and safety and environmental protection

8. 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 ACP-323726-25 Inspector's Report Page 23 of 26 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.

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.

Footnote: Section 34 (13) of the Planning and Development Act 2000 (as amended) *'A person shall not be entitled solely by reason of a Permission under this section to carry out any development.'*

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.

Caryn Coogan
Planning Inspector
12th of January 2026

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Coimisiún Pleanála Case Reference	PL 500200-WX		
Proposed Development Summary	To extend, renovate and convert existing garage to a fully serviced dwellinghouse		
Development Address	Chapel Lane, Bunclody. Co. Wexford		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	
		No	X
2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?			
Yes			EIA Mandatory EIAR required
No	X		Proceed to Q.3
3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?			
	Threshold	Comment (if relevant)	Conclusion
No	N/A		No EIAR or Preliminary Examination required
Yes	Class/Threshold.....		Proceed to Q.4

4. Has Schedule 7A information been submitted?

No	X	Preliminary Examination required
Yes		Screening Determination required

Inspector: _____ Date: _____