



An
Coimisiún
Pleanála

Inspector's Report

PL-501059-WX-26

Development	Mixed use. 92 Residential units a creche. NIS with this application.
Location	Clonard Little, Wexford Rural
Planning Authority	Wexford County Council
Planning Authority Reg. Ref.	20260021W
Applicant(s)	Clonard Little Limited
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party
Appellant(s)	Clonard Little Limited
Observer(s)	1. Westpoint Clonard Business Park Management Company 2. Richard and Pauline Cleary
Date of Site Inspection	18 th May 2026
Inspector	Emma Gosnell

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1.0 Site Location and Description

- 1.1. The subject site, which has a stated area of c. 2.3ha, is situated in the townland of Clonard Little, off Whitemill Industrial Estate/ Clonard Road on the outskirts of Wexford town. The site forms part of a complex known as the Whitemill Industrial Estate and is located c. 300m from Clonard village centre to the south-west.
- 1.2. The site is bounded to the south by the Whitemill Industrial Estate/ Clonard Road which bisects the Whitemill Industrial Estate and acts as a main distributor road connecting Wexford town centre (to the north-east) with the N25 Wexford Bypass (to south-west).
- 1.3. The site is adjoined to the south-west by a recently developed residential estate known as Cluain Beag with the access to same being located c. 35m to west of the uncontrolled T-junction serving appeal site. To the north-west the site is adjoined by Alexandra House (a detached 5-bay 2-storey 19th century Protected Structure Ref. No. WBC0284 of regional importance and NIAH Ref. 15608009) and its extensive attendant grounds and to the north it is adjoined by a detached 4-bay single storey dormer 18th century farmhouse (NIAH Ref. 15608010 architectural heritage – regional rating) and by Westpoint Business Park which comprises of 2 no. light industrial buildings (of 16 no. units) and its associated access road, parking/ loading and circulation spaces.
- 1.4. To the north-east the site is bordered by undeveloped lands which are the subject of a concurrent appeal under ACP-501060-WX-26 (Site B). There are further undeveloped lands, featuring a drainage ditch, located beyond to the south-east of the appeal site which are associated with the light industrial operations of Tekpak Automation Ltd. (a light industrial manufacturing facility) which is located c. 90m to the east.
- 1.5. There is a large residential scheme (known as 'Beechfield') under construction further to the north-west of the site, in addition to a Wexford County Council development site subject of a Part 8 residential proposal for 57 no. residential units, which is situated to the north of Cluain Beag. Clonard Retail Park is located on the opposite side of Whitemill Industrial Estate/ Clonard Road to the south of the appeal site and features undeveloped greenfield sites adjoining both sides of its junction.
- 1.6. The site itself comprises of unzoned and undeveloped lands which are overgrown and predominantly comprising of dry meadows and grassy verges and it incorporates the

existing access road to Westpoint Business Park together with its junction with the Whitemill Industrial Estate/ Clonard Road. A wayleave benefitting Westpoint Business Park runs along the north-western property boundary. The site slopes by approx. 7 meters west to east with the highest point located in its western corner. The site boundaries shared with Cluain Beag and Alexandra House comprise of a mix of palisade fencing and mature trees and hedgerows and the Killens Stream (a tributary of the Rathaspick River) runs along the south-west portion of this boundary. The boundary to the farmhouse comprises of palisade fencing. To the east the site is bounded by a mesh fence, an earthen bank/ berm (in part) and mature trees and hedgerows, with an unnamed drainage ditch running along the far side of this boundary.

2.0 Proposed Development

- 2.1. Permission is sought for the provision of 92 no. residential units (arranged across 4 no. house types and 5 no. apartment/ maisonette duplex blocks) and a creche facility on a site of c. 2.3ha (gross) to be accessed from Whitemill Industrial Estate/ Clonard Road. The residential units shall comprise of 37 no. houses and 55 no. apartments/ maisonettes.
- 2.2. The houses shall consist of mix of 2-3 storey semi-detached and terraced dwellings comprising 14 no. 2-bed 2-storey units of 83sq.m, 2 no. 3-bed 2-storey units of 105.5sq.m, 12 no. 3-bed 3-storey units of 124.5sq.m and 9 no. 4-bed 2-storey units of 117.2sq.m – all with private open space in the form of rear gardens and terraces.
- 2.3. The maisonettes/ apartments shall be located in buildings of 1-3 storeys in height and shall comprise of 34 no. 1-bed units of 49.4sq.m – 58sq.m, 3 no. 2-bed units of 87.3sq.m and 18 no. 3-bed units of 109.1sq.m – 126.5sq.m – all with associated private open space in the form of balconies and terraces.
- 2.4. The proposed crèche facility will extend to c. 223.8sq.m with capacity for 20 no. children. It shall be located on the ground floor of Block Type E and would feature a c. 65.5sq.m external play area (within the block) oriented northwards towards Westpoint Business Park and 6 no. car parking spaces which would be accessible via third party lands within the business park.

- 2.5. The proposed access shall be from Whitemill Industrial Estate/ Clonard Road, the existing road serving Westpoint Business Park within Whitemill Industrial Estate and the proposal provides for alterations to same, including route reprofiling and realignment and provision of a new pedestrian/ cycle only route linking to the Cluain Beag housing development to the east.
- 2.6. The proposed development shall also include: the provision of 112 no. surface level car parking spaces; 209 no. bicycle parking; a communal bin store; public open space areas (3,010sq.m); landscaping; boundary treatments; connections to existing public water mains and sewers previously permitted under and constructed in line with P.A. Ref. 20063370; and, all associated site development and infrastructural works.
- 2.7. The site currently discharges to the Killens Stream (downstream) via the existing surface water drainage network on the site constructed under P.A. Ref. 20063370 (which currently serves the business park) and also via an unnamed drainage ditch to the immediate south-east of the site. No direct works are proposed to the Killens Stream or to the unnamed drainage ditch. Works to reprofile and realign the existing main spine access road are proposed, with these taking place along the south-eastern site red line boundary in close proximity to the unnamed drainage ditch.
- 2.8. The following documentation was submitted with the application together with standard application drawings, application form and statutory notices etc:
- AA Screening and Natura Impact Statement
 - Urban Design Statement
 - Planning Report
 - Housing Schedule
 - Road and Services Report
 - Traffic and Transport Assessment
 - Residential Travel Plan
 - Landscape Design Rationale Report
 - Lifetime Homes and Universal Access Statement
 - Ecological Impact Assessment Report
 - Construction Environmental Management Plan
 - Public Lighting Design Report.

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

Site Area (gross)	2.3ha (c. 2ha net)
No. of Units	92 no.
Density	c. 46uph
Car and Bicycle Parking	<u>112 no. car parking spaces provided:</u> Includes 13 no. disabled spaces (11%) and 25 no. EV spaces (22%). (parking ratio is 1 no. space per house/ apartment/ maisonette with 11 no. creche spaces and 9 no. additional visitor spaces) <u>209 no. cycle spaces provided:</u> Includes 157 no. resident cycle spaces plus 52 no. visitor parking spaces.
Part V	Transfer 17 no. units on site

Table 1: Key Scheme Statistics

	1-bed	2-bed	3-bed	4-bed	Total:
Houses	0	14	14	9	37
Apartments/ Maisonettes	34	3	18	0	55

Table 2: Unit Breakdown

2.10. The application has been submitted concurrently with the application for 50 no. residential dwellings made by the same applicant in respect to lands to the north-east under P.A. Ref. 20260022W (PL-501060-WX-26). An overall masterplan drawing reflecting the 2 no. proposals (Site A – subject of this appeal and Site B - as detailed above) is provided as part of the application documentation where it is also clarified that both can operate entirely independent of one another as standalone developments (the red line area of both applications includes the main spine access road along east boundary), whereby the subject application (Site A) will be commenced before the concurrent application (Site B) and Site B will not commence until the revised road alignment and services (common to both developments) are in place. The applicant also puts forward a suggested phasing condition in this regard in the Planning Report submitted with the application. It is noted that the proposed creche on Site A would also serve Site B.

2.11. It is stated in the GOA that 2 no. separate planning applications were advanced on account of the lands' unzoned status in addition to potential legal uncertainties

associated with the submission of a Large Scale Residential Development (LRD) in the absence of a current statutory framework (Wexford Town and Environs Development Plan) providing clear policy support for the proposal(s).

3.0 Planning Authority Decision

3.1. Decision

Permission refused on 04/03/2026 for 5 no. reasons:

1. The proposed residential development would represent an incompatible use with existing and potential industrial/employment land uses adjoining and would prejudice the future and existing viability of that industrial/employment land, and would be contrary to policies and objectives ED39, ED40, ED42 and ED53 of the Wexford County Development Plan 2022-2028, which acknowledges the importance of maintaining a strong economic base within and close to Wexford Town, and fostering a clustering approach to similar type enterprises in a geographical location where businesses can interrelate with similar enterprises and suppliers. As such the proposed development would undermine the role and function of the industrial estate and would be contrary to the proper planning and sustainable development of the area.

2. Existing and potential industrial/employment uses on land adjoining the site could significantly adversely affect the amenities of potential future residents of the proposed development. Furthermore insufficient information has been submitted to demonstrate how the refuse/recycling receptacle storage arrangements can be effectively managed to prevent public health hazards and visual disamenity. As such the proposed development would be detrimental to the amenities of potential future residents of the development and contrary to the proper planning and sustainable development of the area.

3. Having regard to:

- the proposal for industrial/employment and residential land uses to share the same access road*
- the shortfall in parking provision with resultant car parking off the site in the vicinity on the access road and on the main Whitemill Industrial Estate road having the significant potential to cause obstruction and hazards*

- the detailed parking arrangements with cars having to reverse into and out of spaces off the main access road including near the creche

- the detailed design of the access arrangements which would not sufficiently comply with the Design Manual for Urban Roads and Streets, the National Cycle Manual and Wexford County Council Roads Department requirements

the proposed development would give rise to traffic safety hazards and obstruction of other road users. As such the proposed development would be contrary to Objective TS43 of Volume 1 and Sections 6.2 and 6.3.3 of Volume 2 of the Wexford County Development Plan 2022-2028 and the proper planning and sustainable development of the area.

4. Having regard to the lack of passive surveillance of areas of open space, the position of rear boundary walls adjoining boundary landscaping and the detailed design of the roads layout, it is not considered that the overall layout design of the proposed development is appropriate. As such the proposed development would be contrary to Objective TS16, Section 14.5.7 of Volume 1 and Section 2.8 and 3.12.4 of Volume 2 of the Wexford County Development Plan 2022-2028 and the proper planning and sustainable development of the area.

5. Insufficient information has been submitted to demonstrate that surface/storm water would be effectively managed on the site. As such the proposed development would be contrary to Section 9.11.11 and Objective SWM01 of the Wexford County Development Plan 2022-2028 and to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

1 no. PA report (02/03/2026) formed the basis of the decision to refuse. This report sets out details of the proposed development, the site location and description, relevant planning history, referrals received, submissions/ 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 issues raised in the PA's assessment were as follows:

- **Principle of Development** – lands historically formed part of Whitemill Industrial Estate and were zoned for industrial use under the 2009 Wexford Town and Environs Development Plan. Lands are currently unzoned (with a new plan being in preparation which may seek new/ intensified industrial/ employment development on the lands) and should be retained for industrial/ employment uses having regard to demand, their historical/ potential future zoning and relative location, and potential for residential development to give rise to land use conflict.
- **Density & Design** – gross density of 40uph, contemporary building design and scale are all acceptable in principle.
- **Housing Mix** – 37% 1-beds, 18% 2-beds, 35% 3-beds and 10% 4-beds is acceptable.
- **Layout** – pedestrian path and open space arrangements at north and west side of site not acceptable on account of lack of passive surveillance.
- **Access** – proposal for shared residential and employment use of existing access road has potential to give rise to traffic & pedestrian hazard. Evidence of consent for proposed pedestrian/ cycle connection to Cluain Beag has not been submitted.
- **Car Parking** – residential car parking proposal is compliant with SPPR3 of 2024 Compact Settlement Guidelines. Creche parking is substandard and would inappropriately rely on off-site parking along industrial estate access road. Design of parking spaces requiring reversing into/ out of spaces along main access road not acceptable.
- **Bike Parking** – proposal for 209 no. parking spaces is acceptable. Additional shared rental bike/ scooter parking at entrance to scheme will be sought by FI/ condition.
- **Residential Standards** – house and garden sizes & separation distances acceptable. Apartment sizing and aspect acceptable. Proposal meets Part M & Lifetime Homes criteria. Potential for ongoing operation of Westpoint Business Park and development of lands adjoining site to south-east for industrial purposes to give rise to residential disamenity.
- **Public Open Space** – proposal for 15% of site area as open space (comprising one large central area and smaller perimeter areas) is acceptable.

