



An
Coimisiún
Pleanála

Inspector's Report PL-500345-WX-25

Development	Construction of a mixed-use development comprising 98 residential units and a creche facility. A Natura Impact Statement (NIS) has been submitted to the planning authority with the application.
Location	Ballyboggan, Newtown Road, Co. Wexford.
Planning Authority	Wexford County Council
Planning Authority Reg. Ref.	20250486
Applicant(s)	Neville Homes Limited
Type of Application	Permission
Planning Authority Decision	Grant Permission + Conditions
Type of Appeal	Third Party Normal Planning Appeal
Appellant(s)	James & Colette Allen
Observer(s)	None
Date of Site Inspection	26 th February 2026
Inspector	Kathy Tuck

Contents

1.0 Site Location and Description	5
2.0 Proposed Development	5
3.0 Planning Authority Decision	7
3.1. Decision	7
3.2. Planning Authority Reports	8
3.3. Prescribed Bodies	10
3.4. Third Party Observations	11
4.0 Planning History.....	11
5.0 Policy Context.....	14
5.1. National Planning Policy	14
5.2. Section 28 Ministerial Planning Guidelines.	15
5.3. Delivering Homes, Building Communities 2025-2030 : An Action Plan on Housing Supply and Targeting Homelessness.	17
5.4. Climate Action Plan, 2025.....	18
5.5. National Biodiversity Action Plan , 2023.	18
5.6. Regional Planning Policy	19
5.7. Wexford County Development Plan 2022-2028.....	19
5.8. Expired Wexford Town and Environs Development Plan 2009-2015.....	23
5.9. Natural Heritage Designations	23
6.0 EIA Screening.....	24
7.0 The Appeal	24
7.1. Grounds of Appeal	24
7.2. Applicant Response	35

7.3.	Planning Authority Response.....	45
7.4.	Observations.....	Error! Bookmark not defined.
8.0	Assessment.....	46
8.1.	Introduction.....	46
8.2.	Principle of Development.....	47
8.3.	Traffic Issues.....	49
8.4.	Housing Mix.....	52
8.5.	Creche.....	53
8.6.	Character of Area.....	54
8.7.	Landscape Character.....	55
8.8.	Water Supply/Wastewater.....	56
8.9.	Social Infrastructure.....	57
8.10.	Ecology.....	57
8.11.	Other issues.....	59
8.11.1.	Scale of Development.....	59
8.11.2.	EIAR/EIA Screening.....	59
8.11.3.	Surface Water.....	60
8.11.4.	Open space.....	60
8.11.5.	Master Plan and Riparian Zone.....	61
8.11.6.	Insufficient site layout plan.....	61
8.11.7.	Landowner consent.....	61
8.11.8.	Administrative Issues.....	62
9.0	Appropriate Assessment.....	62
9.1.	Stage 1 – Appropriate Assessment Screening.....	62
9.2.	Stage 2 - Appropriate Assessment.....	63
10.0	Water Framework Directive Screening.....	64
11.0	Recommendation.....	65

12.0	Reasons and Considerations.....	65
13.0	Conditions	66
	Appendix 1	73
	Appendix 2	75
	Appendix 3	94
	Appendix 4	103
	Appropriate Assessment Conclusion: Integrity Test.....	108
	Appendix 5	109

1.0 Site Location and Description

- 1.1. The subject site, which has a stated area of 5.28ha, is situated at Ballyboggan, Newtown Road, Wexford, Co. Wexford. Ballyboggan is located on the outskirts of Wexford Town and is bounded to the south by the Newtown Road.
- 1.2. The land has ditches as field boundaries currently with a general drop in ground levels to the north and provides for views to the Slaney estuary. The site is bounded to the west by mostly undeveloped land with a few detached houses which are provided with frontage to the Newtown, and the sites of the Ard na hAbhann and Ard na Sleine housing developments which are currently partly occupied, under construction and subject to some extant permissions.
- 1.3. The site is bounded to the east by more un-developed land and a supermarket situated beyond. The north-eastern boundary is shared with part of the car park which serves Wexford County Council offices.

2.0 Proposed Development

- 2.1. Permission is sought for the provision of 98 no. residential units and a creche facility to be accessed from Newtown Road. The residential units shall comprise of 78 no. houses and 20 no. own-door duplex apartments.
- 2.2. The houses shall consist of a mix of 2-storey detached, semi-detached and terraced dwellings comprising 5 no. 2-bedroom, 45 no. 3-bedroom and 28 no. 4-bedroom units.
- 2.3. The duplex apartments shall be located in buildings of 2 and 3-storeys and shall comprise 14 no. 1-bedroom and 6 no. 2- bedroom units with associated balconies/terraces.
- 2.4. The proposed creche facility will extend to c.459m² with associated outdoor play area and is single storey in nature.
- 2.5. The development shall also include for a new signalised junction on Newtown Road and associated works to the existing road; a link road extending from Newtown Road to the northern site boundary; network of internal access roads, home-zones, footpaths and cycle lanes; car parking (213 no. spaces), bicycle parking, bin storage

and substation; landscaped public open spaces and boundary treatments; temporary construction access route from Newtown Road; drainage infrastructure and all associated site works and services.

2.6. The Planning Authority issued a request for Further Information on the 20th June 2025 which related to the layout of the development of the overall landholding with reference to active travel linkages, detailed design of the access junction with the R769, surface water management, cycle parking and refuse/recycling storage arrangements. The response did not impact on the overall design layout or unit numbers proposed.

2.7. 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
- Archaeological Desktop Assessment
- Tree Survey
- Construction Environmental Management Plan
- Outdoor Lighting Report

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

Site Area (gross)	3.21ha
Number of units	98
Net Density	30.5 units per ha
Car and Bicycle Parking	<p><u>213 car parking paces</u></p> <p>2 spaces per dwellings 3 & 4 Bed – 146 spaces</p> <p>1 space per 2 bed house - 5 spaces</p>

	<p>1 space per apartment – 20 spaces</p> <p>Creche – 22 spaces</p> <p>Visitors – 10 spaces.</p> <p><u>46 cycle spaces</u></p> <p>26 cycle spaces to serve duplex units</p> <p>10 cycle spaces for visitors</p> <p>10 cycle spaces for creche</p> <p>All dwellings have space for cycle storage in rear garden.</p>
Part V	20 no. Dwellings

Table 1: Key Statistics

	1-bed	2-bed	3-bed	4-bed	Total
Houses	0	5	45	28	78
Apartment	14	6			20

Table 2: Unit Breakdown

3.0 Planning Authority Decision

3.1. Decision

Following a request for further information, the Planning Authority issued a decision to grant planning permission subject to 20 no. conditions on the 31st October 2025.

Conditions of note are as follows:

- Condition no. 9:

Financial contribution of the provision or improvement of the public roads in the functional area of the Planning Authority.

- Condition no. 10:

Financial contribution for the provision or improvement of community facilities in the functional area of the Planning Authority.

- Condition no. 11:

Lodge security bond for the satisfactory completion of the proposed development.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The first report of the Planning Officer, dated the 4th November 2025, sets out details of the proposed development, the site location and description, relevant planning history, pre-planning consultation, referrals received, submission/observations received, relevant national, regional and local planning policy, AA screening and assessment of the NIS which accompanied the application and an EIA Screening determination.

The report provided for a detailed and robust assessment of the proposed development and concluded that further information would be required prior to a decision being reached. This included the following:

1. Amended site layout of the proposed site and masterplan of the overall lands and should include proposals for roads and active travel linkages, provision of open space, nature-based surface water management provision of riparian zones, and clear linkages with roads connecting to the development to the west of the site.
2. Amended proposals for the following:
 - a) the detailed design of the access junction with the R769;
 - b) parking spaces, footpaths and cycle routes throughout the site.
3. Amended plan for surface water management including:
 - a. a more advanced nature-based SUDS principles;
 - b. more information on capacity with supporting calculations;

- c. more details regarding proposals for the drainage ditch as referred to on the northern side of the site and the headwall proposed to the Carricklawn stream.

It should be noted that Wexford County Council strongly discourages physical engineering works to existing watercourses including culverting.

4. Submit detailed proposals for cycle parking and refuse/recycling storage arrangements for the proposed duplex apartments.
5. The submitted NIS should be amended as appropriate to reflect proposals submitted in a response to this further information request.

The applicant has submitted a response to the Further Information Request on the 10th September 2025 and comprised of:

1. Revised Proposed Site Plan and proposed Masterplan drawings have been amended to incorporate the revisions to roads and drainage as detailed in Items 2 and 3 of the response. The red line application boundary is amended to reflect the revised access junction with the R769 and to incorporate a proposed road connection to the Ard na Slaine development to the west.

The Masterplan is updated to indicate the 10m riparian zone from the Carricklawn stream. No Phase 1 works are proposed in this zone other than the construction of the surface water drain and headwall. The landscape Report and associated drawings have also been updated and are enclosed with the response.

2. Planning Authority referred to
 - Site Layout Sheet 1 (Drawing No. D2035-MAL-00-XX-DR-C-0200)
 - Site Layout Sheet 2 (Drawing No. D2035-MAL-00-XX-DR-C-0201)
 - Newtown Road Development Access Proposed Signalised Junction (Drawing No. D2035- MAL-00-XX-DR-C-0202)
3. Amended engineering drawings submitted.
4. Please refer to MCORM revised Duplex Block B drawing (Drawing Nos. PL 111), which indicates bin and cycle storage for each unit.
5. Updated NIS submitted.

The second report of the Planning Officer dated the 4th November 2025, notes that the further information is acceptable and addresses all concerns raised. The report recommends that permission be granted in line with the decision issued by the Planning Authority.

3.2.2. Other Technical Reports

- Housing Department – dated 12th May 2025

The report notes:

- Agreement in Principle in place dated 21st March 2025 for the transfer of 20-units on site to Wexford County Council or Approved Housing Body.

- Environment – dated 16th May 2025

Seeking further information - Submit correspondence from Irish Water confirming the feasibility of connection to public mains and public sewer.

- Roads Department – dated the 19th September 2025.

Recommends permission be granted subject to condition.

3.3. Prescribed Bodies

- Department of Housing, Local Government and Heritage – dated 3rd June 2025.

Recommended that permission be granted subject to condition.

- Uisce Eireann – dated 3rd June 2025.

The report notes that the applicant has engaged with Uisce Eireann via a Pre-Connection Enquiry and Uisce Eireann can confirm that a Confirmation of Feasibility CDS23007384 has been issued to the applicant advising that (water/wastewater) connection(s) are feasible.

The report further notes that the applicant has obtained a Confirmation of Feasibility DIV24377 from Uisce Eireann to divert the 300mm cement water main. A diversion agreement is required prior to work commencing.

3.4. Third Party Observations

The Planning Authority received 2 no. submissions which have been summarised in detail within the Planning Officers report. I note that the issues raised are in keeping with that ground of the 3rd party appeal.

A broad summary include:

- Premature pending new local area plan.
- Land previously zoned for commercial/mixed use.
- Density of development not suitable.
- Negative impact on amenities.
- Impact on landscape designated as Coastal in the CDP.
- Site in close proximity to the Slaney River Valley SAC and Wexford Harbour and Slob SPA.
- Creche might not be large enough
- EIAR Screening should have been cognisant of the overall development and other development proposals in the area.

4.0 Planning History

PL26.222678 Permission Granted on Appeal to An bord Pleanála for a mixed-use development of 402 residential units and a neighbourhood centre.

PL 26.128873: Permission refused permission on part of the current appeal site (south-east corner field) for a single storey neighbourhood shopping centre, comprising discount store, 4 no retail units, signage and 143 car parking spaces (file attached to current appeal).

2001 /1570: Permission refused permission on part of the current appeal site (south-east corner field) for erection of a single retail unit with goods delivery, associated car parking, signage, landscaping and site development works with entrance onto Newtown Road for five reasons related to retail policy of the 1993 plan, Retail Planning Guidelines, traffic hazard as a result of lack of right hand turning lane, visual impact, and prejudice to public health.

Lands to the west

ABP-321942-25 Permission GRANTED for Construction of 99 residential units, a childcare facility and all associated site works at Ard na Sláine, Ballyboggan, Wexford

PA Ref 20221586 Permission REFUSED for 74 no. houses and single storey childcare facility together with all associated site works including relocation of ESB sub-station. Reasons for refusal were as follows:

- Unit mix contrary to Section 4.7.5 and objective SH21 of the Wexford County Development Plan 2022-2028.
- Surface Water Management fails to incorporate SuDS contrary to Objective FRM14 of Wexford County Development Plan 2022-2028.
- Location of site contrary to promoting compact growth.
- Inadequate Surface Water Management – proposal would give rise to significant impact on Slaney River Valley SAC and Wexford Harbour SPA.
- Quantum, location and design of open space not int keeping with Wexford County Development Plan 2022-2028.

PA Ref 20211658 Permission REFUSED for 29 no. 2 storey dwellings and all associated works. Reasons for refusal were as follows:

- Layout fails to comply with DMURS.
- Poor quality of public realm and failure to integrate with existing developments.
- Inadequate density – inefficient use of zoned lands.

PA Ref 20181817 Permission GRANTED for 15 no. 2 storey detached houses in lieu of 13 no. houses previously granted under W2010050.

PA Ref 20180774 Permission GRANTED for 5 no. 2 storey house and all site works.

To the south-west

PA Ref 20181148 Permission GRANTED for 57 no. residential units.

PA Ref 20230150 Permission GRANTED for 93 no. residential units.

PA Ref 20230670 Permission GRANTED for a 10-year permission for 34 no. dwelling units.

ABP-323192-25 Permission REFUSED on appeal for a 10 year permission for 103 houses and 20 apartments and creche facility. (PA Ref 20241358). Reason for refusal:

1. Having regard to the Recreation and Open Space Strategic Objectives ROS03, RS005 and RS011 of the Wexford County Development Plan 2022 – 2028 (the CDP) and the hierarchy of public open spaces set out in Table 14.1 of the CDP, the absence of a single suitably sized neighbourhood park is contrary to the requirements set out in the CDP and it is considered that the proposed development would seriously injure the residential amenity of future residents. The proposed development would , therefore, be contrary to the proper planning and sustainable development of the area.
2. The proposed development is considered to be premature and prejudicial to - public health pending an assessment of the full

details of the pumping station's design, capacity, location, security measures and timescales for construction and operation; evidence of the written consent of Uisce Eireann to the pumping station design, capacity, location, security measures and timescales for construction and operation, and its suitability to connect to Uisce Eireann infrastructure. The impacts of the operation of the facility, if found feasible, on the residential amenity of the occupants in the adjacent Block A2 (in particular) will need to be assessed. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

5.0 Policy Context

5.1. National Planning Policy

5.1.1. National Planning Framework – First Revision (April 2025).

A number of overarching national policy objectives (NPOs) are of relevance, targeting future growth within the country's existing urban structure. NPOs for appropriately located and scaled residential growth include:

National Policy Objective 3: Eastern and Midland Region: approximately 470,000 additional people between 2022 and 2040 (c. 690,000 additional people over 2016-2040) i.e. a population of almost 3 million Northern and Western Region: approximately 150,000 additional people between 2022 and 2040 (c. 210,000 additional people over 2016-2040) i.e. a population of just over 1 million; Southern Region: approximately 330,000 additional people over 2022 levels (c. 450,000 additional people over 2016-2040) i.e. a population of just over 2 million.

National Policy Objective 7: Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements and ensure compact and sequential patterns of growth.

National Policy Objective 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.

National Policy Objective 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.

National Policy Objective 12: Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.

National Policy Objective 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.

National Policy Objective 43: Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.

National Policy Objective 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. **Section 28 Ministerial Planning Guidelines.**

The following Section 28 Ministerial Guidelines are considered to be of relevance to the proposed development. For ease of reference, I propose using the abbreviated

references for the titles of certain guidelines, as indicated below (listed chronologically).

- Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024).

Section 3.3.3 provides for a description of large key towns as areas with populations of 5000 people and sets out the key priorities for their growth. Table 3.5 of the guidelines sets out the density ranges for key towns and large towns (suburban/urban extensions) as 30 dph to 50 dph (net) 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).

Development standards for housing are set out in Chapter 5, including:

1. SPPR 1 in relation to separation distances (16 m above ground floor level),
2. SPPR 2 in relation to private open space (2-bed 30 m² ; 3-bed 40 m² ; 4+bed 50 m²),
3. SPPR 3 in relation to car parking (1.5 spaces per dwelling in accessible locations) and
4. SPPR 4 in relation to cycle parking and storage.

Section 4.4 of the Guidelines set out Key Indicators of Quality Design and Placemaking. It considers that achieving quality urban design and creating a sense of place is contingent on the provision of an authentic identity that is specific to the settlement, neighbourhood or site in question. Section 4.4 (V) relates to responsive built form.

Policy and Objective 4.2 states that it is a policy and objective of these Guidelines that the key indicators of quality urban design and placemaking set out in Section 4.4 are applied within statutory development plans and in the consideration of individual planning applications

Policy and Objective 5.1 relates to public open space provision and requires development plans to make provision for not less than 10% of the net site area and not more than a min. of 15% of the net site area save in exceptional

circumstances. Sites with significant heritage or landscape features may require a higher proportion of open space.

- Childcare Facilities, Guidelines for Planning Authorities, 2001 (Childcare Guidelines);
- Sustainable Residential Development in Urban Areas, Guidelines for Planning Authorities, 2009, (Sustainable Residential Development Guidelines) (as accompanied by the Urban Design Manual: A Best Practice Guide, 2009, and Circular NRUP 02/2021 Residential Densities in Towns and Villages, April 2021)

5.3. **Delivering Homes, Building Communities 2025-2030 : An Action Plan on Housing Supply and Targeting Homelessness.**

The Plan is built around two pillars Activating Supply and Supporting People, with four key priorities under each pillar.

Pillar 1 - Activating Supply focuses on activating the supply of 300,000 homes. This will be achieved through activating more land, providing more housing-related infrastructure, securing more development finance for home building, addressing viability challenges particularly those seen in apartment delivery, increasing the adoption of Modern Methods of Construction, increasing the skills in the residential construction sector and working toward ending dereliction and vacancy.

- *Key Priorities*
 - Ensure a strong pipeline of zoned and serviced land is available.
 - Create the conditions to attract the required investment.
 - Increase skills and support the adoption of Modern Methods of Construction in the residential construction sector.

Pillar 2 - Supporting People sets out a series of key actions that work towards ending homelessness, support affordability and address the housing needs of people as they progress through life. In partnership with local authorities, the LDA and AHBs, the Plan will address the needs of the most vulnerable in our communities, make buying and renting homes more affordable and support the development of villages, towns and cities across the country.

- **Key Priorities**

- Focus on ending homelessness, deliver homes for older people and support social inclusion.
- Deliver an average of 12,000 new social homes every year over the lifetime of the Plan.
- Promote affordable homeownership, protect renters and make buying and renting homes more affordable.
- Invest in the built environment of towns, villages and cities across the country to enhance community well-being.

5.4. Climate Action Plan, 2025

The Plan lays out a roadmap of actions which will ultimately lead us to meeting our national climate objective of pursuing and achieving, by no later than the end of the year 2050, the transition to a climate resilient, biodiversity rich, environmentally sustainable and climate neutral economy. It aligns with the legally binding economy-wide carbon budgets and sectoral emissions ceilings that were agreed by Government in July 2022. Climate Action Plan 2025 builds upon last years plan by refining and updating the measures and actions required to deliver the carbon budgets and sectoral emissions ceilings and it should be read in conjunction with Climate Action Plan 2024. The Plan provides a roadmap for taking decisive action to halve Ireland's emissions by 2030 and achieve climate neutrality by no later than 2050, as committed to in the Climate Action and Low Carbon Development (Amendment) Act 2021.

5.5. National Biodiversity Action Plan , 2023.

The Nation Biodiversity Plan sets the national biodiversity agenda for the period 2023-2030 and aims to deliver the transformative changes required to the ways in which we value and protect nature. The aim is to ensure that every citizen, community, business, local authority, semi-state and state agency has an awareness of biodiversity and its importance, and of the implications of its loss, while also understanding how they can act to address the biodiversity emergency as part of a renewed national effort to “act for nature”. The following objectives are of note:

Objective 1: Adopt a Whole of Government, Whole of Society Approach to Biodiversity.

Objective 2 - Meet Urgent Conservation and Restoration Needs.

Objective 3 - Secure Nature's Contribution to People.

Objective 4 - Enhance the Evidence Base for Action on Biodiversity.

Objective 5 - Strengthen Ireland's Contribution to International Biodiversity Initiatives.

5.6. **Regional Planning Policy**

Regional Spatial and Economic Strategy for the Southern Region 2019-2031 (RSES).

The Regional Spatial and Economic Strategy (RSES) for the Southern Region, 2020-2032 identifies Wexford as one of fourteen 'Key Towns' in the region, and one of four in the Mid-West sub region. The strategic framework in the RSES focuses on enhancing the strong network of towns in the region, with targeted population growth of 30% for the Key Towns.

Specifically relating to Wexford, the RSES identifies that the town has significant potential for services and enterprise-based employment growth with an associated demand for residential development.

5.7. **Wexford County Development Plan 2022-2028**

Volume 1 – Written Statement

This Plan sets out the overall strategy for the proper planning and sustainable development of County Wexford for the plan period and beyond. It relates to the whole functional area of Wexford County Council including the areas previously under the jurisdiction of Wexford Borough Council, New Ross Town and Enniscorthy Town. Local Area Plans are to be prepared for these towns.

Chapter 3 - Core Strategy

The Core Strategy seeks for development to provide for Compact growth and liveable sustainable settlements. Table 3-2 notes that Wexford along with Gorey are designated the Level 1 - Key Towns in the County. Section 3.6.1 refers to Wexford Town being designated as Key Town in the RSES.

In order to fulfil its designation as a Key Town in the RSES and in line with RPO 11 and RPO 16, the Development Approach recommends a number of criteria.

- *A set of strategic objectives for the town is set out at the end of this chapter (WT01- WT10). The spatial planning framework for the town will be set out in the new Wexford Town and Environs Local Area Plan.*

Core Strategy Objective CS05 applies to compact development.

Objective CS15 seeks to: *To prepare new local area plans for Wexford Town, Enniscorthy Town and New Ross Town and to ensure all future local area plans are prepared in accordance with the relevant aspects of the Development Plan Guidelines for Planning Authorities (2007), the Local Area Plan Guidelines for the Planning Authorities (2012) and all other relevant Section 28 Guidelines or any updated version of these guidelines.*

Chapter 4- Sustainable Housing

Chapter 4 refers and Section 4.4 provides the Sustainable Housing Strategy. Strategic Housing Objectives include:

Objective SH02: *To ensure that all new residential developments provide a high quality living environment with attractive and efficient buildings which are located in a high quality public realm and are serviced and linked with pedestrian and cycle lanes to well-designed and located open spaces and nature and to the town or village centre and existing and planned services.*

Section 4.7.5 refers to House Types.

Objective 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).

Objective SH19 refers to compliance with Part V of the Planning and Development Act 2000 (as amended).

Objective SH21 to provision of a mix of unit types.

Chapter 5 – Design and Place-making in Towns and Villages

Section 5.5 refers to the Strategic Objectives TV01 – TV12 refer.

Objectives include the following:

Objective TV10: To prepare Urban Regeneration Framework plans for the four main towns which provide a clear vision, context, rationale and goals for urban renewal and regeneration in each town.

Objective TV15: To ensure that the appearance of buildings, in terms of details and materials (texture, colour, patterns and durability), is of a high standard with enduring quality and has a positive impact on the visual quality of the area.

Objective TV27: The design of streets on all 'route types' must have regard to their 'place context' and a higher quality of design will be required in locations with a higher place value. New developments and their associated streets and spaces shall put primary emphasis on creating attractive places, facilitating social interaction and provide for connectivity, enclosure, active edge and pedestrian facilities.

Chapter 8 Transportation Strategy

Section 8.4.4 refers to Modal Shift.

Section 8.4.5 to Design of Urban Roads and Streets.

Strategic Objectives include:

Objective TS01: To implement the principles and objectives of the Design Manual for Urban Roads and Street (Department of Transport, Tourism and Sport, Department of the Environment Community and Local Government, 2013 and 2019) and the Spatial Planning and National Roads, Guidelines for Planning Authorities (Department of Environment, Community and Local Government, 2012) and the National Sustainable Mobility Policy 2022 and the other guidance listed in Section 8.3 Policy Context and any updated version of these documents.

Section 8.5 refers to and encourages Walking and Cycling.

Section 8.6 - Public Transport, which includes regard to Bus and the Rail Network.

Objective TS43: To ensure that the public safety of all road users, including pedestrians and cyclists, has the highest priority in the design of development and vehicular access points and in the exercise of traffic management functions. Road Safety Impact Assessments, Road Safety Audits and other road safety reports shall be sought where appropriate to inform planning decisions.

Objective TS46: To ensure that all developments are appropriately located having regard to the principles of sustainable development and the provision of an effective road network. A Traffic and Transport Assessment, prepared in accordance with the relevant national guidelines for such shall be sought where appropriate to inform planning decisions.

Objective TS49: To ensure all new car parks and expansion of car parks provide 20% of the spaces with electric vehicle charging points and provide culverts and infrastructure to “drop in” new charging points.

Objective TS76 seeks to facilitate new accesses and provides the criteria in towns and villages where a speed limit of less than 60kmh applies.

Chapter 9 Infrastructure Strategy

This strategy is focused on the provision of high quality water, wastewater and waste management facilities and telecommunications infrastructure that will facilitate and sustain the planned growth of the county over the lifetime of the Plan and beyond.

Strategic Objectives IS01 – IS07 refer.

Section 9.5 refers to Water Supply.

Table 9-1 to Irish Water Public Water Supplies and Capacities. (Source: Irish Water March 2022). This provides that there is capacity available in the WRZ main networks to cater for the 2027 population target, with the assistance of water conservation measures and network improvements to provide the level of services required.

Section 9.5.4 to Water Conservation.

Objectives WS01 – WS14 refer. Section 9.6 to Wastewater.

Table 9-3 provides an Overview of Public Wastewater Infrastructure in Level 1- Level 4 Settlements. (Source Irish Water Capacity Register 29th of April 2020 – noting this is subject to change). This includes that Wexford Town has capacity. Wastewater

Objectives WW01 – WW14. WW08: To facilitate the connection of existing developments to public wastewater services wherever feasible and subject to connection agreements with Irish Water and to ensure that any future development connects to the public wastewater infrastructure where it is available.

Section 9.7 refers to Waste Management Infrastructure.

Section 9.11 refers to Flood Risk and Surface Water Management.

Volume 2 – Development Management Manual

Section 3 refers to Residential Developments

Section 3.12– Multi-Unit Residential Schemes in Towns and Villag.

Section 3.12.1 Mix of Dwelling Types.

Section 3.12.2 Dwelling House Design.

Table 3-4 Minimum Floor Area and Private Open Space for Dwellings.

Section 3.12.4 - Public open space.

Section 3.12.5 - Play Facilities.

Section 3.12.6 includes regard to materials, boundary treatment and provision for refuse storage for Multi-Units Schemes.

3.12.7 Social Infrastructure.

3.13 Taking in Charge of Residential Estates.

Section 4 – Community Infrastructure, facilities and Services.

Section 4.1 - Childcare Facilities

5.8. Expired Wexford Town and Environs Development Plan 2009-2015

Wexford County Council provides that the Wexford Town and Environs Development Plan 2009-2015 has now expired and until such time as they make a new plan for the town, all policies, and objectives (as relevant) of the Wexford County Development Plan (WCDP) 2022-2028 will be used to assess any proposals/planning application in the town. It is noted that there is no zoning for Wexford Town and Environs in the current WCDP.

5.9. Natural Heritage Designations

The subject site is not located within or is not adjoining any Natura 2000 Sites. The Slaney River Valley SAC (site code 0100781) and the Wexford Harbour and Slob SPA (Site Code 004076) are both situated c.8.726km to the north-east of the subject site.

6.0 EIA Screening

The development does fall within a class of development set out in Part 1 or Part 2 of Schedule 5 of the Planning and Development Regulations, 2001, (as amended). However, the scale of the proposed development does not exceed the thresholds set out and I do not consider that any characteristics or locational aspects (Schedule 7) apply. I conclude that the need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required. Appendix 1 and Appendix 2 of my report refers.

7.0 The Appeal

7.1. Grounds of Appeal

The Commission received a 1st Party Appeal against the decision of Wexford County Council to grant permission on the 26th November 2025, the grounds of which can be summarised as follows:

1. No local Area Plan

Inappropriate and Premature.

- Previously Zoned commercial/mixed use development.
- Lands adjoining Newtown Road undergone significant development in recent years/permitted development.

LRD legislation – 100 + units

- Proposed accounts for 98 units – phase 1 of 4 phases: Constitutes 1 development.
- Highlighted in plans and Uisce Eireann documents submitted – 282 total units.

Proximity to Slaney Ricer Valley SAC and Wexford Slobs SPA

- 9 other SACs in 15km
- Located in Forth_Commons_SC_010 Sub Catchment part of harbour catchment.

- Carricklawn Stream adjacent to east boundary of the site – 1.6km to Slaney River
- Inappropriate to grant permission in absence of LAP – land is not zoned.
- Contrary to Section 3.8.4 Residential Zoned Land Housing Land Requirements of the Wexford County Development Plan 2022-2028 (WCDP) .

Mandatory to prepare a LAP for a town with a population in excess of 5000 people:

- Makes reference to Sustainable Residential Developments in Urban Areas, Guidelines for Planning Authorities, 2009.
- Objectives of LAP must be consistent with Development Plan.
- Development shouldn't be granted in absence of LAP.
- Premature and not in keeping with proper planning and sustainable development of the area.
- Reference made to Schedule 4 Reason for Refusal no.3 of Planning and Development Act, 2000 as amended.
 - System in place to ensure planning applications are only granted if they adhere to the proper planning and sustainable development of area based on an LAP being in place.
- DMURS highlights importance of Local Area Plans.

2. Zoning and Land Use

Site is greenfield – acknowledged in EIA Screening submitted.

WCDP promotes infill brownfield and regeneration instead of greenfield site:

- Objective CS04
- Section 3.7.2 Achieving NPF Brownfield/Infill Targets
- Section 3.6.1 Level 1 Key Towns

Water and Wastewater connection – requires significant upgrades.

- Strengthens argument that development is premature, and brownfield development should be prioritized.

Development should not be permitted in absence of LAP

- Nov 2023 Local Authority publish pre-draft of Wexford Town Local Area Plan 2024-203

- Section 13.2 of Pre-Draft:

The Wexford Town and Environs Development Plan 2009-2015 (as extended) has expired, and as such there is currently no land zoning in place for any lands in the town. The Planning and Development Act 2000 (as amended) states that there shall be no presumption in law that any land zoned in a particular development plan or local area plan shall remain so zoned in any subsequent development plan or local area plan.

- New LAP currently being formulated.
- Permission should not be granted prior to a housing audit requirement for Wexford and allocate necessary zoning.
- Land previously zoned commercial/mixed use – should not be residential.
- An audit of enterprise requirements for town and allocate necessary.

Table 3.4 of the WCDP – excess of 343.66ha of lands zoned in Wexford Town.

- Obviously based on figures included in expired LAP .
- Granting permission not conducive to sustainability and proper planning.

Pre-draft consultation: Office of Planning Regulator stated infrastructure and settlement strategy is required.

3. Housing Mix

Wexford Town – Level 1 as per Table 3-2 of the WCDP.

Reference made to Section 2.8 of the Sustainable Urban Housing: Design Standards for New Apartments, 2020.

Table 4.4 Forecasts for Dwelling Type of Additional Anticipated Households in County Wexford 2021-2027 of WCDP.

- Proposed mix not in keeping with above.

Reference made to:

- Section 3.12.1 and Section 4.7.5 of WCDP.

4. Traffic and Transport assessment

Section 3.2.1 of TTA submitted –reference to PA Ref 20241358 was for 103 units- actually 125 units (ACP-323192-25).

- Therefore, calculations in Table 3.6 underestimated.

Section 4.1 of TTA – opening years reference is not achievable.

- Wastewater and water supply connections require upgrades with no timeline provided.
- Section 6.1 of TTA states construction will commence in 2026.

5. Traffic and Road Safety

Appellant has difficulties with current traffic levels on new town road.