- **Creche** – proposal for a c. 224sq.m creche (catering for 20 no. children) with open space on ground floor of apartment block on north side of site is acceptable in principle. Capacity of creche also acceptable having regard to % of 1-bed units.
- **Waste Management** – insufficient details provided regarding management of bin storage facility with potential for visual amenity issues and public health hazard.
- **Potable Water** – proposal for new connection to public mains is acceptable on basis of Uisce Eireann confirmation that it is feasible without requiring infrastructure upgrade.
- **Foul Drainage** – proposal for new connection to public sewer on public road (via existing private sewer under access road which also has capacity) is acceptable on basis of Uisce Eireann confirmation that it is feasible without infrastructure upgrades.
- **Surface Water Drainage** – further information required on SuDS proposal.
- **Flood Risk** – Site located in Flood Zone C, no risk identified.
- **Phasing** – no issues raised. A Construction Management Plan can be conditioned.
- **Residential Amenity** – no potential for proposal to negatively impact on adjoining Protected Structure, house to north of Cluain Beag properties with regard to overlooking, loss of light or outlook etc.
- **Archaeology** – not addressed as part of application. Site not located in Wexford town archaeological zone and there are no recorded monuments on or near site. Notwithstanding, archaeological investigation should be sought via FI or condition.
- **EIA Screening** – EIAR not required on basis of nature and scale of project.
- **AA Screening** – PA report notes the contents of the submitted screening report
- **Stage 2 NIS** – PA report also notes the contents, recommended mitigations measures and conclusions of the submitted NIS, which it is stated can be addressed by condition in the event of a grant. The PA report concludes that (based on the implementation of the mitigation measures proposed in the NIS) the proposed development will not, either alone or in-combination, adversely affect the integrity of any Natura 2000 site.

Report concluded by recommending permission be refused as detailed in Section 3.1.

3.2.2. Other Technical Reports

PA EIA Pre-Screening & Stage 1 Preliminary Examination (14/01/2026) – report incomplete on basis of no conclusion set out.

PA AA Screening Report (undated) - concluded that Stage 2 assessment was not required on account of the limited extent of the proposed works and the substantial distance to the nearest Natura 2000 sites no element of the proposed project alone or in combination is likely to give rise to any impacts on the Natura 2000 sites.

PA Habitats Directive Screening Conclusion Statement (undated) – Determination stated that “*Significant impacts can be ruled out and stage 2 AA is not required*”.

Housing Officer (23/01/2026) – with regard to Part V compliance, notes agreement in principle in place to transfer 17 no. units on site to Wexford County Council.

Roads Department (11/02/2026) – FI / further engagement recommended regarding:

- design of main entrance/ junction with Whitemill Industrial Estate/ Clonard Road re: setback/ sightlines and provision of raised table crossing.
- revisions to design, width & layout of main spine access road and secondary roads (incl. reduction in extent of home zones).
- provision of uncontrolled pedestrian crossings, stop signs and road markings at scheme junctions.
- written/legal proof of agreements for proposed cycle/ pedestrian connections to neighbouring lands.
- design of footpaths, roads, cycle paths and junctions to comply with applicable standards incl. DMURS.
- road construction details to be in accordance with WCC taking in charge standards and permeable paving to be used in private parking areas only.
- provision of EV ducting and communal EV charging areas; bicycle racks to be provided.
- Traffic Audit required.
- surface water outfall rates to SW mains/ calculations are excessively high – this & proposed SuDS design to be discussed with District Engineer.
- no alternative or temporary construction access will be permitted.
- construction stage wheel wash facility required from commencement.

3.3. Prescribed Bodies

Uisce Eireann (11/02/2026) – notes submission of pre-connection inquiry and subsequent issue of confirmation of feasibility (CDS24008658) which advised that water and wastewater connections are feasible without infrastructure upgrades. Recommends attachment of standard Uisce Eireann condition in the event of a grant of permission.

3.4. Third Party Observations

The PA received 8 no. third party submissions from neighbouring business owners/ operators and neighbouring residents: Joyces Expert of Clonard Retail Park and Westpoint Business Park (26/01/2026), Turntech Engineering Limited of Westpoint Business Park (11/02/2026), Whelan Cleaning Systems of Westpoint Business Park (30/01/2026), Creative Design and Print of Westpoint Business Park (12/02/2026), Suzanne O'Leary of WSBPA of Westpoint Business Park (27/01/2026), Clonard Pharmacy Properties Ltd. owners of unit within Westpoint Business Park (dated 09/02/2026), Slaney Glass & Glazing Ltd. of Westpoint Business Park (12/02/2026) and Richard and Pauline Cleary of Alexandra House (10/02/2026). These are summarised in detail in the PA's report.

Issues Raised by Business and Property Owners/ Operators within Westpoint Business Park

- **Land Uses** – significant conflict with existing light industrial and emergency response uses in Westpoint Business Park. Residential proposal is incompatible with existing lands uses and would adversely affect commercial property value and ongoing business operation and give rise to significant health and safety risk.
- **Access** - concerns regarding the incompatibility of the proposed shared residential/ commercial use/ design of access road. Potential for traffic and pedestrian hazard arising from conflict between pedestrians/ children and commercial vehicles etc. Existing access road is at capacity and subject to traffic congestion at peak times. An alternative access route should be pursued.
- **Layout** - proposal to improve integration and connectivity between proposed residential scheme and business park presents safety and security/ trespass risks for existing businesses and future residents. Boundary proposals are inadequate –

particularly between the creche amenity area and the business park – gate between residential scheme and business park should be provided for.

- **Parking** - proposed residential parking ratio is inadequate and will lead to overspill resident and visitor parking and traffic, parking space access & delivery issues within the business park where parking is already at capacity. Creche staff parking/ drop-off relies on access via lands in Westpoint Business Park and will give rise to conflicting vehicular movements.

Issues Raised by Residents of Alexandra House (Protected Structure)

- **Overlooking and Overshadowing** – proposed houses on north-west side of site are sited at a level above and unacceptably close to Alexandra House with implications for privacy and daylight/ sunlight.
- **Boundaries** - detail provided on existing site boundary to Alexandra House is inaccurate. Concerns raised regarding adequacy of proposed boundary to Alexandra House and related privacy issues and trespass concerns – proposal for a wooden fence and planting is not acceptable and erection of 2m high wall and planting of mature trees sought.
- **Landscaping** – proposed seating area and woodland walk adjoining Alexandra House have the potential to give rise to noise/ disturbance/ anti-social behaviour.

4.0 Planning History

4.1. Lands at Clonard Little (incl. appeal site)

P.A. Ref. 20070918 – application by Azurite Developments Ltd. for **Phase 2** of an industrial development of 3 no. buildings on c. 1.5ha [northern portion of appeal site subject of this appeal]: Block F: 1210 sq. m consisting of 7 number units comprising of 2 no. 188 sq. m, 1 no. 186 sq. m, 3 no. 184 sq. m and 1 no. 96 sq. m, Block G: 1488 sq. m consisting of 8 no. units comprising of 4 no. 188sq. m, and 4 no. 184 sq. m and Block H: 1220 sq. m consisting of 6 no. units comprising of 1 no, 282 sq. m 1 no. 192 sq. m, 2 no. 188 sq. m, 1 no. 186 sq. m and 1 no. 184 sq. m. with intended uses to be in accordance with the zoning provision for the site. The works also consists of the erection of a 2.4 m height perimeter fence and all associated & ancillary site works, granted permission on 04/01/2008 subject to 31 no. conditions.

P.A. Ref. W2008024 – application by Azurite Developments Ltd. for proposed office development on a site of 0.623ha [southernmost portion of appeal site subject of this appeal] consisting of 12 units over 5 blocks, Block A: 578sqm floor area (gross) over three storeys, Block B: 515sqm floor area (gross) over three storeys, Block C: 495sqm floor area (gross) over three storeys, Block D: 495sqm floor area (gross) over three storeys, Block E: 1509 sqm floor area (gross) over four storeys (car parking at grade with three floors of offices overhead). Proposals also include a cafe of 120sqm in addition to 92 car parking spaces and all associated works. The proposed development forms **Phase 3** of an overall office/ industrial development at Clonard Little, refer to planning ref. no's 20063307 and 20070918, granted on 01/05/2008 subject to 21 no. conditions

Notwithstanding the granting of extensions to the appropriate periods of the planning consents under P.A. Ref. W2008024 (Phase 3) on the 15/03/2013 (until 01/05/2018) and under P.A. Ref. 20070918 (Phase 2) on the 12/03/2013 (until 03/01/2018), neither Phases 2 or 3, which related to lands which are now subject of this appeal before the Commission, were subsequently built-out.

4.2. **Westpoint Business Park (to Immediate North)**

Master Permission

P.A. Ref. 20063370 – application by Azurite Developments Ltd. for **Phase 1** of an industrial development of 5 no. buildings on c. 2.65ha: Block A: 1143 sq.m. consisting of 6 number units comprising of 2 no. 193 sq.m. and 4 no. 190 sq.m.; Block B: 1676 sq.m. consisting of 9 number units comprising of 1 no. 192 sq.m., 2 no. 188 sq.m., 1 no. 187 sq.m., 1 no. 185 sq.m. and 4 no. 184 sq.m.; Block C: 2240 sq.m. consisting of 12 number units comprising of 1 no. 193 sq.m. each, 2 no. 190 sq.m., 2 no. 188 sq.m., 3 no. 185 sq.m. and 4 no. 184 sq.m.; Block D: 1591 sq.m. consisting of 7 number units comprising of 1 no. 285 sq.m., 2 no. 280 sq.m., 2 no. 188 sq.m. and 2 no. 185 sq.m.; Block E: 1671 sq.m. consisting of 9 number units comprising of 1 no. 192 sq.m., 1 no. 187 sq.m., 4 no. 185 sq.m., 3 no. 184 sq.m. intended uses to be in accordance with the zoning provisions for the site. the works also consists of the erection of a 2.4m height perimeter fence and all associated and ancillary site works, granted on 05/04/2007 subject to 30 no. conditions.

Phase 1 (P.A. Ref. 20063370) was partially constructed: 2 no. westernmost blocks – Blocks D and E comprising of 16 no. units or no's 7-15 and units' no's 25-31 in addition to an access road leading from the Clonard Road and related site servicing infrastructure – potable water, foul and surface water drainage etc.

Subsequent Change of Use/ Amendment Applications (within Business Park)

P.A. Ref. 20231124 – Unit 26: application for retention for retail use (pet grooming, boarding, daycare & reception area) which is part used for the retail of pet food & accessories ancillary to the day care and dog grooming business and full planning permission to install sound proofing, granted permission on 14/02/2024.

P.A. Ref. 20220780 – Unit 26: application for retention of use of a reception area which is part used for the retail of pet food & accessories ancillary to the day care & dog grooming business, refused permission on 30/11/2022 for 1 no. reason: inadequate sound proofing and impact on adjoining properties.