- Area undergone significant development which has increased traffic.
- Issue will be seriously compounded by traffic generated by proposed.
- Have to cross both on-coming traffic and traffic waiting at signalised junctions.
- Dangerous and time consuming.
- Additional impact from construction traffic – proposed and permitted sites.

Development will be car dependent due to lack of Social Infrastructure.

- Junction layout as per RFI submission is insufficient to ensure safe egress/access for existing residents.
- Road reduced in width to provide cycle infrastructure.
- It is considered that the road is less safe.
- Bend exists making movement more dangerous.
- Pedestrian fatality occurred.

6. Parking Facilities/Car Dependent

Section 5.2 of TTA sets out brake down of parking

- Considered to be nonsensical

Table 6-7 of the WCDP sets out maximum number of car parking spaces allowable.

- Maximum standards and max standards in town and village.
- Proposed does not constitute 'Town Centre'- train station and main bus station located 2.49km from entrance to site.
- Scoile Mhuire 1.68km
- St Peters College (boys secondary school) 2.5km
- Pres Secondary College (girls secondary school) 3.08km
 - Therefore, majority of students will travel by car.

Section 4.5.2.1 of EIA Screening – site identified as peri-urban therefore assert maximum standards should be 2 per house.

Section 2.3 of Architectural urban design statement – states creche will cater for overall development:

- Considered it will not be big enough.
- Car parking required at 1 space per 4 child's and 1 spec per employee.
- Requires 19 space + staff
- Creche staff indicated as N/A.
- Not possible to know age category of child but average 14 staff required and also ancillary staff.

7. Creche Size and Design

Reference made to Section 2.3 of Architectural urban design statement and Section 4.1 Childcare Facilities of Volume 2 of WCDP.

Based on figures in Architectural Design Statement and requirements of 20 child paces per 75 dwellings – assumed 77-90 childcare places required for overall development.

Section 2.1 of TTA indicates total of 330 units for masterplan area

- Shortfall in childcare places – highlighted by Section 3.2.2 of Architectural urban design statement submitted.

8. Bat and Bird Surveys

Bird survey not undertaken in recommended months of October -March

Presentation of findings is confusing:

Conflicting information between Table 4.4 and Table 4.5.

9. EIA Screening

Current application – 98 units phase 1 of phase 4

- LRD cannot be granted in absence of zoning and LAP.
- Masterplan of 330 units should be considered in EIA Screening.
- Reference to Fitzpatrick V ABP [2019] IESC 23.

EIA reference to bat survey and northern part of the site- subject to future phase

- Thus EIA Screening should have considered Masterplan area.

5 Amber birds Listed - survey not done at correct time of year

- Severe lacuna in data to formulate EIA Screening.
- Section 7.4 of Tree Survey – require removal of 2 complete and 60% of a 3rd hedgerow.

EIA Screening – pg. 54 referenced:

- Without accurate data relating to nesting and wintering birds – impact of hedge removal cannot be known.

Section 4.2 of Screening listed planning other applications in 10km of site:

- PA Ref 20241358 – due to criterion development of 125 units not included only 700m from the site. (ACP-323192-25)
- Should have been included for in-combination assessment.
- Coclree stream situated 66m to the west of development site
- EIA Screening submitted under 20241358 (ACP-323192-25) makes reference to 2 no. watercourses.

Response to RFI states no works proposed to the northern section of the site except for construction of head wall and surface water drain (also referred to in engineering report).

- Not adequately addressed in EIA Screening.
- Potential for pollutions to enter the Carricklawn stream not addressed in EIA Screening.
- NB given that surface water will drain here.
- Works to drainage ditch – possible impacts of these works not adequately addressed in screening.

Section 4.2.2 of Screening report:

- Inaccurate – substantial upgrades to Uisce Eireann infrastructure required.
- Reference made to Uisce Eireann submission dated 3rd June 2025.

Section 7 of Screening report:

- Omission of 20241358 (ACP-323192-25) is Lacuna as it is proximate to appeal site and existence of watercourse in proximity of both sites which discharges into SAC and SPA.

Reference made to Shannon Regional Fisheries V An Bord Pleanála [1994] – purposive approach to interpretation should be given.

EPA V Harte Pearl Ltd 2014 IEHA 308 – interpretive approach gives greater protection to Environment.

- Set out in Objective EM02 of WCDP

Diversion – Uisce Eireann letter 3/6/2025 note included in Screening .

Conclusion of Planning Officers report dated 4th November 2025 – development does not require a EIAR incorrect:

- Site Area is 5.28ha – phase 1
- Estimated total area – 9.56ha (Masterplan).
- Schedule 5 Part 10 B(iv) Planning and Development Regulations 2001 (as amended):

- LAP zoned land as Commercial/mixed use.
- To the east of site mostly commercial development
- Assert that EIA should possibly be mandatory.

10. Ecological Impact Assessment (EclA)

Table 4.6 of bird survey – 4 amber listed birds noted on site. Survey done on 7th 8th and 22nd September 2025

- Table 5.1 of EclA – 2 amber bird listed
- Section 3.2.2 of EclA - states survey undertaken 29th September 2025

Therefore – 5 amber listed birds species: survey undertaken in period not recommended.

- Reliability of EclA is based on use of correct ecological survey results
- Therefore – timing of survey does not give accurate depiction of what birds may breed over winter on site.

Section 7.2.3 of EclA – control/monitoring measures

- Lacuna in survey details – bird nesting/in what numbers/impact cannot be ascertained.

Ground works and landscape removal was carried out prior to December 2024

- Warning letter issued
- If carried out prior to ecological surveys – true representation may not be recorded.

Reference made to Section 3.13 - Guidelines for Ecological Impact Assessment in the Uk and Ireland, 2018.

11. Natura Impact Assessment

Section 9 – in combination effects fails to include:

- PA Ref 20241132 – 99 units
- PA Ref 20241358 – 125 units

Section 8 - Mitigation Measures / Section 10 -Conclusion

- Given 2 no. developments in vicinity not included – cannot be concluded proposal (by itself/in combination) will not negatively impact on Natura 2000 sites.

12. Not in keeping with existing character.

All adjoining properties 1-2 stories.

Proposal includes 2.5 stories – duplex at entrance.

- Ref made to expired LAP

13. Lack of social infrastructure

Reference made to Section 3.6 - Core Strategy Development Approach of WCDP.

- Development is car dependent – lack of social infrastructure in the area.
- Masterplan indicates c. 330 units
- Various additional assessments would be required – Social infrastructure audit.
- Contrary to proper planning to not consider development as a whole.

14. Confirmation of Feasibility (COF) – Uisce Eireann

COF submitted dated 31st January 2024 – application lodged 9th April 2025.

- 15th Months after COF issued.

Wastewater connection cannot be provided for foreseeable

- Water connection requires a booster to be installed.

15. Green Area.

Location of proposed pocket park at entrance to development is unsuitable

- Traffic makes it unsafe for children.

16. Masterplan and Riparian Zone

Make reference to ‘Section 4.3 – Water Environment’ of the NIS

- Insufficient detail in masterplan to provision of a suitable riparian zone.
- 10m riparian zone indicated on RFI masterplan.

Reference made to Planning for Watercourses in the Urban Environment (Inland Fisheries Ireland, 2020):

- 3 buffer zones required:
 1. Streamside Zone 10m
 2. Middle zone 15m – 30m
 3. Outer zone 8m

Reference to Objective GI04 of WCDP - To have regard to the '*Planning for Watercourses in the Urban Environment*' (Inland Fisheries Ireland, 2020)' and any updated version of this guidance when considering development proposals in the vicinity of rivers and streams.

Section 5.3.1 of EIA Screening: Carricklawn Stream discharges into SAC & SPA

- Imperative adequate buffer provided.

Reference to Expired LAP.

In stream works not adequately considered in EIA Screening.

17. Complexity of access to Planning Documentation.

Large number of reports uploaded onto planning portal under 'other assessments'

- Uploaded in numerous parts.
- Took considerable time to review.
- Contrary to public participation

18. Insufficient site layout plan

- Locations of various types of units not indicated on any site layout plan.
- Lack of relevant detail contrary to public participation.

19. Water and Wastewater Connection

Water Supply:

Uisce Eireann Submission dated 3rd June 2025 :

- States: Capacity exists in the network to accommodate the development, but due to the difference elevations between the supplying reservoir

(63.29m) and the development (55.25), the developer would be required to install a booster pump on-site to maintain the required pressures.

- No updated drawing submitted indicating location of booster pump.

Wastewater

Uisce Eireann Submission dated 3rd June 2025 :

- States: Uisce Eireann is currently undertaking a Drainage Area Plan (DAP) of Wexford Town. Results of the DAP are not finalised but based on the initial assessment upgrade works to increase the flow rate and storage at Carcur pump station are required in order to accommodate the proposed connection. It will be a condition of the connection agreement that the applicant contributes a relevant portion of the costs required for the upgrades.

Indicates proposal is premature – brownfield/infill should be developed over subject site.

20. Landscape Character

Planning Officers report dated June 2025 states – development may impact on view to Slaney valley.

Site located in Coastal Landscape – Volume 7 of WCDP.

Views referred to in Planning Officers Report are of the River Slaney from R769

- Main road into Wexford.
- Blocking views on the road is relevant.

Planning Officer states development will introduce new views:

- Does not compensate for blocking views from R769.
- Not be views serving the majority of the public.

Therefore, proposal contrary to the following objectives of WCDP:

- LO5
- LO6
- LO9

- L15

Section 5.3.4 of EIA Screening

- Acknowledges area has limited availability to absorb new development.

21. Surface Water

Following RFI – attenuation storage reduced.

- Could lead to issues of flooding.

22. Landowner consent.

Landowner consent states Mr Kickham and Patrick Corcoran are owners –

- Only one signature on letter of consent.
- One person cannot give another person's consent.

The appeal was accompanied by the following:

Appendix A – Zoning Map of expired LAP.

Appendix B – Maps of location of appellants dwelling

Appendix C - Ecologists Consultants guidance on Bird breeding survey.

Appendix D – Ecologists Consultants guidance on Wintering Bird breeding survey.

Appendix E – Extract from Inland Fisheries Guidance.

Appendix F – Uisce Eireann submission dated 3rd June 2025 to Planning Authority.

Appendix G – Copy of Planning Officers Report reference to enforcement.

Appendix H – Copy of letter of consent submitted.

7.2. Applicant Response

A response from the applicant was received by the Commission on the 23rd December 2025 and can be summarised as follows:

Introduction

- Comments made by appellant have not been updated to reflect An Coimisiún Pleanála's rejection of the same grounds raised on previous applications within the immediate vicinity of the site:
 - Asserted language used.
 - Challenge all assertions made.
 - Application was accompanied by a suite of documentation prepared by experts within their field.
- Planning Framework Hierarchy – ignored in appeal to identify LAP now expired.
 - New 2024 Planning Act makes for provisions for LAP's.
 - Reference made to a number of guidelines which have now been superseded and some of no relevance.
- Grounds of appeal do not raise any points of substance
 - Wexford County Council deemed application consistent with national policy and County Plan.

1. No local Area Plan

- Grounds raised identical to that raised by same appellant under ABP-321924-25.
- Well established by the Commission that development of this area is adequately supported by Planning Policy.
- Development of these lands for residential development supports consolidation and sustainable infrastructure while developing population growth on serviced lands and accords with:
 - NPF
 - RSES
 - Development Plan
- There is no requirement for an LAP set out within the WCDP prior to the subject lands being developed:

- No reference to phasing/sequence of development/infrastructure dependency that would give rise to the application being premature as set out under Schedule 4 of the Planning and Development Act 2000 (as amended).
- New LAP is not currently under formulation:
 - May have started but not being pursued.
 - Statutory Plan for Wexford will be prepared in accordance with the new Planning and Development Act.
- Appeal is reliance on expired zoning objectives
 - No statutory standing.
 - Degree of overlap between the site and the previous zoning is immaterial.
- Delay required by appellant for new LAP not supported by Development Plan.
 - Planning history of area indicates that lands have already been assessed on suitable for residential development.
- Not an LRD – it is seeking permission for 98 units and must be assessed on its own merits.
 - Hypothetical future phases should not be included in this assessment.
- Impact on Natura 2000 sites – addressed through NIS and Mitigation measures.
 - Independent of LAP
- Reference made to 2009 density guidelines irrelevant
 - Superseded by the Compact Guidelines issued in 2024.
- No planning/statutory basis to conclude development is premature due to absence of LAP.

2. Zoning and Land Use

- Assertion that WCDP promotes development on brownfield over greenfield – incorrect:
 - National Planning Framework – recognised that 30% of new dwellings should be delivered on infill/brownfield sites.

- Leaves 70% to be delivered elsewhere including greenfield serviced sites.
- Evident subject site is infill in nature – given level of existing and permitted development in the area.
- Therefore – site is greenfield and infill:
 - Proposal aligns with core strategy delivering houses in Level 1 Key Town.
 - Feasibility of services confirmed by Uisce Eireann – potential for wider upgrades does not give rise to proposal being premature.
- Noting consistency with statutory planning context – grounds of appeal relating to zoning does not raise any matter of substance.

3. Housing Mix

- Grounds of appeal quote extensively from County Plan –
 - Reference to obsolete SPPR's now eliminated/amended by 2025 Apartment Guidelines.
- Wexford Housing Need Demand Assessment (HNDA) identifies the need for housing:
 - Notes houses preferred.
 - Need to provide for a mix of unit size.
 - HNDA states: '*Residential scheme should provide following mix except in cases where SPPR 2 of apartment guidelines apply*'.
 - While proposal is not strictly applicable – development design is broadly consistent.
 - Application to be assessed having regard to context, typology, local demand – all acceptable to Planning Authority.

4. Traffic and Transport assessment

- Permission was refused by the Commission under PA Ref 20241358 and therefore was not required to be included in the assessment.
 - However, it was included in cumulative traffic assessment and also for standardise TII trip rates.

- Whether 103 or 125 units were assessed does not materially alter the traffic impact.
- Assessment demonstrates that surrounding road network continues to operate within capacity.
- Assertion made by appellant is therefore rejected.
- Opening year concerns –
 - Years are prescribed in Transport Infrastructure Ireland guidance and used as an analytical input to test future performance.
 - Not predictions of construction/occupation timelines.
 - Not dependent on phasing/delivery of infrastructure.
 - Standard practice.
- Appellant seeks to link wastewater constraints to transport modelling years:
 - Not relevant – TTA only considers road network capacity and operation performance.
- Proposal would not give rise to unacceptable traffic impact.

5. Traffic and Road Safety

- Concerns raised by appellant are matters of perception as not supported by technical evidence:
 - Decisions must be based on technical advice.
- Junction re-designed at further information stage
 - Design in accordance with applicable standards – DMURs/National Cycle Manual and TII guidance.
- Appellants access - uncontrolled regional road access.
- Benefit from low-speed signal controlled more predictable road environment
 - Regulating turning movements and speed.
 - Provides pedestrian crossing.
- Acceptable to the roads section of the Local Authority.

- Appellant has not demonstrated access will give rise to a traffic hazard.

6. Parking Facilities/Car Dependent

- Incorrect assumption that development is assessed under Town Centre Parking standards
 - TTA did not identify site on Town Centre, nor does development plan classify location as such.
 - Distance of site to Town Centre confirms it is sub-urban/peri-urban.
 - Correct standards were applied and explained in planning context report submitted.
- Creche – max car parking requirements 32
 - 22 spaces proposed.
 - Staffing levels unknown as operator yet to be determined – normal at this stage of the application process.
- Claims of car dependency – fails to consider pedestrian and active travel network.
 - Directly address development plan objectives.
- Therefore, development complies fully with development plan standards for parking and sustainable travel.

7. Creche Size and Design

- Designed for 76 children and will be provide in phase 1
 - Centrally located at most accessible point.
 - Assessed against national childcare guidance and WCDP.
 - Standards are indicative and allow for flexibility.
 - Estimates made by appellant based on entire masterplan area – methods employed not recognised in planning policy.
 - Appellant assumes childcare provision must be assessed by reference to full build out of wider lands:
 - Current application only subject to assessment.

- 76 place creche accounted for in TTA.

8. Bat and Bird Surveys

- Survey period reference by appellant are optimal and not statutory.
- Surveys outside of this period still provide valid baseline information.
- Confusion over Table 4.4 and 4.5:
 - Table 4.4 – presents walkover information.
 - Table 4.5 – presents static bat detectors information.
 - Standard and consistent with Bat Conservation Ireland practices.
 - No inconsistency in survey results and provided a robust ecological baseline for assessment of proposed development.

9. EIA Screening

- Concern over screening not including all masterplan area – EIA Screening assessed development for which permission is being sought.
 - No requirement to screen for entire area.
 - Design and layout are not fixed for later phases/inter dependent/inseparable and do not require combined screening.
- Appellant misinterpreted case law [2019] IESC 23
 - Related to undertaking of a full EIA of the entire masterplan lands and not a screening determination.
- Reference made to PA Ref 20241358 (ACP-323192-25) – permission was refused and therefore not required to be included.
 - Not required to consider other applications unless they are functionally dependent on each other.
 - Screening did scope cumulative assessment in accordance with Section 7A of the Planning and Development Regulations 2001 (as amended).
- Carricklawn Stream – identified as a receiving watercourse for surface water run off:
 - Assessed potential impacts

- Mitigation is set out for both construction and operation phases
- Considered and mitigated.

10. Ecological Impact Assessment (EclA)

- Incorrect assertion that ground works were undertaken prior to ecological surveys:
 - Surveys carried out 27th September 2024
 - Clearance started December 2024
 - Archaeological testing 26th March 2025
- Enforcement action now resolved.
- Limited works undertaken did not constitute development and did not give rise to environmental impacts.

11. Natura Impact Assessment (NIS).

- NIS prepared in line with relevant legislation
 - Defines in-combination effects encompassing proposed and permitted developments in the area as available on planning portal.
 - Does not rely on exhaustive listing of planning applications but instead examines potential effects on a pathway basis.
- Grounds raised do not identify any omission or deficiency in assessment.

12. Not in keeping with existing character.

- Area changed significantly in past 2 year
 - Concern over height fail to have regard to WCDP or Section 28 guidelines on Building Height.
- Proposal provides limited number of 2.5 storey blocks – confined to site entrance and a smaller number at other locations.
- Height strategy considered acceptable in terms of Section 28 Guidelines and WCDP.

13. Lack of social infrastructure

- Proposed in close proximity to County Hall/hospital/retail/schools/recreational facility.
 - Identified in Planning Context Report submitted.
 - Not solely reliant on Town Centre.
 - Provides interconnectivity to surrounding area.
 - Noted by Planning Officer.
 - Creche provided on site.
- No evidence provided by appellant to the contrary.
- Reference to school pressure/car dependency
 - Appellant fails to consider pedestrian/cycle infrastructure which materially informs concerns raised are not warranted.

14. Confirmation of Feasibility (COF) – Uisce Eireann

- COF lapse in time does not invalidate confirmation.
 - Issues of upgrade works requirements addressed in connection agreement process post planning consent.
 - COF therefore remains valid.

15. Green Area.

- Concern over location of pocket park – fails to have regard to design intent to establish residential layout/urban design practice.
- Pocket Park proposed as passive green space and visual impact at entrance
 - Function – define layout/establish a sense of place/mark entrance/surveillance from surrounding dwelling.
 - Not designed as a play area – provided elsewhere in the scheme.
 - Separated from vehicular movements and consistent with urban design best practice.

16. Masterplan and Riparian Zone

- 10m Riparian Zone clearly identified along Carricklawn Stream.

- Document cited by appellant is non-statutory
- Objective GI04 of WCDP requires a regard be had to document cited.
 - Proposal achieved through defined riparian buffer and mitigation set out in EclA and NIS.
- No phase 1 development proposed within the buffer other than surface water outfall/head wall – subject to construction phase mitigation.

17. Complexity of access to Planning Documentation.

- Organisation/presentation of documents on-line is an administrative matter for the Planning Authority and does not reflect validity of the application/public participation.
- Appellant clearly had access to documents and lodged a detailed submission.

18. Insufficient site layout plan

- Each unit type clearly labelled on proposed site layout plan.
 - Drawing no. 2309-SNK-DR-MCORM-AR-P3-PL04.

19. Water and Wastewater Connection

- Uisce Eireann confirmed proposed development is serviceable in principle.
- Booster Pump is a routine engineer solution and does not undermine feasibility.
- Matters of timing and delivery can be addressed via condition.

20. Landscape Character

- Appellant contends that the proposal will give rise to loss of views and conflicting with Landscape Character.
- Coastal Landscape Character does not preclude development – just requires proposals to have regard to scale, design and mitigation.
- No protected views/no impact on statutory protections/will open new view to Slaney River.
 - Any possible impact does not warrant a refusal – reiterated in Planning Officers Report.

- An Coimisiún Pleanála established there is no right to retention of private/transitional views.
- Site is influenced by location & proximity to Town Centre.
 - Comparable in scale to form to other edge of town developments.
 - Dose not introduce incongruous features or dominant from.

21. Surface Water

- Revision to attenuation storage arose from re-calculation of the impermeable area – Reduction from 1.73ha to 1.51ha.
- Surface water proposal designed in accordance with best practice
 - Accepted by Planning Authority as technically satisfactory.
- No technical evidence provided by appellant to demonstrate design is deficient.

22. Landowner consent.

- Letter of consent signed by one of the joint owners
- Entitled to
- Satisfies definition of owner as per the Planning and Development Act, 2000 as amended.
- Perfectly lawful for an agent to record consent on behalf of an applicant – [2013] IEHC 60
- Matter was for Planning Authority to consider – they accepted this.
- New consent letter signed by both owners included.

The response document was accompanied by the following:

Appendix 1 – Planning Framework Hierarchy.

Appendix 2 – Letter of Consent.

7.3. Planning Authority Response

None received.

7.4. Submissions

The Commission received a submission from the Department of Housing, Local Government and Heritage on the 23rd February 2026 which notes the same comments as the submission made to the Planning Authority.

8.0 Assessment

8.1. Introduction

8.1.1. Having examined the application details and all other documentation on file, (including the submissions received in relation to the appeal), and inspected the site, and having regard to relevant local/regional/national policies and guidance, I consider that the main issues in this appeal are:

- The Principle of the Development.
- Traffic Issues.
- Housing Mix
- Creche.
- Character of Area.
- Landscape Character
- Uisce Eireann – Confirmation of Feasibility.
- Ecology.
- Other issues.
 - EIA Screening
 - Social infrastructure
 - Surface Water
 - Open Space
 - Site Layout Plan
 - Land Owner consent
 - Administrative Issues.

8.2. Principle of Development

- 8.2.1. The proposal comprises the construction of 98 no. residential units on lands in Wexford Town, Co, Wexford. The application was assessed by Wexford County Council in accordance with the policies and objectives of the Wexford County Development Plan 2022-2028 (WCDP) and reference is made within the planning assessment to the Wexford Town and Environs Local Area Plan 2022-2028 which is now expired.
- 8.2.2. All appellants to the appeal have raised the concern over the proposed development being premature pending the adoption of the new Wexford Town Local Area Plan. It is contended that the site is no longer zoned and that a Local Area Plan is an essential prerequisite for proper consideration of development proposals for the lands. While I note that reference has been made to a Draft LAP of Wexford Town and Environs by the 3rd Party Appellants, I note from review of Wexford County Council's Web site the Wexford Town and Environs Local Area Plan is currently at pre-draft stage and no evidence is provided as to when the draft plan will be available for public view.
- 8.2.3. Having regard to the above, I consider that the Wexford County Development Plan 2022-2028 (hereafter WCDP 2022-2028) is now the operative plan for the area. As the WCDP 2022-2028 does not include zoning objectives for Wexford Town, I consider it necessary to ensure that the development of these lands for residential purposes as proposed, is adequately supported by relevant planning policy and is appropriate in the context of the site and its location.
- 8.2.4. The National Planning Framework (hereafter NPF), which was revised in April 2025, is the Government's high-level, strategic plan for shaping the future growth and development of the country to 2040. National Policy Objective 3 identifies population growth of an additional 1450,000 people up to 2024 for the southern region. The strategy seeks to accommodate this growth in a sustainable manner which includes the promotion of 'Compact Growth'. To this end, National Policy Objective 9 seeks to 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.
- 8.2.5. Informed by the NPF the Regional Spatial and Economic Strategy for the Southern Region 2019-2031 (hereafter RSES) sets out a growth strategy for the Region, identifying key locations for population and employment growth, coupled with

investment in infrastructure and services to meet those growth needs. The Regional Policy Objectives of RSES require local authorities, in their core strategy, to set out measures to achieve the compact urban development targets set out in the NPF (including NPO 9). Wexford Town is designated as a Key Town in the RSES. The RSES outlines that, together with five other towns of significant size in the Southern Region, Wexford Town is a self-sustaining regional driver which has a comparable structure to the five centres designated in the NPF.

- 8.2.6. Local authorities are also required to determine a hierarchy of settlements to ensure that towns grow at a sustainable and appropriate level. The Settlement Strategy for Wexford, as set out in the WCDP 2022-2028, designated Wexford Town as a Level 1 - key Town. Table 3.4 of the WCDP 2022-2028 sets out the Core Strategy for the County and allocates a housing target of 2174 no. units to Wexford Town for the period 2021-2027. The proposed scheme would account for approximately 4.5% of the total housing allocation for the settlement. The development approach set out within Section 3.6.1 of Volume 1 of the WCDP 2022-2028 seeks to allocate significant population growth to the town to contribute to the development of a centre of scale.
- 8.2.7. The subject site is a greenfield site which is adjoining both an emerging and established residential area located on the periphery of Wexford Town. The development of these lands for residential purposes, as proposed, would support the consolidation and sustainable intensification of the surrounding area while also delivering population growth on serviced lands in accordance with NPF Objectives. The proposal would also accord with Objective CS03 which seeks *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.*
- 8.2.8. Having regard to the foregoing, I consider that the development of the subject site for residential purposes would facilitate the consolidation of the existing built footprint of the town, in a manner that would reflect the established residential character of the neighbouring lands at this location while providing for a sequential and sustainable urban extension of such. I also consider that there is sufficient policy support at local, regional, and national level to facilitate the residential development of the site. Therefore, I am satisfied that the development of these lands for residential purposes as proposed is acceptable in principle and supported by policies included within the Wexford County Development Plan 2022-2028, subject to the consideration of all other relevant planning

issues, including the impact, if any, of the proposal on the amenities of neighbouring properties and the overall character of the wider area.

8.3. Traffic Issues

8.3.1. The appellant has raised a number of concerns relating to the traffic issues surrounding the proposed development which include for issues with the Traffic and Transport Assessment submitted, Road Safety and the Quantum of Car Parking provided. I will discuss each of these issues below:

Traffic and Transport Assessment(TTA)

8.3.2. It is contended by the applicant that section 3.2.1 of the TTA submitted made reference to PA Ref 20241358 (ACP-323192-25) as an application for 103 units when in fact the application sought permission for 125 units and as such the calculations set out in Table 3.6 of the TTA are underestimated.

8.3.3. In the first instance I accept that permission was sought for a total of 103 units under PA Ref 20241358 (ACP-323192-25) however this application was refused permission by An Coimisiun Pleanála under ACP-323192-25 and therefore will not impact upon the surrounding road network. I am of the opinion that the inclusion of 103 units was a typological error and that the omission of 22 units would not have such an impact to render the surrounding road network to be operating beyond capacity based upon the conclusion and findings of the TTA.

8.3.4. It is further contended that the opening year as set out in Section 4.1 of the TTA is not achievable as the wastewater and water supply connections require upgrades with no timeline provided. The applicant in response notes that the opening years utilised are as those prescribed in Transport Infrastructure Ireland guidance and used as an analytical input to test future performance of the surrounding road networks.

8.3.5. Section 3.3 of the Traffic and Transport Assessment Guidelines, 2014 issued by TII states that the assessment should incorporate an analysis of the road network traffic flows for the base year, opening year and forecast scenarios. The required modelling scenarios are summarised as follows:

- Base Year.
- Opening Year (With / Without Development).

- Opening Year + 5 Year Forecast (With / Without Development).
- Opening Year + 15 Year Forecast (With / Without Development).

8.3.6. Section 4.1 of the TTA submitted as part of this application sets out the assessment years with 2026 being the opening year and the modelling scenarios as per the TII guidance following suit. While the concern raised related to the requirement for upgrade works being required to Uisce Eireann infrastructure, I do not consider that this would impede the applicant from starting construction work in 2026 in the event that the Commission upholds the decision of the Planning Authority.

8.3.7. Furthermore, given that the TAA is dated March 2025 and that the applicant could not foresee that a delay may ensue as a result of a decision being subject to appeal, I accept that the modelling scenarios employed accord with the guidance set out within the Traffic and Transport Assessment Guidelines, 2014 issued by TII. I also note that the TTA was accepted by the Roads Department of the Planning Authority and that the 3rd Party Appeal was not accompanied by any expert evidence to demonstrate the concerns raised were warranted.

Road Safety

8.3.8. The appellant has raised concerns over traffic safety due to the increased level of development within the immediate vicinity of the appeal site. It is contended that egress from their property has become significantly difficult, dangerous and time consuming and that these issues will also be exacerbated with the construction traffic generated by the proposed development. Concern is also raised over the development being car dependent due to the lack of social infrastructure within the vicinity. I have assessed the latter under section 8.9 of my report below.

8.3.9. The applicant in response notes that the concerns raised have not been supported by technical evidence and that decisions must be based on such. It is further asserted that proposed junction to serve the development, which was re-designed at further information stage accord with the applicable design standards as set out within DMURs, The National Cycle Manual and relevant TII guidance and once delivered will be of benefit to the appellants.

8.3.10. The entrance to the appeal site is situated directly opposite the existing Coolcotts road which serves the existing Coolclotts residential area to the south of the site and

provides for an alternative route into Wexford Town. The appellant's property is situated to the west of the existing junction of the Coolcotts road and the R769 which is currently not signalised.

- 8.3.11. The applicant proposed as part of the original design a signalised junction which would include the Coolcotts road creating a signalised crossroads. The roads department of the Planning Authority issued a report requesting the applicant to revisit the design of the proposed junction of the appeal site with the Newtown Road to demonstrate that it complies with the requirements of DMURs, the National Cycle Manual and the requirements of Transport Infrastructure Ireland. The second report of the Planning Officer notes that on foot of the request for further information the applicant engaged with the Roads Engineer of the Local Authority and agreed on the design and layout of the junction. Amended plans were submitted to the Planning Authority on the 10th September 2025 which were considered by the Roads Engineer to be acceptable.
- 8.3.12. I accept the assertion of the applicant that the appellant has failed to provide any technical evidence to demonstrate that the proposed junction is insufficient to ensure safe egress/access for existing residents. I do not accept this assertion and considered that the introduction of the signalised junction which will be situated approximately c.25m to the east of the appellants entrance will improve the current situation on ground. With regard to impacts from construction traffic, I note that while there may be some impact it will only be for a short period of time.

Car Parking

- 8.3.13. Table 6-7 of Volume 2 of the WCDP sets out the maximum car parking standards for the county. The table sets out two distinctions in terms of locations that being 'Maximum Standard' and 'Maximum Standard in Town Centre or Village Centre'. I consider that the subject site is not located within centre of Wexford town centre and therefore column 1 'Maximum Standards'
- 8.3.14. The development is seeking permission for 98 units comprising 82 houses and 16 no. apartment units and therefore in line with the requirements of table 6-7 the development would be required to provide for a maximum of 212 spaces to serve the residential units and a maximum of 75 spaces to serve the creche. I would draw the Commission attention to the fact that the standards set out are at a maximum.

- 8.3.15. The proposed site layout indicates that the development will provide for a total of 213 car parking spaces, and a breakdown of this calculation is provided within Table 5-1 of the TTA submitted and also on page 23 of the Architectural and Urban Design Statement. The Planning Authority accepted the quantum proposed.
- 8.3.16. The development provides 2 no. parking spaces for 3 and 4 bed dwellings and 1 no. parking space for 2 bed dwellings and all apartment units. There is 22 no. spaces allocated to serve the creche and 20 no. spaces for visitors.
- 8.3.17. I note that the subject site is well served in terms of active travel connections to Wexford Town via the existing cycle lane and is also served by a number of bus routes operating on the Newtown Road. I therefore do not accept the assertions of the appellant in this instance and consider having regard to the information provided to me that the quantum of car parking proposed is in line with the requirements of the Table 6-7 of Volume 2 of the WCDP.