P.A. Ref. 20211648 – Unit 26: application for retention of use of reception area to be partly used for the retail of pet food & accessories ancillary to the day care & dog grooming business, refused permission on 29/04/2022 for 1 no. reason: inadequate information on sound proofing and noise insulation.

P.A. Ref. 20221485 – Unit 29: application for internal ground floor alterations to form office & canteen facilities, change of use of second floor space from attic storage to office area associated with existing industrial unit and related alterations to existing south & west elevations, granted permission on 13/02/2023 subject to conditions.

P.A. Ref. 20212035 – Unit 11: application for retention for internal alterations incl. mezzanine floor, replacement of roller shutter with pedestrian door and glazing amendments to elevations etc., granted permission on 28/03/2022.

P.A. Ref. 20171663 – Unit 10: application for retention for first floor level office accommodation; minor internal alterations; removal of roller shutter door and replacement with curtain walling to front elevation etc, granted permission 14/03/2019.

P.A. Ref. W2012055 – Unit 13: application for permission for COU from commercial unit to recycling facility, granted permission 01/11/2012.

P.A. Ref. W2008071 – Unit 28: application for installation of emergency exit door, subdivision of ground floor to facilitate community education and training centre

consisting of office space, conference/ training room, IT room, W.C. and associated areas (c) provision of a new first floor comprising office space, IT rooms, W.C. stores and associated areas etc., granted permission on 09/07/2008.

P.A. Ref. W2008161 – Unit 31: application for permission for subdivision of existing ground floor unit to facilitate a training centre consisting of an open space and toilet facilities. Provision of a new first floor comprising of classrooms, auditorium, office spaces, storage and toilet facilities. Install additional fire safety exit doors to the front elevation and all associated ancillary site works, granted permission on 15/12/2008.

4.3. Adjoining Development Site (Site B to North-East) in Applicant's Ownership

P.A. Ref. 20260022W (PL-501060-WX-26) – concurrent application by Clonard Little Ltd. for 50 residential units and 108 car parking spaces and all associated site works on a site of 1.31ha at Clonard Little, Co. Wexford was refused permission on 04/03/2026 for 6 no. reasons and is under (concurrent) appeal to An Commission Pleanala. This case is also due for decision by 30/07/2026.

P.A. Ref. W2010053 – application by Wexford Educate Together B.O.M. for permission for temporary school accommodation and associated site works at Westpoint, Clonard Little, granted on 09/08/2010 subject to conditions.

4.4. Wider Clonard Little Lands to East and North-East (Within Whitemill Industrial Estate)

P.A. Ref. 20211395 – application for permission to erect a 27m lattice telecommunications structure, together with antennas, dishes and associated telecommunications equipment, security fencing and extend existing access track on north-east side of Tekpak Automation Ltd. site, granted on 15/11/2021 subject to conditions.

P.A. Ref. 20211750 – application for new entrance to serve an existing industrial building (Tekpak Automation Ltd.) and future development together with auxiliary and associated site works, granted 07/02/2022 subject to conditions.

4.5. Wider Lands to South (Whitemill Industrial Estate Opposite Side of Clonard Rd)

P.A. Ref. 20230678 (PL26.318902) – application for construction of a mixed-use development comprising 2 no. buildings. The development will consist of a retail warehouse and a mixed-use residential and commercial building and associated site

works, refused permission on appeal on 28/04/2025 for 2 no. reasons: 1. Proposed Bulky Goods Retail Warehouse Units non-compliant with Wexford Retail Strategy, 2. Design and layout of mixed-use block giving rise to substandard apartment design and poor quality residential access arrangements and living environment.

4.6. Cluain Beag (to South-West)

P.A. Ref. 20210784 – application for amendment to the previously approved 3 storey apartment block - under planning application reference 20180014 - to include an additional caretaker's office with bedroom and bathroom, the provision of a lift, the relocation of the block on site and the reduction from 4 to 3 parking bays together with all associated site works on site at 57-59 Cluain Beag, granted permission on 04/08/2021 subject to conditions [not constructed – permission still extant].

P.A. Ref. 20180014 – application for 59 no. dwellings, comprising of 33 no. 2 storey - 3 bedroom semi-detached units, 4 no. 2 storey - 3 bedroom terraced units, 3 no. 2 storey - 3 bedroom detached units, 15 no. 2 storey - 2 bedroom terraced units, 1 no. 2 storey - 2 bedroom semi-detached unit, 1 no. 3 storey apartment block - 3 no. 1 bedroom units - together with all associated site works, granted permission on 03/04/2018 subject to conditions [built and occupied].

4.7. Lands to North-West (Clonard Great)

P.A. Ref. 20221652-LRD – application for a 10 year permission for a Large-scale Residential Development (LRD) with a gross application site area of c. 5.67 ha, (developable area of c. 4.31 ha), on lands at Clonard Little, Wexford Town. The proposed development will include construction of a new link road between Clonard village at the south of the application site and Clonard Road at the north including cycle lanes, bus stop and the erection of 167 no. residential units, creche & ancillary facilities (application included NIS), granted permission subject to conditions on 20/03/2023 [currently under construction].

P.A. Ref. LAC2506 – Wexford County Council Part 8 Scheme for 57 no. residential units on lands of 1.55ha at Clos an Draighin, Clonard Little consisting of: 1 bed maisonette apartments, 2-bed terrace houses, 3-bed semi-detached houses, 2 & 3 bed universal design bungalows and 4-storey apartment block. Approved 08/09/2025.

4.8. Lands in Whitemill Industrial Estate, Clonard Road (to East)

The appeal decisions on the following applications were specifically cited by the PA in their response to the appeal:

P.A. Ref. 20221719 (ABP-316064-23) – application for change of use from offices to childcare and adultcare, including alterations to provide internal lift, accessible entrance ramp and steps, an external fire escape stairs, rearrangement of the car park with set-down and minor elevational changes together with all associated and ancillary site works, permission refused on appeal on 05/03/2024 for 1 no. reason relating to the introduction of an incompatible use within an existing industrial estate which would prejudice its future viability contrary to ED39, ED40, ED42 and ED53 of WCDP.

P.A. Ref. 20160152 (PL26.247177) – application for change of use a manufacturing use unit to use as a renal dialysis unit with all associated and ancillary site works, refused permission on 09/01/2017 appeal for 1 no. reason relating to proposal's location on industrially zoned land within established industrial estate giving rise to material contravention of Wexford Town Development Plan 2009-2015 (as extended).

5.0 Policy Context

5.1. National Policy

Project Ireland 2040 – National Planning Framework (First Revision, 2025)

The National Planning Framework (NPF) is the Government's high-level strategic plan for shaping the future growth and development of the country out to the year 2040. First published in 2018, it replaced the National Spatial Strategy as the overall spatial planning and development strategy for Ireland.

- National Strategic Outcome (NSO) 1: Compact Growth.
- National Policy Objective (NPO) 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.
- NPO 9: Deliver at least 30% of all new homes that are targeted in settlements other than the five Cities and their suburbs, within their existing built-up footprints and ensure compact and sequential patterns of growth.
- NPO 11: Planned growth at a settlement level shall be determined at development plan making stage and addressed within the objectives of the plan. The consideration of individual development proposals on zoned and serviced

development land subject of consenting processes under the Planning and Development Act shall have regard to a broader set of considerations beyond the targets including, in particular, the receiving capacity of the environment.

- NPO 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.
- NPO 20: In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth.
- NPO 22: Height & car parking based on performance criteria for growth.
- NPO 43: Prioritise the provision of new homes at locations that can support sustainable development and at appropriate scale of provision relative to location.
- NPO 45: Increase residential density through infill development, increased height and more compact forms of development.
- NPO 79: Support the management of stormwater, rainwater and surface water flood and pollution risk through the use of nature based solutions and sustainable drainage systems.

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 year's 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.

National Biodiversity Action Plan (NBPA) 2023-2030

The 4th NBAP strives for a “*whole of government, whole of society*” approach to the governance and conservation of biodiversity. 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”. This National Biodiversity Action Plan 2023-2030 builds upon the achievements of the previous Plan.

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).

Planning Design Standards for Apartments – Guidelines for Planning Authorities (DoHLGH, 2025)

Section 3.0 (Apartment Design Standards) –

- Specific Planning Policy Requirement (SPPR) 1: no restriction on unit mix.
- SPPR 2: minimum apartment floor areas (1-bedroom apartment (2 persons) 45sq.m; 2-bedroom apartment (3 persons) 63sq.m; 2-bedroom apartment (4 persons) 73sq.m; 3-bedroom apartment (4 persons) 76sq.m; 3-bedroom apartment (5 persons) 90sq.m) and 25% of all apartments shall exceed the minimum floor area by minimum 10%.
- SPPR 3: Min. 25% of units within a development required to be dual aspect.

Section 4.0 (Communal Facilities in Apartments) –

- 4.2 (Waste Management) – provision for accessible, adequate storage & collection which is adequately ventilated, well-lit and not accessible to general public.
- 4.3 (Communal Amenity Space) – to be provided in garden or courtyard.
- 4.5 (Bike Parking and Storage) & 4.6 (Car Parking).

Appendix 1 – sets out the minimum requirements for aggregate apartment floor areas, room areas and widths, storage space, private and communal amenity space.

The Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (DoHLGH, 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). Policy and Objective 3.1 - requires recommended residential density ranges set out in Section 3.3 to be applied in the consideration of individual planning applications.

Policy and Objective 4.1 – requires PA's to implement the principles, approaches and standards set out in the Design Manual for Urban Roads and Streets, 2013 (including updates) in carrying out their functions.

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

- SPPR 1 in relation to separation distances (16m above ground floor level).
- SPPR 2 (and Table 5.1) in relation to private open space standards for houses (2-bed 30sq.m; 3-bed 40sq.m; 4+bed 50sq.m).
- SPPR 3 in relation to car parking (Max. rate of 2 no. spaces per dwelling in intermediate and peripheral locations).
- SPPR 4 in relation to cycle parking (min. 1 cycle space per bedroom plus visitor parking) and storage in a dedicated facility of permanent construction which provides for mix of bicycle parking types (incl. cargo and electric bikes).

Section 5.3.7 (Daylight) states that in drawing conclusions in relation to daylight performance, planning authorities must weigh up the overall quality of the design and layout of the scheme and the measures proposed to maximise daylight provision, against the location of the site and the general presumption in favour of increased scales of urban residential development. Poor performance may arise due to design constraints associated with the site or location and there is a need to balance that assessment against the desirability of achieving wider planning objectives. Such objectives might include securing comprehensive urban regeneration and or an effective urban design and streetscape solution.

Section 5.3.6 of the SRDCSGs sets out that multi-unit refuse storage areas should be provided in open spaces that will not be taken in charge. Such facilities should be screened and integrated with surrounding structures/landscaping.

Appendix C (Supplemental Information for Planning Applications) – recommends that Operational Waste Management Plans be submitted in support of 30 or more residential units or 1,000sq.m of mixed-use development and that Operational Management Plan/Report (incl. Lifecycle Report) be submitted for all developments consisting of housing with communal access, facilities and areas open space.

Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (DoHLGH, 2023) – Sections 4.8 - 4.9 (Waste Storage).

Architectural Heritage Protection Guidelines for Planning Authorities (2011) - Chapter 6 – Development Control and Chapter 13 – Curtilage and Attendant Grounds.

Appropriate Assessment of Plans and Projects in Ireland Guidance for Planning Authorities (DoHLGH, 2009).

Development Management Guidelines for Planning Authorities (DoHLGH, 2007) – Section 7.10 (Conditions).

Quality Housing for Sustainable Communities Guidelines (DoHLGH, 2007) - Table 5.1: Space provision and room sizes for typical dwellings.

Childcare Facilities, Guidelines for Planning Authorities, 2001 (Childcare Guidelines).

5.3. Other Technical Guidance

Road Safety Audit GE-STY-01024 (TII, 2025)

Road Safety Audit Guidelines GE-STY-01027 (TII, 2025)

Nature Based Management of Urban Rainwater & Urban Surface Water Discharges, A National Strategy (DoHLGH, 2024)

Cycle Design Manual (NTA, 2023)

Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice (BRE, 2022)

The Treatment of Transition Zones to Towns and Villages on National Roads DN-GEO-03084 (TII, 2021)

Design Manual for Urban Roads and Streets Version (2019) (DMURS) - provides guidance relating to the design of urban roads and streets. It is designed to be universally accessible to all professionals associated with street design. It presents a series of principles, approaches and standards that are necessary to achieve

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

Traffic and Transport Assessment Guidelines (NRA, 2014)

National Cycle Manual (NTA, 2011).

5.4. Regional Policy

Regional Spatial & Economic Strategy for the Southern Region 2020-2032

RPO 34 (Regeneration, Brownfield and Infill Development) & RPO 151 (Integration of Land Use and Transport).

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.

5.5. Development Plan

The Wexford County Development Plan 2022-2028 (WCDP) applies. Relevant policy is outlined below:

Volume 1 – Written Statement

Wexford Town/ Compact Growth

Chapter 3 - Core Strategy

Table 3-2 notes that Wexford along with Gorey are designated the Level 1 - Key Towns in the County.

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 including:

- *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.*

Objective CS15 seeks to prepare a new local area plan for Wexford Town.

Section 3.8.4 of the Plan identifies the allocated average density for Level 1 Key Towns as 35 units/ha.

Table 3.5 therein specifically classifies Wexford as a key town with provision for 652 no. additional units within the plan period at an average density of 35 units/ha.

Objective CS04: To achieve more compact growth by promoting the development of infill and brownfield/ regeneration sites and the redevelopment of underutilised land within the existing built up footprint of existing settlements in preference to greenfield lands and to identify infill, brownfield and regeneration sites when preparing Local Area Plans, Settlement Plans and settlement boundaries.

Objectives CS05 and SH08: To ensure that at least 30% of all new are delivered within the existing built-up footprint of the settlement.

Objective TV33: To pursue a compact growth policy in our existing settlements and maximise their potential as places to live, work and visit.

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

Provides urban design guidance for development towns and villages and I note the provisions of Sections 5.10.1 (Infill, Brownfield and Greenfield Development) and 5.10.6 which refers to building heights and density.

Objective SH06: To prioritise the provision of new housing in existing settlements and at an appropriate scale and density relative to the location in accordance with the National Planning Framework, the Regional Spatial and Economic Strategy for the Southern Region and the Core Strategy and the Settlement Strategy in the Plan.

Section 14.5.7 (Designing Public Open Spaces).

Residential Development

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 and Objective SH21 to mix of unit types.

Objective SH19 refers to compliance with Part V.

Objective SH21: To require new build house and apartment schemes and building refurbishment schemes to provide a mix of unit types in accordance with Section 4.7.5 House Types.

Table 4-5 sets out indicative density and scales for housing developments in key towns and in relation to inner suburban and infill sites.

Section 4.8.3 refers to housing for people with disabilities and sets out support for the development of housing in the community.

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

Objective TV15: To ensure that the appearance of buildings is of a high standard and has a positive impact on the visual quality of the area.

Objective TV43: To adopt a presumption in favour of the development of infill and brownfield sites and to apply flexibility in the application of development management standards allowing for the achievement of performance standards for issues such as the protection of adjoining residential amenities, privacy, light and amenity.

Objective TV54: To require all development proposals where the building height will be above prevailing heights, including infill development, to include an analysis of the impact of building height and positioning of buildings on:

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

Economic Development

Chapter 6 - Economic Development Strategy

Objective ED39: To protect land zoned for economic development, industry and employment related uses from inappropriate development that would undermine future economic activity or the sustainable development of such areas.

Objective ED40: To continue to audit and monitor the availability of the different types of property required to facilitate appropriate economic development and, where deficits are identified, make appropriate interventions. Priority will be given to high employment generating interventions, those which utilise brownfield sites and improve the public realm and those which provide solutions for start-ups and in areas where disadvantage militates against opportunities for entrepreneurship.

Objective ED42: To facilitate and participate in works to regenerate and revitalise existing business parks and industrial estates within towns and promote the regeneration of obsolete and/or under-utilised buildings and lands that could yield economic benefits, with appropriate uses subject to the proper planning and sustainable development of the area.

Objective ED51: To ensure that, where economic development uses bound sensitive uses such as residences, natural and built heritage assets or community and education uses, that an appropriate buffer is maintained to protect the sensitive use.

Objective ED53: To promote the re-use and regeneration of vacant buildings and the regeneration of obsolete and/or under-utilised buildings and lands that could yield economic benefits with appropriate uses, subject to the proper planning and sustainable development of the area.

Access/ Parking

Chapter 8 – Transportation Strategy

Section 8.4.4 refers to Modal Shift and Section 8.4.5 to the Design of Urban Roads and Streets.

Strategic 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.

Objective TS16: To ensure that all urban roads and streets in our towns and villages, including residential streets and housing estates, are designed in accordance with the principles, approaches and standards set out in the 'Design Manual for Urban Roads and Streets' (2013/2019) and any updated version of the Manual, and the TII document 'Treatment of Transition Zones to Towns and Villages on National Roads' where relevant in order to:

- provide safe and convenient infrastructure for walking and cycling.
- ensure that all streets and route networks are designed to balance the needs of place and movement.
- ensure that roads and streets, including their landscaping, street furniture and lighting, function as attractive, fully accessible and safe places.

passively calm traffic through the creation of self-regulating street environments, particularly in sensitive areas and where vulnerable users are present and to impose speed limits which are reflective of the context and function of the road.

- create roads and street networks which are easily permeable by active travel modes and to support appropriately designed and safe measures which improve the permeability of existing street layouts.
- facilitate accessible, convenient, attractive and user friendly public transport infrastructure in appropriate locations.
- ensure that roads and streets and cycling and walking networks can adapt to climate change and as appropriate can accommodate green infrastructure and biodiversity networks.

Where possible retrofitting modifications of existing roads and streets shall be undertaken to achieve the goals of this objective. Where amendments or extensions are being proposed to existing schemes they shall also be consistent with the Manual

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.

Section 8.8 (Sightlines which Require Works): The Council will ensure that all developments are served by safe accesses onto public roads in accordance with the standards contained in Volume 2 Development Management Manual.

Servicing

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.

Section 9.5 refers to Water Supply, Section 9.5.1 (Public Water), Section 9.5.4 (Water Conservation) and Section 9.6 (Wastewater).

Strategic Objectives IS01 – IS07 and Objectives WS01 – WS14 refer.

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.

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 9.6.1 (Public Wastewater Facilities) and Table 9-3 (Overview of Public Wastewater Infrastructure in Level 1-Level 4 Settlements).

Section 9.7 refers to Waste Management Infrastructure.

Section 9.11 (Flood Risk and Surface Water Management).

Section 9.11.11 (Surface Water Management): The Council will require the application of SuDS and nature-based solutions.

Objective FRM14: To require the use of sustainable drainage systems (SuDS) and nature-based solutions to minimise and limit the extent of hard surfacing and paving and require the use of sustainable drainage and nature-based techniques where appropriate, for new development or for extensions to existing developments, in order to reduce the potential impact of existing and predicted flooding risks, to improve water quality, enhance biodiversity and green infrastructure and contribute to climate mitigation and adaptation.

Objective SWM01: To require the application of SuDS in accordance with the CIRIA SuDS Manual 2015 and any future update of this guidance, or other best practice guidance as may be specified or required by the Council. The application of SuDS should prioritise the use of appropriate nature-based solutions where possible. All proposals should include a commensurate drainage assessment used to design the surface water management system for the site.

Heritage/ Conservation

Chapter 13 - Heritage and Conservation

Objective HT02: To ensure that the use of our heritage assets are managed, preserved and presented in a manner that does not adversely impact on the intrinsic value of these assets whilst supporting economic renewal and sustainable development

Objective BH01: Heritage and Conservation 573 To protect the architectural heritage of County Wexford and to include structures considered to be of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest in the Record of Protected Structures.

Objective BH05: To protect our Architectural Heritage in the form of the Record of Protected Structures (RPS) and identify important groups of buildings/localities suitable for designation as Architectural Conservation Areas (ACAs). Wexford County Council will also endeavour to undertake monitoring and review of the RPS and ACAs which may result in recommendations for additions or deletions and enlist measures to prevent dereliction and to support re-use of built heritage.

Objective BH06: To protect the curtilage of Protected Structures or proposed Protected Structures from any works which would cause loss of, or damage to, the special character of the structure and loss of or damage to, any structures of heritage value within the curtilage or attendant grounds of the structure.

Objective BH07: To ensure development within the curtilage of a Protected Structure is compatible with its character. This does not preclude putting forward innovative contemporary designs that respect the context of the Protected Structure.

Objective BH09: To protect, maintain and enhance the established character and setting of vernacular buildings which are worthy of protection or have architectural heritage value, farmyards and settlements where they make a positive contribution to the built heritage and encourage the re-use and sensitive refurbishment of vernacular buildings using appropriate design and materials and having regard to best practice conservation guidelines.

Objective BH11: To ensure that all applications for Protected Structures are assessed taking into consideration the advice contained in the Architectural Heritage Protection Guidelines for Planning Authorities (DAHG, 2011) and any subsequent guidelines.

Objective BH14: To ensure that elements of the architectural heritage of the county, such as historic gardens and historic designed landscapes, stone or brick walls, ditches and street furniture that make a positive contribution to the built heritage, are retained.

Objective BH16: To protect and manage trees in the curtilage of a Protected Structure or in close vicinity that contribute to its special character and setting.

Objective FRM18: To ensure riparian buffer zones, a minimum of 10 metres in width (in some cases buffer zones of up to 50 metres may be appropriate), are created between all watercourses and any future development. In considering the appropriate

width, the Council will have regard to 'Planning for Watercourses in the Urban Environment (Inland Fisheries Ireland 2020).

Volume 2 – Development Management Manual

Design/ Residential Standards

Section 2 – Common Principles for All Developments

Section 2.8 (Open Space and Green Infrastructure).

Section 3 – Residential Developments

Section 3.12 Multi-Unit Residential Schemes in Towns and Village.

Section 3.12.1 outlines that the overall dwelling mix in residential schemes should provide for a balanced range of dwelling types and sizes to support a variety of households. The mix of house types and sizes should provide far greater diversity than the traditional 3-bed semi-detached type housing development.

Designers should have regard to the targets and standards set out in the Quality Housing for Sustainable Communities Guidelines, DEHLG (2007). All houses must accord with or exceed the minimum floor area standards set out in Table 3-4 which is 80sq.m for 2-bed dwellings, 92sqm for 3-bed dwellings and 110sqm for 4-bed dwellings. Dwellings should also be designed to provide adequate room sizes that create good quality and adaptable living spaces. The Planning Authority may consider deviations from these floor area requirements, however, at minimum the floor areas must comply with the minimum set out in the Quality Housing for Sustainable Communities Guidelines.

Section 3.12.2 (Dwelling House Design) – defers to 2007 Sustainable Housing Guidelines.

Table 3-4 Minimum Floor Area and Private Open Space for Dwellings (2-bed: 80sq.m/55sq.m, 3-bed: 92sq.m/60sq.m and 4+-bed: 110sq.m/70sq.m and garden to be located behind front building line). In general, a minimum distance of 22m should be achieved between opposing first floor windows at the rear of dwellings. Minimum of 20% of dwellings in new residential developments of five dwellings or more are Lifetime Homes, suitable to accommodate or are adaptable to provide accommodation for people with disabilities and older people.

Sections 3.12.4 (Public Open Space) and 3.12.5 (Play Facilities).