8.4. **Housing Mix**

- 8.4.1. It is contended by the appellant that the housing mix proposed does not comply with Table 4.4 of Volume 1 of the Wexford County Development Plan 2022-2023 (WCDP) and Section 2.8 of the Sustainable Urban Housing: Design Standards for New Apartments, 2020.
- 8.4.2. Section 3.12.1 of Volume 2 of the WCDP refers back to Section 4.7.5 of Volume 1 Chapter 4 of the County Plan which sets out the requirements relating to unit mix in both houses and apartment developments.
- 8.4.3. I note that the guidelines referenced by the appellant have now been superseded by the 2025 Sustainable Urban Housing: Design Standards for New Apartments. Section 3.2 of these Guidelines relates to housing mix. SPPR 1 of these guidelines state:

(a) With the exception of social housing developments, social/affordable housing provided for under Part V the Act or schemes to provide housing for older persons where a specific mix of unit sizes may be required, such as in accordance with a Housing Need and Demand Assessment (HNDA), there shall be no restrictions within statutory plans in relation to the mix of unit sizes or types to be provided within apartment developments. There shall be no

minimum or maximum requirements for apartments with a certain number of bedrooms.

(b) Where any such restriction or requirement is set out within a statutory plan, this Specific Planning Policy Requirement shall apply to any single apartment scheme and there shall be no restriction in relation to the mix of unit sizes or types and there shall be no minimum requirements for apartments with a certain number of bedrooms within the development, except in the circumstances set out above.

8.4.4. From review, the Wexford County Development Plan 2022-2028 has not yet been amended to incorporate SPPR1 of the Sustainable Urban Housing: Design Standards for New Apartments, 2025.

8.4.5. The proposed development provides for 14.3% 1 bed units, 11.2% 2 bed units, 45.9% 3 bed units, and 28.6% 4 bed units. Section 4.7.5 of the WCDP sets out the house types and appropriate mixes for developments that are in excess of 25 no. units. It notes that where a residential scheme is proposed with houses, the development should provide for the following house type mix: 25% 2 bed; 30% 3 beds; 60% 4 beds; and 15% to be allocated to any of the above based on evidence of demand. The Planning Authority consider the unit mix proposed to be acceptable.

8.4.6. Having regard to the above I consider the mix proposed to be appropriate and in accordance with the requirements of Section 4.7.5 of the Wexford County Development Plan 2022-2023.

8.5. **Creche**

8.5.1. The applicant is seeking permission for 98 no. dwellings. Section 4.1 of Volume 2 of the WCPD relates to creche developments and notes that indicative standard is one childcare facility, accommodating 20 children, for approximately 75 dwellings. This is reflective of the requirements as set out in Section 2.4 of the Childcare Facilities Guidelines for Planning Authorities, 2001.

8.5.2. The creche facility proposed will provide for spaces for 76 children with a stated area of 459sq.m. As such, by applying the 20 children per 75 units requirement, the proposed development subject to this appeal is providing for a crèche well in excess of the requirement.

- 8.5.3. The appellant contends that there will be a shortfall in childcare places for the entire masterplan lands and that this is highlighted in Section 3.2.2 of the Architectural Urban Design Statement submitted as part of the application documentation. It is further contended that the entire masterplan lands will provide for a total of 330 units as indicated in the Traffic and Transport Assessment submitted.
- 8.5.4. Section 3.2.2 of the Architectural Urban Design Statement submitted notes that the scale of the proposed creche can serve a residential development of up to 285 no. family homes. While I note that it may be the intention of the applicant to develop out the remaining lands in their ownership, as per the masterplan drawings submitted, the applicant subject to this appeal is seeking permission for 98 units and I consider the creche adequate in scale to serve such.
- 8.5.5. In the event that a future application on the remaining landbank is forthcoming, the applicant will be required to demonstrate that there is adequate childcare provisions, in line with the requirements of the County Plan, to serve the future potential residents.

8.6. Character of Area.

- 8.6.1. The appellants raise concern over the provision of 2.5 storey units as part of the proposed development which they consider not to be in keeping with the established character of the surrounding area. It is contended that all dwellings within the adjoining residential dwellings are either dormer bungalows or two storeys in height.
- 8.6.2. Objective TV21 of the WCDP 2022-2028 seeks *“to ensure that all new development is designed to respect, enhance and respond to its natural, built, cultural and social context and add to character and sense of place.”* While Objective TV22 of the WCDP 2022-2028 seeks *“to ensure that new development has regard to the scale of the settlement and ability of the settlement to absorb further development. In deciding whether any given development exceeds the absorption capacity of the settlement, as well as the absolute quantum of development, the Planning Authority will also have regard to scale, bulk and massing of the individual buildings and groups of buildings.”*
- 8.6.3. The proposed development provides for 4 no. blocks which are 2.5/3 storey in height. One of these blocks has been situated at the entrance to the site which I consider provides for visual interest. The remaining 3 no. blocks are located to the rear of phase 1.

8.6.4. I further consider the inclusion of the 2.5/3 storey units provide for a variety in the overall design ethos and creates a sense of place through the slight deviation in height. I am of the opinion that the proposed development would be in keeping with Objectives TV21 and TV22 of the WCDP 2022-2028.

8.7. **Landscape Character**

8.7.1. The subject site is situated along Newtown Road where there are vast views to the north of the Slaney River. The site is designated within a Costal Landscape as per Landscape Character Assessment of Volume 7 of the County Development Plan. The costal landscape is noted as an area experiencing greater pressure for tourism and residential development and are sensitive to development and require protection both in their own right and for the services and economic benefits they bring.

8.7.2. The appellant draws reference to the assessment of the Planning Officers report which states that the development may impact upon the view from Newtown Road to the Slaney Valley. However, I note that the Planning Office also stated that this impact is not one to warrant a reason for refusal. It is further stated that the development will introduce further views to the Slaney which are not currently available.

8.7.3. Notwithstanding the location of the subject site within a Costal Landscape, I note that the immediate surrounding landscape has undergone significant levels of change in the recent past, as evident in section 4.0 of my report above. The introduction of residential developments to the west of the site and commercial offerings to the east, including that of the offices of Wexford County Council, has dramatically changed the landscape. However, from undertaking a site visit I do not consider that this change has negatively impact upon the view of the Slaney. Furthermore, I note that the view from Newtown Road is not offered any level of protection within the County Development Plan other than identifying it as a Costal Landscape.

8.7.4. The appellant has listed a number of objectives from Volume 7 of the County Development Plan which they consider the proposed development would be contrary to however they failed to provide an assessment of how it would do so.

8.7.5. Having regard to the surrounding pattern of development and the massing of the proposed residential units which so not excess 3 stories in height, I do not consider that the proposal will negatively impact upon the costal landscape character and

accept the assessment of the Planning Officer that the development will in fact open up new views to the Slaney which are currently not available.

8.8. Water Supply/Wastewater

- 8.8.1. It is contended by the appellant that based upon the submission received by the Planning Authority from Uisce Eireann on the 3rd June 2025 and the Confirmation of Feasibility which accompanied the planning application documentation, indicated that connections for both water supply and wastewater were feasible but subject to upgrade works. It is argued that this indicates that the proposal is therefore premature and a brownfield/infill site should be developed first.
- 8.8.2. A further concern was also raised over the date of the letter from Uisce Eireann which was submitted by the applicant being January 2024, and the time lag to when the application was submitted being April 2025.
- 8.8.3. From the onset I note that the submission from Uisce Eireann reflects exactly what the confirmation of feasibility submitted by the applicant states. With regard to water supply both letters note the differences in levels of the site and the supply reservoir and states that a booster pump on-site will be required. With regard to wastewater, reference is made in both letters to the preparation of the Drainage Area Plan (DAP) of Wexford Town which is not finalised but based on the initial assessment upgrade works to increase the flow rate and storage at Carcur pump station are required in order to accommodate the proposed connection. It further states that a condition of the connection agreement will require the applicant to contribute to a relevant portion of the costs required for the upgrades.
- 8.8.4. From a review of the Uisce Eireann's Capacity register for wastewater on the 25th February 2025 it is indicated that there is spare capacity in the Wexford Town Treatment Plant and that projects are planned/underway. From a review of the Uisce Eireann's Capacity register for water supply on the 25th February 2025 it is indicated that there is potential capacity available for Wexford Town.
- 8.8.5. While I note that upgrade works and an onsite booster pump may be required to facilitate the development, Uisce Eireann have clearly indicated that they can facilitate the development subject to upgrade. I consider that these are matters, which arise on a regular basis, can be dealt with at connection design process which is subject to

further engagement between the applicant and Uisce Eireann post consent. They will be resolved by way of condition requiring this engagement.

8.9. Social Infrastructure

- 8.9.1. Objective SH22 of the WCDP requires new physical and/or social infrastructure is provided either prior to or in tandem with new residential developments. The proposed development provides for a creche facility which I consider fulfils this requirement.
- 8.9.2. The appellant to this appeal contends that a social audit assessment should have been submitted as part of the application documentation. Reference is made to section 3.6 of the WCDP 2022-2028 where it states that there is a shortage of schools within the county. It is contented that having regard to the proximity of the subject site to the nearest schools within Wexford Town that the majority of children will travel by car
- 8.9.3. While I note the proximity of the subject site for the surrounding school facilities, from undertaking a site visit I note that there is a cycle track and pedestrian footpath along the R769 which connects the subject site to Wexford town centre. I note that the nearest primary school, Scoile Mhuire, is located c. 1.5km from the entrance to the subject site which would equate to a 23 minute walk/6min cycle. As such, I do not consider the concerns raised with regard to proximity of subject site to social infrastructure to be warranted.

8.10. Ecology

- 8.10.1. The application was accompanied by a number of ecological assessments which included for a Bat and Bird Survey, an Ecological Impact Assessment (EclA) and a Natura Impact Assessment (NIS). The appellant to this appeal has raised a number of concerns with regard to these documents submitted which I have assessed and considered below:

NIS

- 8.10.2. I note that I have provided a detailed assessment of the Appropriate Assessment Screening Report and NIS under Section 9 and Appendix 3 and 4 of my assessment and I consider that the concerns raised in relation to the in-combination assessment and mitigation proposed by the appellant to be incorrect. I note that the AA

Screening/NIS was prepared by a suitably qualified ecologist, and I fully accept its findings.

Bat and Bird survey

- 8.10.3. The appellant contends that the Bat and Bird survey were not undertaken in the recommended optimal months of October through to March. Reference is made to section 3.13 of the Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine, 2018. This states that limitations to surveys such as seasonal constraints, should outlined if surveys are undertaken out of the optimal survey season, or there are other substantive limitations to the data collected, further information may be needed to ensure that the EclA is robust.
- 8.10.4. The applicant in response states that the survey period reference by appellant are optimal and not statutory and that the surveys undertaken still provide valid baseline information. I note that the bird and bat surveys are indicated to have been undertaken in September. I accept that the survey months set out by the appellant are optimal and there is no statutory requirement for when ecological or bird surveys should be carried out. The surveys undertaken have provided adequate level of baseline information.
- 8.10.5. The appellant further contends that there is confusion and conflicting information set out within table 4.4 and 4.5 of the report submitted as the tables list different bat species. From a review of the assessment in note that Table 4.4 presents the findings from the site walkover and Table 4.5 presents the findings from the static bat detector erected on site. I consider that given the difference in survey methods this provides for an adequate explanation over the different species listed.

EclA

- 8.10.6. The appellant notes 5 amber listed birds species were recorded on site and that the reliability of the EclA is questionable as the applicant did not undertake the surveys in the recommended periods. I have addressed this issue above within section 8.10.4 of my report and further note that from a review of the EclA I consider the assessment to be robust.
- 8.10.7. With regard to the works carried out to date, I note that enforcement is a function of the Planning Authority and not for the Commission to comment on. I would further note

that the applicant has clarified that the clearance works were undertaken post the survey period.

8.10.8. In conclusion, I consider that the ecological reports prepared and submitted are acceptable.

8.11. **Other issues.**

8.11.1. **Scale of Development**

It is contended that the subject application should have been assessed under the LRD Planning Legislation as it is phase 1 of a four-phase development which will provide for a total of 282 residential units and that is above the 100-unit threshold for an LRD Application.

This application is seeking permission for 98 units and has been submitted as a standalone application. I do not consider, notwithstanding the reference to the wider masterplan area within some documents submitted, that given the 'quantum of units being proposed, which does not exceed the 100-unit threshold of the LRD Legislation, that the subject application would trigger the requirement to be assessed against the LRD process.

8.11.2. **EIAR/EIA Screening**

It is contended that the applicant should have submitted an EIAR as part of the application documentation. In addition, reference is made to the EIA screening submitted to the Planning Authority and considers that there are a number of issues overlooked and that the screening should have considered the development of the whole of the master lands and not just the appeal site/development.

The appeal contends that the EIA Screening report did not have regard to a nearby housing scheme permitted under ref. 20241132/ABP-321942-25 and ACP-323192-25. I note that permission sought under ACP-323192-25 was subsequently refused by the Commission.

The EIA screening report references a list of other permitted developments but does fail to refer to Ref. 20241132/ABP-321942-25 which permitted the construction of 99no. dwellings on a site to the west 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 6 no. units to the site and other subsequent relevant planning history when undertaking the screening assessment.

I would draw the Commissions attention to Section 6 and Appendix 1 and Appendix 2 of my report where I have undertaken a detailed EIA Screening Assessment and determined that EIA is not required. I further note that the EIA Screening Assessment submitted was considered to be robust and addresses all issues required to do so under Schedule 7 of the Planning and Development Regulations 2001, (as amended). This was also the finding of the Planning Authority.

8.11.3. **Surface Water**

The appellant considers that the reduction in attenuation storage on site could lead to flooding issues in the future.

The applicant was requested at RFI stage to reconsider the quantum of attenuation storage on site and provide for a more sustainable approach by increased SuDS measures. The reduction in attenuation storage was as a result of increased permeable paving being provided together with other SuDS features. The Planning Authority accepted this and did not raise any concerns with regard to flooding. The application was accompanied by a Site-Specific Flood Risk Assessment.

The appellant to this appeal did not provide for any technical evidence to the contrary to prove that flooding would be a risk as a result of the reduction in attenuation storage. I therefore do not accept this contention.

8.11.4. **Open space**

The appellant has raised concern over the location of open space situated at the entrance to the site and being an unsuitable play space for children given the proximity to traffic entering and exiting the site.

The proposed development provides for 3.21 ha of open space being provided in 4 main areas which would equate to 16% of the overall site area. The Planning Officer in their assessment considers the open space to have a high-quality design which will enhance the amenities of future residents.

I note that Table 14.1 of the WCDP requires that 15% of the total area of a residential development site will be allocated to public open space.

From a review of the landscape strategy, I note that the area subject to concern is not intended as an area for child's play, this has been located on the larger areas within the centre of the development, and that the area to the front acts as a urban design feature to frame the entrance of the site. I therefore do not accept the concerns raised by the appellant in this instance.

8.11.5. Master Plan and Riparian Zone

The appellant contends that the insufficient details have been provided in the masterplan submitted with regard to a suitable riparian zone which is indicated as being 10m in width. It is asserted that riparian zone should accord with the 4 steps to good riparian and river planning for urban area as set out in Planning for Watercourses in the Urban Environment (Inland Fisheries Ireland, 2020) which is reference within Objective GI04 of WCDP.

This would require that the layout would have to provide for a riparian corridor of up to 40m. I note that the applicant has stated that the document referenced is a guidance and does not have a statutory holding and that Objective GI04 of the WCDP requires developments 'to have regard to' the document referenced. I accept the response provided and consider that the provision of a 10m riparian corridor is acceptable and standard practice in similar urban developments.

8.11.6. Insufficient site layout plan

The appellant contends that the locations of various types of units not indicated on any site layout plan submitted and that this is contrary to public participation.

From a review of the drawings submitted I note that these details are provided on Site Layout Plan (drawing no. 2309-SNK-DR-MCORM-AR-P3-PL04) and that this is also set out in detail within the Architectural Design Statement which accompanied the application.