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

Sections 3.12.7 Social Infrastructure and 3.13 Taking in Charge of Residential Estates.

I also note the provisions therein set out under Sections 2.6 (amenity), 2.9 (boundary treatments) and 3.12 (regarding multi-unit residential schemes). The latter requires planning applications for residential schemes of two or more dwellings to be accompanied by a phasing schedule detailing the number of dwellings, quantum of public open space and infrastructure which will be developed as part of each phase.

Section 4 – Community Infrastructure, Facilities and Services.

Section 4.1 of the Development Plan relates to Childcare Facilities and outlines the following: The Planning Authority will have regard to Childcare Facilities: Guidelines for Planning Authorities 2001, the Child Care (Preschool Services) Regulations 2006, We Like This Place: Guidelines for Best Practice in the Design of Childcare Facilities 2005, and the following in the assessment of proposals for childcare and educational facilities:

- Suitability of the site for the type and size of facility proposed.
- Availability of indoor and outdoor play space.
- Local traffic conditions.
- Access, car parking and drop off facilities for staff and customers.
- Nature of the facility (full day care, sessional, after school, etc.).
- Number of children to be catered for.
- Intended hours of operation.
- Impact on residential amenity.

The indicative standard is one childcare facility, accommodating 20 children, for approximately 75 dwellings. This standard may be modified in any particular case where there are significant reasons for doing so. Criteria that may be taken into account in such an assessment include the existing geographical distribution of childcare facilities and the emerging demographic profile of the area.

Section 5 - Enterprise & Employment

This section of the Plan states it is important to avoid abrupt transitions in scale and use in the boundary areas of adjoining land uses, for instance in zones abutting residential areas, and particular attention must be paid to use, scale and density to protect the amenities of residential properties.

Section 6 – Transport and Mobility

Sections 6.2 (Assessment of Road Traffic Safety) and 6.2.2 (Road Safety Audits).

6.3.5 (Electric Vehicle Charging Points) - All on street parking areas on new residential estates shall have the necessary infrastructure installed to accommodate charging points.

Section 6.3.3 (Car Parking Design and Layout): Crèches and other such facilities will be required to make provision for adequate and safe vehicular drop off facilities, in addition to the car parking requirements (20% of which required to be EV charge enabled).

Table 6-7 (Car Parking Standards):

- House – 2 per house (maximum standard)
- Apartment – 1 per apartment (maximum standard)
- Creche/Childcare – 1 space per 4 children plus 1 space per 1 employee (maximum standard).

Table 6-9 (Dimensions of Parking Spaces and Loading Bays):

- Perpendicular parking (not including minimum 0.3m footpath overhang). Use only on roads with low traffic volumes and speeds: 5.0m x 2.4m.
- Disabled parking bay including transfer hatching to side and rear: 6.0m x 3.7m.
- Circulation Aisles: 6m in width.

Table 6-10 (Bicycle Parking Standards – guidelines minimum no's):

- Apartments/Duplexes: 1 private secure bicycle space per bed space & 1 visitor bicycle space per two housing units.
- Other developments: 1 bike space per car space, or 20% of employee numbers.

Section 6.4 (Cycling Infrastructure) states that the PA will apply the National Cycle Manual (2011) in the assessment of new development proposals.

Section 7 - Heritage and Landscape

7.1 (Archaeology), 7.2 (Protected Structures) and 7.4 (Landscape and Biodiversity).

Section 8 - Infrastructure and Environmental Management

8.2 (Water), 8.3 (Wastewater) and 8.8 (Waste Management).

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

The Wexford Town and Environs Development Plan 2009-2015 (as extended) 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.

I note that a pre-draft consultation to inform the preparation of a new Wexford Local Area Plan (LAP) was undertaken in 2023 however no draft LAP has been published to date.

The land use zoning for the majority of the appeal site under the expired Plan was 'Industrial', Zoning Objective F, the purpose of which was "*To provide for office, heavy and light industrial development*". Uses which were 'O' 'Open for Consideration' include Childcare Facilities (creche/ nursery). 'Residential' use was 'N' or Not Normally Permitted in this zone. The southern and western boundaries of the appeal site, adjoining the junction with the L-7606, Cluain Beag and Alexandra House etc. respectively were zoned as a 'Transition Zone' where Childcare Facilities were 'P' Permitted and Residential was 'N' Not Normally Permitted.

There was a Masterplan Zoning for the Whitemill Industrial Estate (Zone 11) which set out the characteristics of the estate, the infrastructure available and the likely future development, which included new office development. The Map for same incorporated the full extent of the appeal site and identified its southern portion as a 'Gateway Site'.

6.0 Natural Heritage Designations

The appeal site is not located within or adjoining any designated site.

The nearest European Sites in close proximity to the appeal site are as follows:

- Slaney River Valley SAC (Site Code 000781) – c. 2km to north/ east.
- Wexford Harbour and Slobs SPA (Site Code 004076) – c. 2km to north/ east.
- The Raven SPA (Site Code 004019) – c. 8km to east.
- Seas off Wexford SPA (Site Code 004237) – c. 8km to south-east.

The nearest Natural Heritage Areas in close proximity to the appeal site are as follows:

- Wexford Slobs And Harbour pNHA (Site Code 000712) - c. 2km to north/ east.

7.0 EIA Screening

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

8.0 Water Framework Directive Screening

I have concluded, on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment (refer to form in Appendix 5 for details).

9.0 The Appeal

9.1. Grounds of Appeal

The Commission received a First Party Appeal on the 27th March 2026 against the decision of Wexford County Council to refuse permission, the grounds of which can be summarised as follows:

General

Land Use

- Land use function of locality has evolved from light industrial to mixed suburban neighbourhood characterised by residential, community & service uses as per submitted 'Environs Land Use Plan' and 'Land Use Drawing'.

- Drawings show the appeal site in its wider context, which is no longer just light industrial in character, and features c. 6.63ha of completed/ongoing residential development, c. 1.2ha of vacant industrial land and significant brownfield lands.
- 2009 Wexford Town & Environs Development Plan recognised transitional nature of area incl. erosion of traditional industrial role of the Whitemill Industrial Estate which reflects broader trend of older industrial estates located close to town centres evolving into mixed-use service, residential and employment areas.
- Westpoint Business Park is no longer suitable for modern industrial activities (i.e. warehousing, logistics, manufacturing etc.) on account of its physical characteristics (limited loading/ service areas and turning areas for HGVs) and relatively small unit sizes (typically c. 60sq.m – 130sq.m) and floorplates.
- Ardavan and Drinagh (which feature large format units and service areas etc.) now operate as Wexford's primary industrial and logistical employment areas.
- Future industrial use of subject lands would be constrained by existing and recent residential development (sensitive receptor) along full extent of western boundary and by existing constraints in the local road network (constraint on industrial traffic). Development of lands for office accommodation is also not financially viable.
- PA's refusal reason on basis of protecting existing industrial function of Westpoint Business Park is unfounded on basis of submitted 'Westpoint Unit Use Plan' which illustrates that uses in the park are no longer primarily light industrial in character with a wide range of non-industrial uses (incl. recreational, leisure, retail and office) and related subdivision of original units being evidenced.
- Contemporary mixed-use function and character of business park is compatible with proposed residential development.

Principle of Development

- On account of unzoned status of site and transitional nature of the area, proposal must be assessed having regard to current and emerging character of the locality and not historic/ legacy employment policies and land use designations.
- Reliance on a historic zoning designation under an expired plan not appropriate.

- PA put undue weight on WCDP policies to protect and preserve employment lands and did not give due regard to NPOs relating to housing delivery on serviced lands within existing, accessible settlements.
- Proposal located within built-up footprint of Wexford town and in close proximity to existing housing, neighbourhood services, schools and public transport.
- Subject site is brownfield land and its redevelopment for residential purposes is supported by national policy which promotes compact growth.
- Proposal is fully compliant with WCDP Core Strategy and relevant policies and objectives and with all SPPRs of 2024 Compact Settlement Guidelines and Sustainable Residential Development Guidelines.

Response to Refusal Reasons

Reason No. 1 – Land Use

- Proposed land use is compatible with existing mixed-use character of area which no longer functions as traditional industrial estate – Commission’s attention drawn to PA grants of permission for non-industrial uses in this context.
- PA’s view that proposal would prejudice the existing/ future viability of adjoining employment lands is speculative and has not been substantiated by evidence.
- Letter from market expert addressing the viability of subject lands for industrial, employment and office use is submitted with the GOA. This confirms that there is no market demand for such uses at this location and states that units in business park/ industrial estate have been actively marketed/ developed for light industrial purposes without success, with potential occupiers instead choosing locations elsewhere in Wexford with superior access and infrastructure.
- PA refusal relies on economic/ enterprise policies which are strategic in nature and not land use controls. These are not site specific in their application and should be balanced against other site context and national policy considerations.
- As lands are unzoned, there is no policy basis to require lands to be retained for employment use.

- No clustering or co-location of similar type enterprises/ employment functions takes place on subject lands or within Westpoint Business Park. No potential for proposal to disrupt patterns of development which do not exist.

Reason No. 2 – Residential Amenity and Waste Management

- Existing uses in Westpoint Business Park are predominantly mixed-use in nature and not activities that would give rise to significant noise and disturbance etc.
- No evidential basis exists for PA's determination that existing/ potential industrial and employment uses would give rise to adverse impacts on future residential amenity. Future development of business park is subject to planning control.
- Existing uses compatible with residential development subject to standard mitigation where required as per residential permissions granted in vicinity.
- PA did not identify any specific bin storage design/ location/ capacity deficiency. Concern relates only to operational management/ waste collection which is capable of being addressed by standard condition (i.e. submission of OWMP).

Reason No. 3 – Traffic, Access and DMURS

- PA raise no fundamental access design issues/ constraints. All matters are capable of being addressed via design refinements and clarification as per the Traffic and Transport Report submitted as part of the GOA:
 - Design of main site access has been revised to fully accord with DMURS & National Cycle Manual (changes incl. new raised table crossing at site entrance, revised setback distances and junction geometry).
 - Internal road network now provides a 6m wider carriageway with continuous 2m wide footpaths with additional cycle provision.
 - Home zone on main access road has been replaced by a more conventional urban street hierarchy with traffic calming measures.
 - Secondary streets have now been designed to appropriate standards for safety.
- Car parking ratio of 112 spaces for 92 units complies with WCDP policy which seeks to reduce parking provision in accessible/ higher density locations.

- Scheme prioritises pedestrian and cyclist movement and safety with cycling infrastructure designed in accordance with the National Cycle Manual.
- FI matters raised by PA's Roads Dept. (re: road construction details, signage, EV infrastructure, traffic audits and construction management) are standard requirements in case of residential developments and can be conditioned.
- Proposal would not give rise to traffic safety hazards or obstruction of road users.

Reason No. 4 – Layout, Passive Surveillance and Urban Design

- Proposed layout is safe - it provides for centralised, overlooked public open space, a network of home zones and segregation of pedestrians and vehicular traffic – and accords with the principles of good urban design.
- Change made to layout (house elevations and rear boundaries) adjoining 'forest-walk' area along northwest boundary addresses PA's concerns re: no surveillance.
- Forest walk acts as important riparian corridor and buffer to adjoining watercourse and wayleave.

Reason No. 5 – Surface Water and SuDS

- PA's view that insufficient information was submitted re: SuDS rebutted and it is noted that no fundamental deficiency in drainage strategy was raised by PA.
- A comprehensive and evidence-based SuDS strategy was submitted with application. 'Sustainable Drainage Report' submitted in GOA elaborates on same and addresses all queries on same raised by PA's Roads Department.
- Infiltration drainage solutions are not suitable on account of impermeable subsoil/ ground conditions and controlled attenuation-based drainage is proposed.
- Drainage strategy proposes hierarchal SuDS approach with design incl. a combination of measures such as permeable paving, swales, tree pits & planters.
- SuDS strategy is fully supported by WCDP surface water management policy.
- Existing surface water infrastructure (attenuation and outfall systems constructed under P.A. Ref. W20063370) which traverses the site will be utilised and has capacity to cater for the proposed development.

- Proposal enhances drainage performance of the site and will reduce the extent of run-off intensity relative to the current baseline scenario.

Alternative Scheme

The GOA are accompanied by an alternative design proposal (hereinafter referred to as the '**appeal scheme**') which proposes the following design changes:

Access/ Road Layout

- Whitemill Industrial Estate/ Clonard Road junction: provision of raised pedestrian/ cycle crossing and traffic calming table at junction; road markings and stop signage at junction; and, junction layout revised to reflect contemporary, existing pedestrian pathways.
- Junction of main spine access road and homezone 2: introduction of road markings and raised pedestrian crossing with tactile paving to immediate north of junction.
- Junction between homezone 2 and homezone 4: tactile paving to pedestrian crossing.
- Main spine access road: introduction of raised tables adjoining all parallel parking bays.
- Provision of 4 no. additional car parking spaces (bringing total to 116 no.).

Design/ Housing Layout

- Replacement of 2-storey 4-bed terraced House Type 1 with 3-storey 4-bed House Type 1A (unit no's 15-18 and 19-23) with implications for house configuration and siting.
- Replacement of 2-storey 3-bed semi-detached House Type 2 with 3-bed 2-storey House Type 2a (unit no's 24 & 25) with implications for house scale/ massing, configuration and siting.

Where relevant, the appellant seeks that the Commission base their decision on the appeal scheme which they argue addresses issues raised at application stage.

Enclosures

In addition to a copy of the PA's decision notice, the following documentation is enclosed with the appeal:

Architectural	Engineering	Other
<u>Drawings:</u> - Site Layout Plan - Site Masterplan Layout - House Type 1A GA Drawings - House Type 2A GA drawings	<u>Drawings:</u> - Roads Layout - Site & Area Topography - Surface Water Sewers - Sewer Longitudinal Sections <u>Reports:</u> - Sustainable Drainage Report - Letter Addressing matters raised by PA's Traffic and Transport Department	<u>Drawings:</u> - Westpoint Unit Use Plan - Land Use Drawing - Environs Land Use Plan <u>Reports</u> Letter addressing the viability of subject lands for employment use

9.2. Planning Authority Response

A response from the PA was received on 24/04/2026. It can be summarised as follows:

- PA assessment of the proposal is set out in the Planning Officer's report.
- PA's primary concern relates to proposed residential use of serviced land previously designated for industrial/ employment use.
- Residential use of land to west is not relevant consideration as was previously designated for residential use.
- PA notes recent planning decisions made by ACP (under PL26.247177 and ABP-316064-23), with regard to non-industrial employment uses on a vacant site/ property within the Whitemill Industrial Estate area, after the adoption of the current WCDP and expiry of the Wexford Town and Environs Development Plan 2009. Noted Inspector's assessment involved an assessment of uses in the wider industrial estate.
- PA notes that a new area plan for Wexford town (incl. zoning provisions) is in preparation and invites applicant/ agent to make submissions with regard to same.

9.3. Prescribed Bodies

The Commission received a submission from the Development Applications Unit (DAU) of the Department of Housing, Local Government and Heritage on the 28/05/2026. This noted the site's proximity to Alexandra House (Protected Structure) which is situated to the north-west and to a rural farmhouse (which is listed on the NIAH) and draws attention to the following architectural heritage policy:

Development Plan

- Strategic Objective HT02
- Protected Structure Objectives: BH01, BH05-BH07, BH09, BH11, BH14 and BH16.
- Development Management Manual Volume 2 – Section 7.2.

Architectural Heritage Protection Guidelines (2011)

- Chapter 6 – Development Control
- Chapter 13 – Curtilage and Attendant Grounds

Whilst the DAU state that they have no objection to the proposal on architectural heritage grounds, they seek to draw the Commission's attention to the fact that there is no assessment of the potential visual impact of the proposal on Alexandra House or on the adjoining rural farmhouse by the applicant or the PA. They recommend that an assessment of same is undertaken prior to permission being granted.

The DAU advise that, following such an assessment, any potential negative visual impact on the aforementioned structures could be managed and mitigated by way of design, layout, orientation and/ or landscaping which could be addressed by condition.

9.4. Observations

2 no. third party observations were received by the Commission on the appeal. The issues raised in each are dealt with in turn below:

Richard and Pauline Cleary of Alexandra House (received 22/04/2026)

- Concerns regarding privacy and safety not addressed in grounds of appeal (GOA).
- Design/ landscaping modifications proposed in GOA will exacerbate these issues.

The observation is accompanied by a copy of the submission made by the observer at planning application stage which included a number of undated photographs of the property boundary between Alexandra House and the subject site, the property boundary between Alexandra House and other adjoining lands, in addition to an

annotated Site Layout Plan and a letter of support from a local elected representative. The issues raised therein are summarised separately in Section 3.4 of this report.

Westpoint Clonard Business Park Management Company (received 23/04/2026)

It is stated at the outset that the observation is also made on the behalf of the owners and occupiers of the business park who submitted individual observations at planning application stage.

The observer raises the following points on new information submitted with GOA:

Land Use -

- Information provided on occupancy and use of business park is inaccurate.
- There are no vacant units in business park – all units in active use.
- Six of the nine original units in northern block remain in industrial use.
- Non-industrial uses in the southern block mainly occur at upper levels.
- Overall, 11 of the 17 original units are still in light industrial use with the size/ layout of the units as permitted suiting this use.
- Appellant's view that pattern of land use in business park is no longer light industrial is not factually correct.

Access/ Mobility/ Parking -

- Safe access and operation of the business park must be protected.
- Design changes made to access road to not address observers' concerns.
- Further concerns raised regarding sightlines onto Clonard Road, conflict between HGV turning movements and on-street parking proposals etc.
- Concerns raised regarding conflict between business park and residential traffic and general design/ capacity of access road, lack of cycle path infrastructure, design clash between parking spaces and raised table ramps, non-compliance with traffic signs manual and non-compliance with Part M requirements.
- Submission of a Stage 1 Road Safety Audit and DMURS Audit sought – cannot be addressed by condition on account of fundamental design/ safety issues raised.

10.0 **Assessment**

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

- Principle of Development
 - Land Use Zoning
 - Pattern of Development
 - Land Use Compatibility
- Layout
 - Integration
 - Passive Surveillance
- Access and Parking
 - Access
 - Traffic Impact
 - Parking
- Waste Management
- Surface Water Management and Servicing
- Impact on Neighbouring Properties
 - Residential Amenity
 - Conservation
- Other
 - Construction/ Phasing
 - Archaeology

10.1. **Principle of Development**

10.1.1. The proposal comprises the construction of 92 no. residential units, a creche and all ancillary works on lands of c. 2.3ha in the south-western environs of Wexford Town. 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 2009-2015 (as extended) which has now expired.

- 10.1.2. As detailed in Section 2.0 of this report, the subject application was made concurrently with an application on an adjoining site to the north-east (Site B).
- 10.1.3. The PA's refusal reason no. 1 states that the proposal would be incompatible with existing and potential industrial/ employment land uses adjoining and would prejudice their existing and future viability. This being contrary to a number of strategic economic development objectives (ED39, ED40, ED42 and ED53). This concern is also reiterated in a number of third party submissions made at application stage and in the observations received on the appeal, with the matter of the adverse effect of the proposal on commercial property values also being raised by neighbouring business owners and operators.
- 10.1.4. The PA's refusal reason no. 2, in part, builds upon the issue of land use incompatibility, and cites the potential for existing and potential industrial/ employment uses to significantly adversely affect the amenities of potential future residents. The PA's response to the appeal clarifies that their concern primary relates to the proposed residential use of serviced land previously designated for industrial/ employment use and they seek that the lands subject of the appeal be retained for industrial/ employment uses having regard to demand; their historical/ potential future zoning and relative location; and, potential for their residential development to give rise to land use conflict.
- 10.1.5. The appellant argues that, on account of the unzoned status of site and the transitional nature of the area, their proposal must be assessed having regard to current and emerging character of the locality and national policy on housing delivery and not historic/ legacy employment policies and land use designations. It is stated in the GOA that the immediate locality is in a period of transition with its land use function evolving from light industrial (which is no longer feasible/ viable) to mixed suburban neighbourhood (characterised by residential, community & service uses) – a pattern they note was recognised in the 2009 Wexford Town and Environs Plan. Various land use drawings are submitted in support of this argument.
- 10.1.6. The appellant also argues that Westpoint Business Park is no longer fit for purpose/ for further development or clustering on account of its location and physical

characteristics (I refer the Commission to the letter addressing the viability of subject lands for employment use submitted as part of the GOA). It is stated that this fact is evidenced by the recent development of non-industrial uses within the business park which are more compatible with residential development. The appellant's arguments in this regard are disputed by the Westpoint Clonard Business Park Management Company who state that the information provided on the occupancy and use of Westpoint Business Park as part of the GOA is inaccurate on the basis that the majority of the units within the park remain in their original light industrial use.

Land Use Zoning

- 10.1.7. It is not clear whether the PA's first refusal reason relates to Westpoint Business Park specifically or to that of the Whitemill Industrial Estate more generally (or both). I note that all of these lands were most recently zoned 'Industrial' to be used for heavy/ light industrial and office type employment uses under the Wexford Town and Environs Development Plan (WTEDP) 2009-2015 (as extended) which has now expired (meaning that this zoning no longer applies), with a replacement statutory plan currently in preparation in line with WCDP Objective CS15.
- 10.1.8. Whilst NPO 11 states that planned growth at a settlement level shall be determined at development plan making stage and addressed within the objectives of the plan, the issue of prematurity of the proposal to the adoption of a new WTEDP is not at issue. However, I do note that the PA have referred to this plan in both their report on the application and their submission on the appeal.
- 10.1.9. From a review of Wexford County Council's website (accessed 18/06/2026), it is apparent that the WTEDP 2024-2030 is currently at pre-draft stage, with no information provided as to when the draft plan will be available for public view. In light of same, I consider that the WCDP is now the operative plan for the area.
- 10.1.10. As the WCDP does not include zoning objectives for Wexford Town or its environs, I consider it necessary to ensure that the development of the lands subject of this appeal for primarily residential purposes as proposed is considered on its own merits, having regard to the provisions of the WCDP and relevant national guidelines. In this respect, I note the designation of Wexford town as a key town in the RSES and as a Level 1 key town in the WCDP settlement hierarchy with it being the premier location in the county for housing growth.

Pattern of Development

- 10.1.11. In principle the proposal for a residential scheme on a peripheral greenfield site which adjoins emerging and established residential areas in general proximity to a village centre, to public transport and to community infrastructure and services is generally supported by WCDP Objective CS03. This reflects national policy which seeks to deliver at least 30% of all new homes that are targeted in settlements within their existing built-up footprints (NPO 9) and regional policy encouraging population growth on serviced lands and compact and consolidated urban development. In this respect, I note that the density, housing layout, unit mix and contemporary building design proposed was considered generally acceptable to the PA with third parties also raising no specific issues in this regard.
- 10.1.12. Conversely and as a counterbalance to same, it could be argued that the use of the lands for employment/ industrial purposes would also be supported on account of factors such as their proximity to/ relationship with adjoining lands in active employment/ industrial use, their edge of town location and their proximity to a distributor road leading to the N25 Wexford Bypass.
- 10.1.13. In this respect, I draw the Commission's attention to the fact that whilst the WTEDP acknowledged the gradual shift away from manufacturing towards office and storage uses in Whitemill Estate. It also acknowledged that the adjoining residential areas represent a constraint on the industrial estate and recognised that there are many traditional industries which continue to invest in the area.
- 10.1.14. In light of the foregoing, the recent pattern of development and permissions in the locality needs to be further considered in order to establish whether the context of the site has materially changed in the period since the operation and expiry of the WTEDP and therefore to form a view as to whether or not the proposal is acceptable having regard to the contemporary nature and character of the area.
- 10.1.15. It is apparent from my site inspection that the existing context of the appeal site does change as one moves east to west along the Whitemill Industrial Estate/ Clonard Road - from predominantly low rise/intensity industrial, wholesale retail and commercial uses to relatively new build-residential closer to Clonard Village, with these uses being visually separated by a bank of undeveloped lands (incl. the appeal site) to the north (and south) of the road.