8.11.7. Landowner consent

It is contended by the appellant that the letter of consent submitted with the application was only signed by one of the landowners and that one person cannot give another person's consent.

I consider that the original letter of consent submitted to the Planning Authority accords with the requirements of 22(2)(g) of the Planning Development Regulations 2001, as amended. Furthermore, I note that an updated letter of consent signed by both landowners accompanied the applicant response to the 3rd party appeal.

8.11.8. Administrative Issues

It is contended that the planning documents were uploaded in an un-orderly fashion to the Planning Portal which took the appellant a considerable time to review and was considered contrary to public participation

I consider that the uploading of documents is an administrative function of the Planning Authority and not a consideration for the assessment of the proposed development. I further note that a hard copy is held at the offices of the Planning Authority for review by members of the public.

9.0 Appropriate Assessment

9.1. Stage 1 – Appropriate Assessment Screening

9.1.1. I am satisfied that the information on file which I have referred to in my assessment allows for a complete examination and identification of any potential significant effects of the development, alone, or in combination with other plans and projects on European sites. I have reviewed the applicant's 'Screening for Appropriate Assessment' and I have carried out a full Screening Determination for the development and it is attached to this report in Appendix 3.

9.1.2. 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 could to give rise to significant effects on the Slaney River Valley SAC (site code 00781) and Wexford Harbour and Slob SPA (site code 004076)

in view of the conservation objectives of these sites and is therefore require further consideration. Appropriate Assessment is required.

9.1.3. This determination is based on:

- Nature of works.
- Hydrological connection provided by the Carricklawn Stream.
- Negative effects on qualifying interest habitats and species that are sensitive to changes in water quality.

9.1.4. An appropriate assessment is required on the basis of the effects of the project 'alone'. It is therefore determined that Appropriate Assessment (stage 2) under Section 177V of the Planning and Development Act 2000, is required on the basis of the effects of the project 'alone'.

9.2. **Stage 2 - Appropriate Assessment**

9.2.1. The following is an objective assessment of the implications of the proposal on the relevant Conservation Objectives (CO) of the Slaney River Valley SAC (site code 00781) and the Wexford Harbour and Slobs SPA (site code 004076) based on the scientific information provided by the applicant and taking into account expert opinion. It is based on an examination of all relevant documentation, analysis and evaluation of potential impacts, findings and conclusions. A final determination will be made by the Commission.

9.2.2. All aspects of the project which could result in significant effects are assessed and mitigation measures designed to avoid or reduce any adverse effects on site integrity are examined and evaluated for effectiveness. Possible in-combination effects were also considered. A full description of the proposed development is set out in section 4 of the NIS submitted by the applicant and the potential impacts from the construction and operational phases are set out in Section 7 of the NIS submitted.

9.2.3. From undertaking a screening for the need of Appropriate Assessment, it was determined that the proposed development could result in significant effects on Slaney River Valley SAC (site code 00781) and the Wexford Harbour and Slobs SPA (site code 004076) in view of the conservation objectives of those sites and that Appropriate Assessment under the provisions of S177U/ 177AE was required.

9.2.4. Following an examination, analysis and evaluation of the NIS, as set out within appendix 4 of my report, and all associated material submitted, I consider that in light of the mitigation measures proposed, that adverse effects on site integrity of the Slaney River Valley SAC (site code 00781) and the Wexford Harbour and Slobs SPA (site code 004076) 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.

9.2.5. My conclusion is based on the following:

- Detailed assessment of construction and operational impacts.
- the proposed development will not affect the attainment of conservation objectives or prevent or delay the restoration of favourable conservation condition of the Slaney River Valley SAC (site code 00781) and Wexford Harbour and Slobs SPA (site code 004076).
- Effectiveness of mitigation measures proposed and adoption of CEMP submeter.
- Application of planning conditions to ensure the mitigation measures proposed are undertaken.

10.0 Water Framework Directive Screening

10.1. The subject site is located the outskirts of the Wexford suburban area in the townland of Ballyboggan. The proposed development comprises of 98 no. residential units, a childcare facility and all association site works. The Carricklawn stream abuts the subject site to the and the Lower Slaney Estuary is located c.867m to the north of the site.

10.2. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

10.3. The reason for this conclusion is as follows:

- Nature of works regard the scale.
- The context of the surrounding area.
- Location-distance from nearest Water bodies.
- The mitigation included within Construction Environmental Management Plan.
- The Natura Impact Assessment which accompanied the application.

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

11.0 Recommendation

It is recommended that the decision of the Planning Authority be upheld, and permission is granted based on the following reasons and considerations and subject to the attached conditions

12.0 Reasons and Considerations

Having regard to the provision of the Wexford County Development Plan 2022-2028, the provision of Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024), Section 28 Guidelines, the and the design, scale and layout of the proposed development and pattern of existing and proposed development in the surrounding area, it is considered that subject to compliance with the conditions set out below, would provide for an appropriate form of development and would not adversely impact upon the residential amenity of the area, would provide for a good quality of residential amenity for future potential residents, would not undermine traffic safety of the surrounding area and, therefore, be in accordance with the proper planning and sustainable development of the area.

13.0 Conditions

1.	<p>The development shall be carried out and retained 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 29th day of April 2025, and the 10th 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.</p> <p>Reason: In the interest of clarity</p>
2	<p>Mitigation measures outlined in the updated Natura Impact Assessment lodged with the application on the 10th September 2025, shall be carried out in full, except where otherwise required by conditions attached to this permission.</p> <p>Reason: in the interest of protecting the.</p>
3.	<p>Not more than 75% of residential units shall be made available for occupation before completion of the childcare facility unless the developer can demonstrate to the written satisfaction of the planning authority that a childcare facility is not needed (at this time).</p> <p>Reason: To ensure that childcare facilities are provided in association with residential units, in the interest of residential amenity.</p>
4	<p>Details of the materials, colours and textures of all the external finishes to the proposed dwellings 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>
5	<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</p>

	<p>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>
6	<p>The construction of the development shall be managed in accordance with the Construction Management Plan submitted to the Planning Authority on the 29th day of April 2025. All mitigation measures set out within these plans shall be implemented in full.</p> <p>Reason: In the interest of amenities, public health and safety and environmental protection</p>
7	<p>If, during the course of site works any archaeological material is discovered, the Planning Authority shall be notified immediately. The applicant/developer is further advised that in this event that under the National Monuments Act, the National Monuments Service, Dept. of Housing, Heritage and Local Government and the National Museum of Ireland require notification.</p> <p>Reason: In the interest of preserving or preserving by record archaeological material likely to be damaged or destroyed in the course of development.</p>
8.	<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. All existing over ground cables shall be relocated underground as part of the site development works.</p> <p>Reason: In the interests of visual amenity.</p>

9.	<p>The site shall be landscaped in accordance with the updated Landscape Plan submitted to the Planning Authority in the 10th September 2025. 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>All boundary treatments shall be implemented and constructed in accordance with plans submitted prior to the first occupation of the proposed development, unless otherwise agreed in writing with the planning authority.</p> <p>Reason: In the interest of residential amenity.</p>
11	<p>A plan containing details for the management of waste within the development, including the provision of facilities for the storage, separation and collection of the waste, and, in particular, recyclable materials and for the ongoing operation of these facilities for each apartment shall be submitted to, and agreed in writing with, the planning authority not later than six months from the date of commencement of the development. Thereafter, the waste shall be managed in accordance with the agreed plan.</p> <p>Reason: In the interest of residential amenity, and to ensure the provision of adequate refuse storage</p>
12	<p>The development hereby permitted shall be carried out and completed at least to the construction standards as set out in the planning authority's Taking In Charge Standards. In the absence of specific local standards, the standards as set out in the 'Recommendations for Site Development Works for Housing Areas' issued by the Department of the Environment and Local Government in November 1998. Following completion, the development shall be maintained by the developer, in compliance with these standards, until taken in charge by the planning authority.</p>

	<p>Reason: To ensure that the development is carried out and completed to an acceptable standard of construction.</p>
13	<p>Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Saturdays inclusive, and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where proposals have been submitted and agreed in writing with the Planning Authority.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity</p>
14	<p>Prior to the commencement of development, the developer shall enter into a Connection Agreement with Uisce Éireann (Irish Water) to provide for a service connection to the public water supply and wastewater collection network. All works shall comply with Uisce Éireann's Connection and Developer Services Standard Details and Code of Practice.</p> <p>Reason: In the interest of public health and to ensure adequate water/wastewater facilities</p>
15	<p>All drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the relevant Section of the Council for such works and services. Prior to the commencement of development, the developer shall submit all drainage details to the Planning Authority for written agreement.</p> <p>Reason: In the interest of public health and surface water management.</p>
16	<p>Prior to the commencement of the development as permitted:</p> <p>(a) 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.</p>

	<p>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 ABP-319092-24 Inspector's Report Page 57 of 70 individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing.</p> <p>(c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified housing units, in which case the planning authority shall confirm in writing to the applicant or any person with an interest in the land that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit.</p> <p>Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.</p>
17	<p>Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, coupled with an agreement empowering the planning authority to apply such security or part thereof to secure the taking in charge of roads, footpaths, sewers, water mains, drains, public car parking, public lighting and other services proposed or required in connection with the development to the satisfactory requirements of the Planning Authority. 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 Bord Pleanála for determination.</p>

	<p>Reason: In the interest of traffic safety and the proper planning and sustainable development of the area.</p>
19	<p>Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority [in relation to the transfer of a percentage of the land, to be agreed with the planning authority, in accordance with the requirements of section 94(4) and section 96(2) and 96(3)(a), (Part V) of the Planning and Development Act 2000, as amended, and/or the provision of housing on lands in accordance with the requirements of section 94(4) and section 96(2) and 96(3) (b), (Part V) of the Planning and Development Act 2000, as amended], unless an exemption certificate has been granted under section 97 of the Act, as amended. Where such an agreement cannot be reached between the parties, the matter in dispute (other than a matter to which section 96(7) applies) shall be referred by the planning authority or any other prospective party to the agreement, to An Bord 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>
20	<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</p>

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

Kathy Tuck

11th March 2026

Appendix 1

EIA Pre-Screening

An Coimisiún Pleanála Case Reference	ACP-500345-25		
Proposed Development Summary	Construction of a mixed-use development comprising 98 residential units and a creche facility.		
Development Address	Ballyboggan, Newtown Road, Co. Wexford		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? <small>(that is involving construction works, demolition, or interventions in the natural surroundings)</small>		Yes	X
		No	
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	X	S. 5 P.2 10(b)(ii) construction of more than 500 dwelling units.	Proceed to Q.3
No			
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	X	S. 5 P.2 10(b)(ii) construction of more than 500 dwelling units.	No EIAR or Preliminary Examination required
Yes			Proceed to Q.4

4. Has Schedule 7A information been submitted?

No		Preliminary Examination required
Yes	X	Screening Determination required

Inspector: _____ **Date:** _____

Appendix 2

A. CASE DETAILS		
An Bord Pleanála Case Reference	PL – 500345-WX-25	
Development Summary	98 no. residential units and a single storey creche	
	Yes / No / N/A	Comment (if relevant)
1. Was a Screening Determination carried out by the PA?	Yes	The Planning Authority undertook a screening determination which is set out within the Planners Report. The assessment concluded that having regard to the criteria in Schedule 7 and the information provided in accordance with Schedule 7A of the Planning and Development Regulations 2001, as amended, the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an environmental impact report is not therefore required
2. Has Schedule 7A information been submitted?	Yes	An EIA Screening report which considered the proposed development in light of Schedule 5 and Schedule 7A of the Planning and Development Regulations 2001, as amended was prepared by the Applicants Planning Agent and submitted to the Planning Authority on the 29 th April 2025.
3. Has an AA screening report or NIS been submitted?	Yes	The applicant submitted an AA Screening report to the Planning Authority. The screening report submitted concluded that having regard to the proximity of the nearest SAC and given the location, nature and extent of the proposed development it was considered that there would be potential to negatively affect the ecological integrity or conservation objectives of

		European Sites. The Planning authority undertook a Screening for AA and concluded same. As such na NIS was prepared and submitted as part of the application. I will consider this in my main assessment.
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	N/A
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	SEA an AA were undertaken as part of the Wexford County Development Plan 2022-2028. The application has been accompanied by a Specific Flood Risk Assessment, Landscape Design Statement and works maintenance specifications, daylight and sunlight assessment, ECIA, Construction Environmental Management Plan (CEMP), Bat Survey and General Bird Survey, Archaeology Testing report, Traffic and Transport report, and a Building life cycle report.

B. EXAMINATION	Yes/ No/ Uncertain	Briefly describe the nature and extent and Mitigation Measures (where relevant) (having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact) Mitigation measures –Where relevant specify features or measures proposed by the applicant to avoid or prevent a significant effect.	Is this likely to result in significant effects on the environment? Yes/ No/ Uncertain
This screening examination should be read with, and in light of, the rest of the Inspector’s Report attached herewith			
1. Characteristics of proposed development (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 appeal site is situated within the sub-urban area of Wexford Town Centre where there is an emerging residential development located to the west. The offices of Wexford County council are a situated to the east along with some retail offerings. The site is currently greenfield in nature.	No
1.2 Will construction, operation, decommissioning or demolition works cause physical changes to the locality (topography, land use, waterbodies)?	Yes	The construction and operation phase will see a physical change from greenfield to residential use. There are no structures on site that will require demolition. Proposed excavation works will cause a change in site topography/ ground levels, which will be	No

		<p>managed through implementation of the outline Construction Environmental Management Plan (CEMP) final agreed version to be required by condition.</p> <p>The use of the land will change of land us is considered to be a more efficient use of serviced land.</p> <p>There are no watercourses located on the site. The Carricklawn stream abuts part of the eastern boundary of the site which flows in a north-easterly direction connecting to the Slaney River Valley SAC and the Wexford Harbour and Slobbs SPA.</p>	
<p>1.3 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?</p>	<p>Yes</p>	<p>The project uses standard construction methods, materials and equipment, and the process will be managed though the implementation of the outline/final CMP. There is no significant use of natural resources anticipated.</p> <p>The project uses land, which is a finite resource, however it is used more efficiently and sustainably than at present (Greenfield). Otherwise, the operational phase of the project will not use natural resources in short supply.</p> <p>The project connects to the public water, wastewater, and surface water drainage services systems which have sufficient capacity to cater for demands arising from the project.</p>	<p>No</p>

		Accordingly, I do not consider the use of natural resources in the project likely to result in a significant effect on the environment of the area.	
1.4 Will the project involve the use, storage, transport, handling or production of substance which would be harmful to human health or the environment?	YES	<p>Construction phase activities will require the use of potentially harmful materials, such as fuels and create waste for disposal. The use of such substances will be typical of construction sites.</p> <p>Noise and dust emissions during the construction phase are likely. These works will be managed through implementation of the outline/ final CMP, which can be required by condition.</p> <p>The operational phase of the project does not involve the use, storage, or production of any harmful substance. Conventional waste produced from residential activity will be managed through the implementation of an Operational Waste Management & Recycling Management Plan which can be required by condition.</p> <p>Accordingly, I do not consider this aspect of the project likely to result in significant effects on the environment in terms of human health or biodiversity.</p>	No
1.5 Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?	YES	Conventional waste will be produced from construction activity and will be managed through the implementation of the outline/ final CMP.	No

		<p>The operational phase of the project (i.e., the occupation of the residential units) will not produce or release any pollutants or hazardous material. Conventional operational waste will be managed through the implementation of an Operational Waste Management & Recycling Management Plan.</p> <p>Accordingly, I do not consider the production of waste or generation of pollutants in the project likely to result in a significant effect on the environment of the area.</p>	
<p>1.6 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>	<p>Yes</p>	<p>The project involves site preparation, excavations (foundations for site services, building), reprofiling and construction (roads, footpaths, building), and landscaping works (open spaces). These construction phase activities are associated with contamination risks to land and/ or water sources.</p> <p>I direct the Board to the response to Q:2.1 below in respect of the risk of contamination of protected water bodies/ ecological designations.</p> <p>I direct the Board to the response to Q:2.5 below in respect of the risk of contamination of water resources including surface waters, groundwaters, coastal waters, and of flood risk.</p> <p>Accordingly, as risks of contamination to ground or water bodies are not predicted and/ or can be mitigated against, I do not consider this aspect of</p>	<p>No</p>

		the project likely to result in a significant effect on the environment.	
1.7 Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?	Yes	<p>Noise, vibration, and light impacts are likely during the site development works. These works are short term in duration, and impacts arising will be temporary, localised, and be managed through implementation of the outline/ final CMP.</p> <p>The operational phase of the project will also likely result in noise and light impacts associated with the increased intensity of the residential and commercial use (e.g., use of communal open spaces and creche operation).</p> <p>However, these are anticipated to be typical of such residential schemes, as proposed. Lighting impacts will be mitigated by the provision of a public lighting plan designed to comply with industry guidance and provided to the satisfaction of the planning authority.</p> <p>I direct the Board to the response to Q:2.8 below in respect of the project's effect on sensitive land uses.</p> <p>Accordingly, I do not consider this aspect of the project likely to result in significant effects on the environment in terms of air quality (noise, vibration, light pollution).</p>	No

<p>1.8 Will there be any risks to human health, for example due to water contamination or air pollution?</p>	<p>Yes</p>	<p>The potential for water contamination and air pollution (noise and dust emissions) during the construction phase is likely.</p> <p>Construction works will be managed through implementation of the outline/ final CMP. Site development works are short term in duration, and impacts arising will be temporary, localised, addressed by standard construction mitigation measures.</p> <p>The operational phase of the project will not likely cause risks to human health through water contamination or air pollution due to the nature and design of the scheme, connection to public water systems, incorporation of SuDS features in the surface water management system, and scale of residential and commercial activities, and use arising.</p> <p>Accordingly, in terms of risks to human health, I do not consider this aspect of the project likely to result in a significant effect on the environment.</p>	<p>No</p>
<p>1.9 Will there be any risk of major accidents that could affect human health or the environment?</p>	<p>No</p>	<p>There is no risk of major accidents given nature of the project and location of the site. Not at risk of flooding which was demonstrated within the Site Specific Flood Risk Assessment submitted.</p>	<p>No</p>
<p>1.10 Will the project affect the social environment (population, employment)</p>	<p>Yes</p>	<p>The project increases localised temporary employment activity at the site during development works (i.e. site enabling and construction phases). The site development works are short term in</p>	<p>No</p>

		<p>duration and impacts arising will be temporary, localised, addressed by the mitigation measures in the outline/ final CMP.</p> <p>The operational phase of the project (i.e. the occupation of the residential units) will result in a potential increase. A slight impact in scale of effect.</p> <p>The receiving area is an established sub-urban neighbourhood location, which is in proximity to services, public transport, amenities, and has the capacity to accommodate the likely impacts associated with the anticipated population increase.</p> <p>Accordingly, I do not consider this aspect of the project likely to result in a significant effect on the social environment of the area.</p>	
<p>1.11 Is the project part of a wider large scale change that could result in cumulative effects on the environment?</p>	<p>Yes</p>	<p>It is noted that the WCDP 2022-2028 does not include zoning objectives for Wexford Town. The Settlement Strategy for Wexford, as set out in the WCDP 2022-2028, designated Wexford Town as a Level 1 - key Town. Table 3.4 of the WCDP 2022-2028 sets out the Core Strategy for the County and allocates a housing target of 2174 no. units to Wexford Town for the period 2021-2027. The proposed scheme would account for approximately 4.5% of the total housing allocation for the settlement. The development approach set out within Section 3.6.1 of Volume 1 of the WCDP 2022-2028 seeks to allocate significant population</p>	<p>No</p>

		<p>growth to the town to contribute to the development of a centre of scale.</p> <p>The subject site is a greenfield site which is adjoining both an emerging and established residential area located on the periphery of Wexford Town. The development of these lands for residential purposes, as proposed, would support the consolidation and sustainable intensification of the surrounding area while also delivering population growth on serviced lands in accordance with NPF Objectives.</p> <p>I direct the Board to the response to Q: 3.1 below in respect of considerations of cumulative effects of the project.</p> <p>I do not anticipate cumulative significant negative effects on the area arising from the project.</p>	
2. Location of proposed development			
<p>2.1 Is the proposed development located on, in, adjoining or have the potential to impact on any of the following:</p> <ul style="list-style-type: none"> - European site (SAC/ SPA/ pSAC/ pSPA) - NHA/ pNHA - Designated Nature Reserve - Designated refuge for flora or fauna 	No	<p>The project is not located within, on, or adjoining any European Site, any designated or proposed NHA, or any other listed area of ecological interest or protection.</p> <p>The submitted AA Screening Report concluded that due to a direct hydrological connection, via the Carricklawn stream, during construction works, the</p>	No

<p>- 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</p>		<p>proposed development could have the potential to significantly affect the qualifying interests on the special conservation interests of the Slaney River Valley SAC and Wexford Harbour and Slobs SPA due to a potential deterioration in water quality. As such a Natura Impact Assessment was submitted.</p> <p>I will consider this under Section 10.0 and Appendix 3 and 4 of my report.</p> <p>Water Framework Directive will be discussed under Section 11 and appendix 5.</p>	
<p>2.2 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>	<p>Yes</p>	<p>The site comprises a greenfield site. The site is not under any wildlife or conservation designation.</p> <p>No protected habitats, plant species of conservation importance, or any terrestrial mammals or evidence of mammals of conservation importance were noted on site.</p> <p>Bat Fauna and bird Assessment submitted confirms that no bat roosts will be lost. No trees of bat roosting potential are noted on site. The site is brightly lit by street lighting. The proposed development will change the local environment as new structures are to be erected.</p> <p>No bat activity was noted on site. No bat roosts or potential bat roosts will be lost due to this development. The proposed development will have a neutral long-term impact on bat populations.</p>	<p>No</p>

		Accordingly, I do not consider the project likely to result in a significant effect on the environment in terms of biodiversity.	
2.3 Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?	Yes	<p>The appeal site is located in the Coastal landscape character unit (LCU) as per the Wexford County Development Plan 2022-2028. This landscape unit is classified as having a high sensitivity to change and a limited ability to absorb new development. Much of the surrounding area is dominated by urban features and the proposed development would adhere to the overall development pattern of the area.</p> <p>The Wexford County Development Plan 2022-2028 does not identify any specific scenic routes or protected viewpoints.</p> <p>There is one national monument located within the proposed development site, consisting of an excavation (miscellaneous). Outside of the proposed site development the nearest national monument to the site are two burnt mounds, both located 20m from the site's boundary. Two other burnt mounds are also located in close proximity of the proposed development. The nearest NIAH building to the site is a walled garden attached to Park House and is located 220m to the north of the site. The proposed development is not located in any Architectural Conservation Area.</p>	No

		<p>A Preliminary Report on Archaeological Testing has been submitted. Archaeological testing included the excavation of a series of test trenches across the site providing broad coverage and assessing areas that had not been previously undergone archaeological investigation. A total of 17 test trenches were excavated and no archaeological features or finds were identified. To prevent accidental damage to the remains of the burnt mound and to allow development of the site a number of mitigation strategies are recommended within the report and considered to be acceptable.</p> <p>Accordingly, having regard to the documentation submitted with the application, and subject to conditions in respect of further archaeological monitoring, I do not consider the project likely to result in a significant effect on the environment in terms of architectural, archaeological and cultural heritage.</p>	
<p>2.4 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	<p>There are no such resources on or close to the site.</p>	No
<p>2.5 Are there any water resources including surface waters, for example: rivers, lakes/ponds, coastal or groundwaters which</p>	Yes	<p>The Carricklawn stream directly abuts part of the subject site which flows in a northern direction where it connects to Wexford Bay.</p>	No

<p>could be affected by the project, particularly in terms of their volume and flood risk?</p>		<p>I direct the Board to the response to Q:1.2 above in respect of the construction and operation phase impacts of the project on the water resources at the site/ in the vicinity (i.e., surface water/ groundwater impacts).</p> <p>There is a direct hydrological connections, via the Carricklawn stream, between the site and the European Natura Designated sites (Slaney River Valley SAC and Wexford Harbour and Slobs SPA).</p> <p>I direct the Board to the response to Q:2.1 above in respect of the impact of the project on the watercourses, the European sites, and the Irish sea.</p> <p>Mitigation measures are identified in the outline CEMP and the NIS during the construction phase of the project to safeguard the quality of the surface water runoff, prevent pollution events to groundwater, and mitigate against excessive siltation.</p> <p>Wastewater generated by the proposed development will be collected in a gravity sewer network along Newtown Ross which falls in an easterly direction eventually connecting to the Carcur Pumping Station.</p> <p>A Pre-connection enquiry was submitted to Uisce Eireann to confirm capacity in the receiving network. A confirmation of feasibility was received</p>	
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		<p>from Uisce Eireann dated the 31st Jan 2024 confirming the existing Watermain and Foul/combined network has capacity for the proposed development, CDS23007384, and was submitted as part of the application documentation.</p> <p>A surface water management scheme has been submitted which includes or 4 no. catchments area with the ultimate outfall, after being treated, draining to an existing open watercourse at the eastern edge Of the site. A full suite of SUDS measures have been included and attenuation storage is also proposed.</p> <p>The Site Specific Flood Risk Assessment states that there is no record of flooding previously occurring on the proposed development site and that the proposed development site is not located in a floodplain. The SSFRA concludes that the site is classified within Flood Zone C, indicating a low risk of both fluvial and coastal flooding based on available flood mapping data, and is therefore excluded from further flood risk assessment at this stage.</p> <p>Accordingly, I do not consider the project likely to result in a significant effect on the environment in terms of water resources and flood risk.</p>	
<p>2.6 Is the location susceptible to subsidence, landslides or erosion?</p>	<p>No</p>	<p>There is no evidence identified of these risks.</p>	<p>No</p>

<p>2.7 Are there any key transport routes(eg 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?</p>	<p>No</p>	<p>During the site development works, the project will result in an increase in traffic activity (HGVs, workers) as construction equipment, materials, and waste are delivered to/ removed from the site. Site development works are short term in duration and impacts arising will be temporary, localised, and managed under the outline/ final Construction Environmental Management Plan (required by condition).</p> <p>Once construction has been completed, site related traffic would consist of vehicles related to occupants of the residential dwellings. Traffic volumes are anticipated to increase on the local road network as a result of the developments operational phase. However, these increases are not likely to be significant and traffic impacts associated with the development would be minimal. The local road network and new access road are anticipated to be sufficient to accommodate site related traffic</p> <p>A total of 213 parking spaces will be provided, including spaces for visitors. Parking spaces will also be provided at the creche. It is considered that the scheme as proposed is a pedestrian-friendly layout which adopts the principles of DMURS</p> <p>Accordingly, I do not consider the project likely to result in a significant effect on any key transport routes or on the environment in terms of transportation.</p>	<p>No</p>
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<p>2.8 Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be affected by the project?</p>	<p>No</p>	<p>There are private residential dwellings located in close proximity to the west of the site.</p> <p>Site development works will be implemented in accordance with the outline/ final CEMP which includes mitigation measures to protect the amenity of adjacent properties and residents.</p> <p>Once operational, the design, siting, and scale of the proposed buildings and the separation distances to the closest dwellings are such that negative impacts arising from overlooking, overshadowing, overbearance are not reasonably anticipated.</p> <p>The operational phase of the project will cause an increase in activity at the site which are considered to be typical of such residential accommodation as proposed, sited in established sub-urban area locations such as the receiving area and are well within acceptable parameters for same.</p> <p>No negative impacts on residential amenity are anticipated.</p>	<p>No</p>
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3. Any other factors that should be considered which could lead to environmental impacts

<p>3.1 Cumulative Effects: Could this project together with existing and/or approved development result in cumulative effects during the construction/ operation phase?</p>	<p>No</p>	<p>Existing and/ or approved planning permissions in the wider area have been noted and taken into consideration in the application documentation and associated assessments.</p>	<p>No</p>
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3.2 Transboundary Effects: Is the project likely to lead to transboundary effects?	No	There are no transboundary effects are arising.	No
3.3 Are there any other relevant considerations?	No	No	No

C. CONCLUSION

No real likelihood of significant effects on the environment.	X	EIAR Not Required
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D. MAIN REASONS AND CONSIDERATIONS

EIAR not Required

Having regard to: -

- a) The nature and scale of the project, which is below the thresholds in respect of Class 10(b)(i) and Class 10(b)(iv) of the Planning and Development Regulations 2001, as amended.
- b) The relevant policies and objectives in the Wexford County Development Plan 2022-2028, and the results of the strategic environmental assessment of this plan undertaken in accordance with the SEA Directive (2001/42/EC).
- c) The greenfield nature of the site and its location in an established residential and sub-urban area, which is served by public services and infrastructure.
- d) The pattern of existing and permitted development in the area.
- e) The location of the site outside of any sensitive location specified in article 109(4)(a) the Planning and Development Regulations 2001, as amended and the absence of any potential impacts on such locations.

- f) The guidance set out in the 'Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development', issued by the Department of the Environment, Heritage, and Local Government (2003).
- g) The criteria set out in Schedule 7 of the Planning and Development Regulations 2001, as amended.
- h) The available results, where relevant, of preliminary verifications or assessments of the effects on the environment carried out pursuant to European Union legislation other than the EIA Directive.
- i) The features and measures proposed by the applicant envisaged to avoid or prevent what might otherwise be significant effects on the environment, including those identified in the outline Construction Environmental Management Plan, Ecological Impact Assessment, Arboricultural Report, Site Specific Flood Risk Assessment, Archaeological Testing Report, Lighting Design Report and Traffic and Transport Plan.

In so doing, the Board concluded that by reason of the nature, scale and location of the project, the development would not be likely to have significant effects on the environment and that an Environmental Impact Assessment and the preparation of an Environmental Impact Assessment Report would not, therefore, be required.

Inspector: _____ **Date:** _____

ADP: _____ **Date:** _____

Appendix 3

Screening for Appropriate Assessment Test for likely significant effects	
Step 1: Description of the project and local site characteristics	
Case File: ABP-3217942-25	
Brief description of project	Normal Planning Appeal 98 no. residential units and a single storey creche.
Brief description of development characteristics and potential impact mechanisms	<p>The subject site is a greenfield site which is relatively flat in nature and is located to the east of an established residential area and to the north of the Town Centre of Wexford.</p> <p>The devolvement will comprise of the construction of a single storey creche and 98 no. residential units which comprises of a mix of houses and duplex apartment units.</p> <p>The development includes for a car park area and on site drainage infrastructure including SUDS measures with connections to the existing watermain and foul waste water services also being proposed.</p> <p>The Carricklawn Stream directly abuts part of the eastern site boundary. The stream flows to north and connects to the Slaney River Valley SAC and the Wexford Harbour and Slobs SPA.</p>
Screening report	Yes Accepted by Wexford County Council.
Natura Impact Statement	Yes
Relevant submissions	Concner was raised by the appellant to this appeal that the NIS submitted fails to consider 2 no. developments withn the vicinity.
Step 2. Identification of relevant European sites using the Source-pathway-receptor model	
Four European sites were identified as being located within a potential zone of influence of the proposed development as detailed in Table 1 below. There is no ecological justification for such a wide consideration of sites, and I have only included those sites with any possible ecological connection or pathway in this screening determination.	