- 10.1.16. Presently, the c. 2.3ha appeal site is adjoined on its west side by historic residential development, in the form of Alexandra House and its extensive grounds, with more recent housing development in the form of the Cluain Beag (c. 59 no. units built out) and Beechfield (c. 167 no. units under construction) estates being located to the immediate west and further to the west/ north-west respectively. The site of a recently approved Wexford County Council Part 8 housing scheme (c. 57 no. units) is located between the aforementioned estates. The site's remaining northern and eastern boundaries generally adjoin an existing business park and undeveloped lands (most recently zoned for industry and employment uses) and it forms the north-westernmost part of a complex known as the Whitemill Industrial Estate, which has access onto the N25 (Wexford Bypass) via the Whitemill Industrial Estate/ Clonard Road along the southern boundary of the appeal site.
- 10.1.17. It is reasonable to assume that the issue of industrial-residential land use compatibility would not have arisen in the case of the aforementioned recent residential developments to west/ north-west on account of the fact that those lands did not form part of the Whitemill Industrial Estate, were not designated for development for industrial/ employment purposes and also due to the buffer provided by Alexandra House and its attendant grounds. In this regard, I note the recent decisions in respect of sites within Whitemill Industrial Estate under P.A. Ref. 20221719 (ABP-316064-23) and P.A. Ref. 20160152 (PL26.247177) flagged by the PA in their response to the appeal as a consistent approach taken to retain lands in the industrial estate for industrial use. In these two cases proposals for change of use from light industrial/ office to community and health services were refused for reasons relating to use incompatibility and siting on lands within an established industrial estate. Therefore, notwithstanding the first party arguments, the pattern of residential development to the west is not an emerging/ changing context of pattern, rather it was informed by the zoning objectives that were in place for those lands.
- 10.1.18. Having reviewed the planning history directly relevant to the appeal site, I note that the full extent of the permission for Westpoint Business Park (under P.A. Ref. 20063370) was never built out. I also note that permission for a subsequent/ linked Phase 2 industrial development and a Phase 3 office development (respectively permitted and extended under P.A. Refs. 20070918 & W2008024) on the lands subject of this appeal were similarly never implemented, with no further permissions being sought on the

subject lands in the intervening period prior to the lodgement of the application subject this of this appeal.

- 10.1.19. A letter from a property market expert (Michael Stafford of Stafford Investments Limited who is identified as a shareholder in the company which owns the appeal site) addressing the viability of the subject lands for industrial/ light industrial, employment, warehousing and office use is submitted with the GOA. In summary, this states that there is no market demand for such uses at this location and that units in business park/ industrial estate have been actively marketed/ developed for light industrial purposes without success, with potential occupiers instead choosing more peripheral locations elsewhere in Wexford (such as Drinagh to the south-east or Ardcavan Business Park to the north-east) on the basis of their larger unit sizes, superior access and infrastructure, lower local traffic volumes and lack of residential neighbours. The letter also notes recent obsolescence and loss of light industrial tenants in Westpoint Business Park, with these original uses being replaced by retail, recreational and community uses etc.
- 10.1.20. The views expressed in the aforementioned letter are strongly contradicted by the third party observations on the application and on the appeal, made by owners and occupiers of Westpoint Business Park, which outline concerns about how the proposed residential development will impact on the ongoing operation and development of their businesses.
- 10.1.21. In respect to the conflicting information on file with regard to the use and operation of Westpoint Business Park, which adjoins the appeal site, having regard this definition, to my review of the said information and to my subsequent site inspection, I am satisfied that light industrial type uses remain the predominant land use within the business park which also appeared to have a reasonable level of unit occupancy. Whilst I did also note other non-industrial uses in the business park (particularly at upper levels due to subdivision of original units) and I acknowledge the recent change of use applications therein itemised under Section 4.2 of this report, in light of the nature and extent of the uses I observed, I do not agree with the appellant's argument that the business park is obsolete/ no longer primarily light industrial in character at this point in time or that its use has materially changed from that originally permitted.

10.1.22. I note that the strategic WCDP objectives cited in the PA's refusal reason variously seek to protect land zoned for economic development, industry and employment related uses from inappropriate development; to audit and monitor the availability of the different types of property required development and to intervene where deficits are identified (I note that the PA's report made no reference to any auditing or monitoring of the Whitemill Industrial Estate); and, to facilitate the regeneration of existing business parks, industrial estates and lands that could yield economic benefits. Whilst they may tacitly encourage the maintaining of a strong economic base within and close to Wexford Town, they do not explicitly encourage the clustering of similar/ interrelated type enterprises as stated. Notwithstanding, serviced industrial sites close to town centres, such as the appeal site, are an important economic resource and I consider that the clustering and co-location in a geographical location where businesses can interrelate with similar enterprises and suppliers is constitutes good planning practice in addition to the efficient use of accessible, serviced land.

Land Use Compatibility

10.1.23. I draw the Commission's attention to the specific nature of the light industrial uses and related equipment and vehicles observed within the business park, which included signage manufacturing, mechanical, glazing and engineering contractors/ works together with furniture manufacturer/ wholesalers within the southern block (Block D) and mechanical, electrical and cleaning contracting, roofing fabrication and repairs and emergency vehicle/ equipment storage within the northern block (Block E).

10.1.24. I consider that the proximity of these existing uses to the residential development proposed to the immediate south (c. 27m at their closest point and within a radius of c. 140m overall), where no transitional lands or intermediate buffer is proposed, could give rise to an unacceptable landuse conflicts and coexistence issues (due to the noise and activity disturbance etc. which would potentially adversely affect future residential amenity). It is my view that this fundamental land use conflict would potentially undermine the continuation of the business park's existing operation and related property values.

10.1.25. Furthermore, and notwithstanding that the lands are not currently zoned, I note that permission was granted under P.A. Ref. 20211750 in 2022 for development of the lands located to the immediate south-east of the appeal site and to the west of Tekpak

Automation Ltd. for industrial/ employment purposes (i.e. for a new entrance to serve the existing light industrial building together with future development on lands to the immediate west/ south-west of the existing light industrial building together with future development on lands to the immediate west/ south-west of the existing building), which could potentially be impacted by the subject proposal.

Conclusion

10.1.26. Therefore, whilst I acknowledge that there has been an intensification of residential development/ use of lands generally to the west of the appeal site and outside the industrial estate, such occurred on previously zoned residential lands and I do not consider that there has been a sufficient, material change within the subject portion of the Whitemill Industrial Estate itself that would render the use of the lands for residential development to be acceptable in this specific instance. I therefore concur with the PA's view that the proposal, if permitted, would be likely to prejudice the existing and future viability of industrial/ employment land at this location, particularly that associated with Westpoint Business Park and Tekpak Automation Ltd., which would not be in accordance with the proper planning or sustainable development of the area.

10.2. Layout

10.2.1. Refusal reason no. 4 relates to the unacceptability of the overall design and layout of the proposed development with regard to the road layout and the relationship between the proposed housing and open space. It cites Objective TS16 (design of roads and streets), Section 14.5.7 (Designing Public Open Spaces) of Volume 1 and Section 2.8 (Open Space and Green Infrastructure) and 3.12.4 (Public Open Space) of Volume 2 of the WCDP in this regard.

10.2.2. Notwithstanding the policies and objectives cited in the PA's refusal reason and detailed above, I note that the PA were generally satisfied with the quantum and overall quality and layout of the public open space provided with the scheme.

10.2.3. Third parties raise a specific concern regarding the proposal to provide connectivity between proposed residential scheme and business park, noting that same will give rise to health and safety issues and security/ trespass risks for both existing businesses and future residents.

10.2.4. I deal with the various concerns regarding the proposed roads layout and related design matters under Section 10.3 of this report.

Integration

10.2.5. The submitted Urban Design Statement outlines how the design intent is to encourage greater connectivity and integration between the existing Westpoint Business Park and the proposed residential development. This approach is stated to be based on an understanding of the business park's land use profile as being no longer light industrial and instead given over to retail, community, recreational and other uses which, which whilst not typically found in an industrial estate or business park, are compatible with/ complementary to residential development. For the same reason, the landscape plan proposes a 1.5m high timber post and rail fence with planting along the site's north-west boundary, with the car parking, amenity areas and play space serving the proposed creche located directly adjacent to the hardstanding/ parking area to the south of Block D (southern-most block) within the business park.

10.2.6. Given my conclusions on the existing industrial land use character of Westpoint Business Park outlined in Section 10.1 above, I consider this proposal for site integration and the related siting and layout arrangements on the north side of the scheme to be contextually inappropriate. I also consider that, in the first instance, these arrangements would be likely to give rise to unacceptable safety issues due to the conflicts that would arise between the continued light industrial activity and new community/ residential pedestrian and vehicular movements. Secondly, I also agree that the proposed arrangements could exacerbate security risks for neighbouring businesses. Having considered the proposal for a gate to be installed between the residential scheme and business park, I am of the opinion that such a measure would not address the nature and extent of my concerns which would necessitate a redesign of this portion of the scheme. However, having regard to the substantive reasons for refusal, I do not recommend that this issue form the basis for a refusal of permission in isolation in this instance.

Passive Surveillance

10.2.7. The PA raised concerns regarding the layout of the 'woodland walk' open space adjoining the western/ north-western boundary on account of its relationship with the rear boundary treatments to the rear gardens of the houses proposed at this location

(House Types 1 and 2) within the scheme which would not allow for passive surveillance. I note from the landscape section drawing submitted that the boundary between the woodland walk and the adjoining houses (no's 15-18) would comprise of a low boundary fence, hedging and fairly mature trees with the submitted public lighting plan and layout indicating that this amenity area would not be lit, with the submitted EclA noting that lighting columns will be directed towards the roads and car parking areas, and will be angled away from the existing and proposed boundary vegetation. It is not apparent if the above would also be the rear boundary treatments to house no's 19-25 which would adjoin the majority of the woodland walk.

- 10.2.8. I draw the Commission's attention to the fact that the design and layout of the open space along this boundary responds to the existence of a wayleave and to an adjoining watercourse and would act as a riparian/ biodiversity corridor and buffer to these features and site constraints.
- 10.2.9. The appellant has sought to address the issue of passive surveillance as part of the GOA. Their revised appeal scheme provides a revised design/ footprint for proposed House Type 1 (now Type 1A), which is now L-shaped in its configuration, with a longer/ narrower form provided for House Type 2 (now Type 2A). This arrangement allows for direct overlooking/ passive surveillance of the adjoining woodland walk from the rear of these houses (no's 15-23 (Type 2A) and no's 24 & 25 (Type 1A)) via dining room and bedroom windows in general compliance with WCDP Section 14.5.7. I note that no additional clarity/ specific detail is provided with regard to the rear boundary treatments to these houses' gardens.
- 10.2.10. Whilst I note that, overall, the appellant's revised proposals which seeks to address the substance of the PA's refusal reason, I note that the design changes give rise to wider issues (see Section 10.6 of this report for details) and I draw the Commission's attention to the fact that both primary and secondary windows were proposed at first floor level in Units 1 and 2 within application scheme. I consider that such glazing arrangements would provide for adequate passive surveillance of the adjoining open space, particularly when paired with reasonable height rear boundary treatments which I am satisfied could be secured by amending condition where the Commission are minded to grant permission.