European Site (code)	Qualifying interests ¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections ²	Consider further in screening ³ Y/N
Slaney River Valley SAC(site code 000781)	<p>Estuaries [1130]</p> <p>Mudflats and sandflats not covered by seawater at low tide [1140]</p> <p>Atlantic salt meadows (Glaucopuccinellietalia maritimae) [1330]</p> <p>Mediterranean salt meadows (Juncetalia maritimi) [1410]</p> <p>Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation [3260]</p> <p>Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0]</p> <p>Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0]</p> <p>Margaritifera margaritifera (Freshwater Pearl Mussel) [1029]</p> <p>Petromyzon marinus (Sea Lamprey) [1095]</p> <p>Lampetra planeri (Brook Lamprey) [1096]</p> <p>Lampetra fluviatilis (River Lamprey) [1099]</p>	c.826m	Yes	Yes

	<p><i>Alosa fallax fallax</i> (Twaite Shad) [1103]</p> <p><i>Salmo salar</i> (Salmon) [1106]</p> <p><i>Lutra lutra</i> (Otter) [1355]</p> <p><i>Phoca vitulina</i> (Harbour Seal) [1365]</p>			
<p>Wexford Harbour and Slobs SPA (site code 004076)</p>	<p>Little Grebe (<i>Tachybaptus ruficollis</i>) [A004]</p> <p>Great Crested Grebe (<i>Podiceps cristatus</i>) [A005]</p> <p>Cormorant (<i>Phalacrocorax carbo</i>) [A017]</p> <p>Grey Heron (<i>Ardea cinerea</i>) [A028]</p> <p>Bewick's Swan (<i>Cygnus columbianus bewickii</i>) [A037]</p> <p>Whooper Swan (<i>Cygnus cygnus</i>) [A038]</p> <p>Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046]</p> <p>Shelduck (<i>Tadorna tadorna</i>) [A048]</p> <p>Wigeon (<i>Anas penelope</i>) [A050]</p> <p>Teal (<i>Anas crecca</i>) [A052]</p> <p>Mallard (<i>Anas platyrhynchos</i>) [A053]</p> <p>Pintail (<i>Anas acuta</i>) [A054]</p>	c.826m	Yes	Yes

	<p>Scaup (<i>Aythya marila</i>) [A062]</p> <p>Goldeneye (<i>Bucephala clangula</i>) [A067]</p> <p>Red-breasted Merganser (<i>Mergus serrator</i>) [A069]</p> <p>Hen Harrier (<i>Circus cyaneus</i>) [A082]</p> <p>Coot (<i>Fulica atra</i>) [A125]</p> <p>Oystercatcher (<i>Haematopus ostralegus</i>) [A130]</p> <p>Golden Plover (<i>Pluvialis apricaria</i>) [A140]</p> <p>Grey Plover (<i>Pluvialis squatarola</i>) [A141]</p> <p>Lapwing (<i>Vanellus vanellus</i>) [A142]</p> <p>Knot (<i>Calidris canutus</i>) [A143]</p> <p>Sanderling (<i>Calidris alba</i>) [A144]</p> <p>Dunlin (<i>Calidris alpina</i>) [A149]</p> <p>Black-tailed Godwit (<i>Limosa limosa</i>) [A156]</p> <p>Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157]</p> <p>Curlew (<i>Numenius arquata</i>) [A160]</p> <p>Redshank (<i>Tringa totanus</i>) [A162]</p>			
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	<p>Black-headed Gull (Chroicocephalus ridibundus) [A179]</p> <p>Lesser Black-backed Gull (Larus fuscus) [A183]</p> <p>Little Tern (Sterna albifrons) [A195]</p> <p>Greenland White-fronted Goose (Anser albifrons flavirostris) [A395]</p> <p>Wetland and Waterbirds [A999]</p> <p>Wexford Harbour and Slobs SPA National Parks & Wildlife Service</p>			
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The proposed development is connected to the Slaney River Valley SAC and the Wexford Harbour and Slobs SPA via the Carricklawn Stream, which directly abuts part of the eastern boundary of the site. Due to the hydrological corridor connectivity, a potential for water derogation of the Natura 2000 sites identified is possible.

There is therefore potential for impacts to transitional water quality from the construction phase with associated potential negative effects on qualifying interest habitats and species that are sensitive to changes in water quality either alone or in combination with other construction projects in the area and other pressures on water quality.

Potential effects on the Wexford Harbour and Slobs SPA are related to a potential for negative effects on transitional water quality only with associated potential negative effects on qualifying interest habitats and species that are sensitive to changes in water quality either alone or in combination with other construction projects in the area and other pressures on water quality.

I consider that the proposed development would generate impacts that could affect the potential zone of influence on any ecological receptors of the above noted protected sites.

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

AA Screening matrix

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
<p>Site 1: Name (code)</p> <p><u>Slaney River Valley</u> <u>SAC(site code</u> <u>000781)</u></p> <p>estuaries [1130]</p> <p>Mudflats and sandflats not covered by seawater at low tide [1140]</p> <p>Atlantic salt meadows (Glauco-Puccinellietalia maritima) [1330]</p> <p>Mediterranean salt meadows (Juncetalia maritimi) [1410]</p> <p>Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation [3260]</p> <p>Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0]</p> <p>Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion alba) [91E0]</p> <p>Margaritifera margaritifera (Freshwater Pearl Mussel) [1029]</p> <p>Petromyzon marinus (Sea Lamprey) [1095]</p> <p>Lampetra planeri (Brook Lamprey) [1096]</p> <p>Lampetra fluviatilis (River Lamprey) [1099]</p>	<p><u>Direct:</u> Hydrological connection of the site via the Carricklawn stream that runs along the eastern stretch of the red line boundary of the development site. There is a drainage ditch along the north boundary that discharges into the Carricklawn stream to the northeast of the development site.</p> <p><u>Indirect:</u> potential for impacts to transitional water quality from the construction phase with associated potential negative effects on qualifying interest habitats and species that are sensitive to changes in water quality either alone or in combination with other construction projects in the area and other pressures on water quality</p>	<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>

<p>Alosa fallax fallax (Twaité Shad) [1103]</p> <p>Salmo salar (Salmon) [1106]</p> <p>Lutra lutra (Otter) [1355]</p> <p>Phoca vitulina (Harbour Seal) [1365]</p>		
Y	Likelihood of significant effects from proposed development (alone): Y/N	
NA	If No, is there likelihood of significant effects occurring in combination with other plans or projects?	
	Impacts	Effects
<p>Site 2: Name (code)</p> <p><u>Wexford Harbour and Slobs SPA (site code 004076)</u></p> <p>Little Grebe (Tachybaptus ruficollis) [A004]</p> <p>Great Crested Grebe (Podiceps cristatus) [A005]</p> <p>Cormorant (Phalacrocorax carbo) [A017]</p> <p>Grey Heron (Ardea cinerea) [A028]</p> <p>Bewick's Swan (Cygnus columbianus bewickii) [A037]</p> <p>Whooper Swan (Cygnus cygnus) [A038]</p> <p>Light-bellied Brent Goose (Branta bernicla hrota) [A046]</p> <p>Shelduck (Tadorna tadorna) [A048]</p> <p>Wigeon (Anas penelope) [A050]</p> <p>Teal (Anas crecca) [A052]</p> <p>Mallard (Anas platyrhynchos) [A053]</p> <p>Pintail (Anas acuta) [A054]</p> <p>Scaup (Aythya marila) [A062]</p>	<p><u>Direct:</u></p> <p>Hydrological connection of the site via the Carricklawn stream that runs along the eastern stretch of the red line boundary of the development site. There is a drainage ditch along the north boundary that discharges into the Carricklawn stream to the northeast of the development site.</p> <p>During the construction phase of projects, a deterioration in water quality can arise through the release of suspended solids during soil disturbance works, the release of uncured concrete and the release of hydrocarbons (fuels and oils). A potential deterioration in water quality has the potential to adversely affect the qualifying interests.</p> <p><u>Indirect:</u></p> <p>potential for impacts to transitional water quality from the construction phase with associated potential negative effects on qualifying interest habitats and species that are sensitive to changes in water quality either alone or in combination with other construction projects in the area and other pressures on water quality</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>

<p>Goldeneye (<i>Bucephala clangula</i>) [A067]</p> <p>Red-breasted Merganser (<i>Mergus serrator</i>) [A069]</p> <p>Hen Harrier (<i>Circus cyaneus</i>) [A082]</p> <p>Coot (<i>Fulica atra</i>) [A125]</p> <p>Oystercatcher (<i>Haematopus ostralegus</i>) [A130]</p> <p>Golden Plover (<i>Pluvialis apricaria</i>) [A140]</p> <p>Grey Plover (<i>Pluvialis squatarola</i>) [A141]</p> <p>Lapwing (<i>Vanellus vanellus</i>) [A142]</p> <p>Knot (<i>Calidris canutus</i>) [A143]</p> <p>Sanderling (<i>Calidris alba</i>) [A144]</p> <p>Dunlin (<i>Calidris alpina</i>) [A149]</p> <p>Black-tailed Godwit (<i>Limosa limosa</i>) [A156]</p> <p>Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157]</p> <p>Curlew (<i>Numenius arquata</i>) [A160]</p> <p>Redshank (<i>Tringa totanus</i>) [A162]</p> <p>Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179]</p> <p>Lesser Black-backed Gull (<i>Larus fuscus</i>) [A183]</p> <p>Little Tern (<i>Sterna albifrons</i>) [A195]</p> <p>Greenland White-fronted Goose (<i>Anser albifrons flavirostris</i>) [A395]</p> <p>Wetland and Waterbirds [A999]</p>		
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Yes	Likelihood of significant effects from proposed development (alone)	
N/A	If No, is there likelihood of significant effects occurring in combination with other plans or projects?	
Step 4 Conclude if the proposed development could result in likely significant effects on a European site		
<p>Based on the information provided in the screening report, site visit, 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 Slaney River Valley SAC (site code 00781); Wexford Harbour and Slobs SPA (site code 004076).</p> <p>I concur with the applicants' findings that such impacts could be significant in terms of the stated conservation objectives of the SACs and SPAs when considered on their own and in combination with other projects and plans in relation to pollution related pressures and disturbance on qualifying interest habitats and species. I recommend that proceed to AA.</p>		
<p>Screening Determination</p> <p>Significant effects cannot be excluded.</p> <p>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 2 European Site(s) in view of the sites conservation objectives. Appropriate Assessment is required.</p> <p>This determination is based on:</p> <ul style="list-style-type: none"> • The proposed surface water discharges to a stream with associated downstream hydraulic connectivity to 2no. European sites, disturbance of mobile species and loss of feeding grounds. • The qualifying interests and conservation objectives of those 2no. European sites. • The proximity of those sites to the subject site. 		

Appendix 4

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 98 no. residential units, 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, based on scientific information provided by the applicant.

The information relied upon includes the following:

- Natura Impact Statement submitted at RFI stage.
- 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

Concerns were raised by a number of 3rd Parties with regard to the impact the proposed development will have namely on the Slaney River Valley SAC. They can be summarised as follows:

Section 9 – in combination effects fails to include:

- PA Ref 20241132 – 99 units
- PA Ref 20241358 – 125 units

Section 8 - Mitigation Measures / Section 10 -Conclusion

- Given 2 no. developments in vicinity not included – cannot be concluded proposal (by itself/in combination) will not negatively impact on Natura 2000 sites.

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

Qualifying Interest features likely to be affected	Conservation Objectives	Potential adverse effects	Mitigation measures (summary)
<ul style="list-style-type: none"> Estuaries Mudflats and sandflats not covered by seawater at low tide Atlantic salt meadows Mediterranean salt meadows Annual vegetation of drift lines Sea Lamprey Twaite Shad Salmon Otter Harbour Seal 	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 objectives however the presence of other more suitable habitat within the SAC and wider area means adverse impacts are not likely.</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> <p>Cover excavations or provide a means of escape for otter and carry out pre-commencement surveys.</p>

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 8
<ul style="list-style-type: none"> • Little Grebe • Great Crested Grebe • Cormorant • Grey Heron • Bewick's Swan • Whooper Swan • Light-bellied Brent Goose • Shelduck • Wigeon • Teal • Mallard • Pintail • Scaup • Goldeneye • Red-breasted Merganser • Hen Harrier • Coot • Oystercatcher • Golden Plover • Grey Plover • Lapwing • Knot • Sanderling • Dunlin • Black-tailed Godwit • Bar-tailed Godwit • Curlew • Redshank • Black-headed Gull • Lesser Black-backed Gull • Little Tern • Greenland White-fronted Goose • Wetland and Waterbirds 	<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 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>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>

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.

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 September 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 Slobbs 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 8 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.

The larger of those 2 no. 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 2 no. European Sites including the Slaney River Valley SAC and the Wexford Harbour. 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 5

Water Framework Directive Screening

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Bord Pleanála ref. no.	500345-25	Townland, address	Ballyboggan, Newtown Road,, Wexford, Co. Wexford
Description of project	98 no. residential units, a creche and all associated site development works.		
Brief site description, relevant to WFD Screening,	<p>The 5.28ha 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 Carricklawn Stream flows to the east of the site. It flows north towards the Slaney and enters the estuary 1.2km north-east 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.
Proposed surface water details	A surface water management scheme has been submitted which includes or 4 no. catchments area with the ultimate outfall, after being treated, draining to an existing open watercourse at the eastern edge of the site. A full suite of SUDS measures have been included and attenuation storage is also proposed.
Proposed water supply source & available capacity	Uisce Eireann mains water connection.
Proposed wastewater treatment system & available capacity, other issues	<p>Proposed Uisce Eireann Wastewater connection. A Confirmation of Feasibility was submitted with the application.</p> <p>The Annual Environmental Report for the Wexford Town Wastewater Treatment Plant and its associated discharge licence (D0030-02) was received by the EPA on 16th July 2025 and noted that the WWTP is operating within capacity and in compliance with the ELVs specified in the discharge licence.</p>
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 body	Eastern boundary of the site	Carricklawn Stream IE_SE_12C130100	Moderate	Under review	No pressures identified	Surface water discharge
River Waterbody	936m	Coolree Stream_10 IE_SE_12C130100	Moderate	Under review	No pressures identified	Surface water discharge
Transitional Waterbody	826m downstream	Lower Slaney Estuary IE_SE_040_0200	Poor	At risk	Agriculture and urban wastewater	Surface water discharge

Coastal Waterbody	4.7km downstream	Wexford Harbour IE_SE_040_0000	Moderate	At Risk	No pressures identified	Surface water discharge
Coastal Waterbody	5km downstream	Southwestern Irish Sea IE_SE_010_0000	Good	Not at risk	No pressures identified	Surface water discharge
Groundwater waterbody	Underlying site	Castlebridge North IE_SE_G_031	Good	Not at risk	No pressures identified	Free draining soil conditions.

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	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	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain'
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							proceed to Stage 2.
1.	Surface	Carricklawn Stream 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	As above	As above	No	Screened out

			discharge to ground				
OPERATIONAL PHASE							
1.	Surface	Carricklawn Stream IE_SE_12C130100	Surface water discharge to Coolree stream	Hydrocarbon spillage and siltation	Hydrocarbon interceptors and general maintenance of surface water system	No	Screened out
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
DECOMMISSIONING PHASE							
5.	N/A						
STAGE 2: ASSESSMENT							
Details of Mitigation Required to Comply with WFD Objectives							
Surface Water							
Development/Activity e.g. culvert, bridge, other crossing, diversion, outfall, etc	<u>Objective 1: Surface Water</u> Prevent deterioration of the	<u>Objective 2: Surface Water</u> Protect, enhance and restore all bodies of surface	<u>Objective 3: Surface Water</u> Protect and enhance all artificial and heavily modified	<u>Objective 4: Surface Water</u> Progressively reduce pollution from	Does this component comply with WFD Objectives 1, 2,		

	status of all bodies of surface water	water with aim of achieving good status	bodies of water with aim of achieving good ecological potential and good surface water chemical status	priority substances and cease or phase out emission, discharges and losses of priority substances	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:	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	Site specific construction mitigation methods described in the CEMP e.g. fuelling areas, material handling and storage	N/A		Yes

	storage procedures, dust suppression, weather appropriate activities, pollution prevention plan, sediment control including settlement tanks, silt fences and silt traps.	procedures, dust suppression, weather appropriate activities, pollution prevention plan, sediment control including 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 its discharge licence.	Wastewater will be pumped to the Wexford Town WWTP which has adequate capacity and is operating within the ELVS of its discharge licence		Wastewater will be pumped to the Wexford Town WWTP which has adequate capacity and is operating within the ELVS of its discharge licence	
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Details of Mitigation Required to Comply with WFD Objectives

Groundwater

Development/Activity e.g. abstraction, outfall, etc.	<u>Objective 1:</u> <u>Groundwater</u> Prevent or limit the input of pollutants into groundwater and to prevent the deterioration of the	<u>Objective 2:</u> <u>Groundwater</u> Protect, enhance and restore all bodies of groundwater, ensure a balance	<u>Objective 3: Groundwater</u> Reverse any significant and sustained upward trend in the concentration of any pollutant resulting from the impact of human activity	Does this component comply with WFD Objectives 1, 2, 3 & 4? (if answer is no, a

	status of all bodies of groundwater	between abstraction and recharge, with the aim of achieving good status*		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:	
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	N/A

	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