10.3. Access and Parking

- 10.3.1. The PA's refusal reason No. 3 refers to the proposed development giving rise to traffic safety hazards and obstruction of other road users on account of issues such as the proposal for industrial/employment and residential land uses to share the same access road, the shortfall in parking provision and design and access arrangements.
- 10.3.2. The appeal site is accessed directly from a c. 6.5m wide curved access road serving the Westpoint Business Park (constructed under P.A. Ref. W20063370) which in turn is accessed from a junction with the Whitemill Industrial Estate/ Clonard Road public road which bisects the Whitemill Industrial Estate and acts as a main distributor road connecting Wexford town centre to the north-east with the N25 to the south-west.
- 10.3.3. Staff and customer surface parking for Westpoint Business Park is provided generally surrounding the 2 no. blocks with more ad hoc parking arrangements evident along the full extent of boundary shared between the business park and Site B.

Access

Main Spine Access Road

- 10.3.4. The proposal seeks to partially straighten/ horizontally realign the existing access road which is shown to be in the applicant's ownership. The proposed works would not affect the alignment of the first c. 30m of the road and would see the removal of the current 'dog-leg' and the provision of a straight north-south road alignment for a distance of c. 200m along the full extent of the site's eastern boundary which would function as a 'home zone' with footpaths provided on either side. The works would also involve the raising of the road's vertical alignment, in order to better respond to the levels of the site. This realigned access road would terminate in a 3-arm, Y-junction and would continue to give access to Westpoint Business Park also giving access to Site B further to the north-east.
- 10.3.5. No issue in principle has been raised with the proposal to realign the access road. However, the PA and third parties raise serious concerns regarding the proposal for its shared use between residential and industrial/ employment uses, particularly having regard to the ratio of parking provision, proposed perpendicular parking arrangements along the new access road and the detailed layout/ design of the road

which does not comply with DMURS, NCM or the requirements of the PA's own Roads Department.

- 10.3.6. The appellant is of the view that the PA did not raise fundamental access design issues, and they consider that all matters raised are capable of being addressed via design refinements and clarifications – as per the submitted appeal documentation.
- 10.3.7. The nature and extent of the access-related concerns raised by the PA's Roads Department in respect to the proposed road design and layout as lodged are detailed in Section 3.2.2 of this report and include road and junction design. Having considered the application scheme proposals with regard to same, I would generally share the PA's concerns, particularly with regard to the proposal for a c. 200m 'homezone' along the full extent of the realigned main spine shared access road, the provision of uncontrolled pedestrian crossings (with no such crossing at the Whitemill Industrial Estate/ Clonard Road junction) and lack of road safety markings and signage at main scheme junction. I also draw the Commission's attention to the fact that the detail provided by the application scheme in respect to the existing arrangements at the junction with the Whitemill Industrial Estate/ Clonard Road is not fully accurate and does do not illustrate the reality of the grass verge or pedestrian footpaths at this location.
- 10.3.8. Having considered the scheme as revised at appeal stage, I note that this has addressed the baseline accuracy issues I have identified above. However, in doing so, it is now not clear how it is proposed that the new pedestrian footpath and cycle lane at the junction with the Whitemill Industrial Estate/ Clonard Road will integrate with the existing pedestrian infrastructure (I refer specifically to the conflicts between the Roads Layout and Masterplan/ Site Layout Plan in this regard). I am satisfied that the integration of the existing and proposed cycle infrastructure is capable of being addressed by condition where the Commission are minded to grant permission.
- 10.3.9. The Roads Layout submitted with the GOA illustrates that a traffic calming table/ raised pedestrian crossing is now proposed to be provided at this junction, which will also be upgraded to provide appropriate road markings and signage. Road markings are also now provided for at the junction of the main spine access road and homezone 2, with a raised pedestrian crossing also provided to the immediate north of same.

- 10.3.10. The appeal scheme also removes the ‘homezone’ designation from the main spine access road and introduces raised tables along its length in proximity to the proposed perpendicular (and disabled) car parking bays, whose design and layout remain unchanged from the application scheme. No further changes are made to the design/ layout or width (c. 6.5m) of the spine access road in response to the PA’s concerns and whilst a cycle lane linking to Cluain Beag (a residential cul-de-sac to south-west) is indicated, it is still proposed that the main carriageway be shared between traffic accessing/ arising from the business park and cyclists and vehicles generated by the proposed residential scheme(s).
- 10.3.11. In this respect, I note that the Cycle Design Manual (2023) provides that, on busier streets (such as that proposed which would also be used by commercial traffic and larger vehicles), designers are generally directed to apply separate cycle lanes/ cycle tracks. In addition, given the proposal for 2m wide footpaths in the main, and particularly on the west side of the main access road connecting to Site B, I would also have some concerns regarding the adequacy of these footway widths having regard to the likelihood of moderate (rather than low) pedestrian activity and the proposals for directly adjoining perpendicular parking bays where vehicles are likely to overhang the footway. In light of the foregoing, and notwithstanding the traffic calming measures introduced and the likely low design speed of the spine access road, I would be of the opinion that the layout as proposed is likely to give rise to unacceptable conflict between pedestrians/ cyclists and vehicles and therefore to traffic hazard. Having regard to the advice on the scope of compliance conditions set out under Section 7.10 of the 2007 Development Management Guidelines, I do not consider that such a fundamental matter is capable of being addressed by condition.
- 10.3.12. I also draw the Commission’s attention to the design of the proposed 3-arm Y-junction to the north of the scheme which remains unchanged between the application and appeal scheme. This features a raised table and would provide access to the business park (proposed left turn traversing the north-south pedestrian pathway and cycle lane connection) and to Site B (proposed right turn). However, notwithstanding the importance of this junction, no proposals with regard to traffic priority, road markings or traffic signage are put forward, nor provision made for a designated pedestrian crossing. These omissions would significantly exacerbate my concerns

regarding pedestrian safety and traffic hazard within the scheme and also likely affect safe access to and operation of the business park.

10.3.13. Furthermore, whilst I acknowledge the changes made to the design of the access road and also the letter from the engineer submitted as part of the appeal, I note that these do not appear to be based on a Road Safety Audit (RSA) with no such Stage 1 – preliminary design or Stage 2 – detailed design audit being submitted notwithstanding the Road Department's recommendation that a Traffic Audit be undertaken. In this respect, I note that an RSA is generally required where a development scheme will change an existing road or roadside layout and assists in the evaluation of a road scheme during planning and design stage and allow the identification of potential safety hazards which may affect any type of road user, and to suggest measures to eliminate or mitigate those problems. Having regard to the concerns I have raised, including regarding the shared use of the access road together with the stated requirement of Objective TS43 (which states that Road Safety Impact Assessments/ Road Safety Audits shall be sought where appropriate to inform planning decisions) and the advice contained in Section 7.10 of the Development Management Guidelines, I do not consider it appropriate that these fundamental access design and safety matters are addressed by condition requiring the submission of a Road Safety Audit.

10.3.14. An observer raises a concern regarding potential conflict between HGV turning movements and the proposal. I consider that as any turning movements would take place within the business park to the north of the site, this issue would not arise.

Sightlines

10.3.15. Concerns are raised regarding the design of main entrance/ junction with Whitemill Industrial Estate/ Clonard Road with respect to proposed sightlines. Having inspected the site and its interface with L-7606, I consider the sightlines are acceptable on the basis that the verge adjacent to the existing entrance comprises footpaths and mown grass which maintains sufficient open visibility (49m sightlines measured at 2.4m setback from road edge) in both directions onto the public road which has a design speed of 50km/hr.

Cycle Connection

- 10.3.16. The PA in their report on the application raise an issue regarding the proposed pedestrian/ cycle connection to Cluain Beag which would, in time, provide a connection to a new link access road between Clonard Road (to the north) and the Whitemill Industrial Estate/ Clonard Road that is under construction further to the west (as part of P.A. Ref. 20221652-LRD). On the basis that this estate is not taken in charge by Wexford County Council, the PA sought evidence of consent. I note that this matter has not been addressed as part of the GOA.
- 10.3.17. From undertaking a review of Wexford County Council's list of estates that have been taken in charge, which is available on their website (accessed 17th June 2026), it is still the case that Cluain Beag has not been taken in charge by the local authority. I note that the works indicated on plans submitted have been contained within the red line boundary of the site and, until such time that the Cluain Beag residential estate is taken in charge, no works outside of this boundary will be undertaken. In this regard, I draw the Commission's attention to section 34(13) of the Planning and Development Act 2000 (as amended) which states, that a person is not entitled solely by reason of a permission to carry out any development. I consider that, in principle, the primary access off the Whitemill Industrial Estate/ Clonard Road can be utilised until such a time as Cluain Beag is taken in charge and this secondary access can be facilitated.

Traffic Impact

- 10.3.18. In respect to the matter of traffic congestion, a Traffic and Transport Assessment was submitted as part of the application documentation – this considers the cumulative traffic impact arising from Site A and Site B in addition to that of all adjacent potential residential developments and the business park. I have reviewed the TTA and consider it is acceptable and was largely carried out in accordance with the Traffic and Transport Assessment Guidelines as published by the National Roads Authority, 2014.
- 10.3.19. The assessment utilised a TRICS database to calculate the trip generation for the proposed development (the expected year of completion for the development is taken to be 2026). It was utilised to estimate the number of car trips which would be generated by this development during the morning and evening peak hours. Traffic counts were carried out at the L-7606: Junction 1 Development Access Westpoint/

Clonard Road and Junction 2 Clonard Road/ Clonard Retail Park on Tuesday 19th November 2024 for the morning peak hours of 07:30 - 09:30 and the evening peak hours of 16:30-18:30. The TTA noted that both junctions are operating well within capacity in the design year 2041 for the morning and evening peak hours. Table 5.1 sets out the expected trip generation relating the proposed development finding that between the AM hours surveys there would be a total 47 cars arriving to site and 103 departures. While during the PM peak hours 79 arrivals would be expected and 50 departures.

- 10.3.20. The Roads Department of the PA raised no concerns with regard to the TTA and whilst I note that the counts were undertaken in late 2024 and likely did not take into consideration the full operation of the neighbouring Beechfield, Part 8 and Cluain Beag housing schemes, I consider that the methodology employed (which included growth projections) and the junctions selected to be adequate to assess the impact the proposal will have upon the existing traffic and transport situation within the immediate vicinity of the site.
- 10.3.21. In light of the foregoing and having regard to the nature of my observations on site, I am of the opinion that third party concerns regarding the operational capacity of the access road and peak traffic congestion are not substantiated.

Parking

- 10.3.22. The application scheme proposed 112 no. car parking spaces in total to serve the creche and residential scheme (for breakdown please refer to Table 1 in Section 2.0 of this report) inclusive of 13 no. disabled spaces and 25 no. electric vehicle spaces. 4 no. additional spaces are proposed under the appeal scheme bringing the total to 116 no. (inclusive of 13 no. disabled & 25 no. EV parking spaces which meet WCDP provisions in respect to specialist parking provision). Furthermore, all communal on-street car parking spaces serving the duplex units will be provided with the necessary infrastructure installed to accommodate future electric charging points, with off-street parking spaces serving the houses having EV charging points installed.
- 10.3.23. WCDP Table 6-7 (Car Parking Standards) provides for a maximum standard of 2 no. spaces per house (max. 74 no. spaces) and 1 no. per apartment (max. 55 no. spaces) with a maximum of 1 no. space per 4 children (5 no. spaces total) plus 1 no. space per employee (3 no. spaces in total) in the case of a creche – giving rise to a max.

WCDD requirement of 137 no. spaces. Similarly, SPPR3 (Car Parking) of the 2024 Compact Settlement Guidelines states that, in intermediate and peripheral locations (i.e. such as that proposed), the max. rate of car parking provision shall be 2 no. spaces per dwelling (max. 184 no. total).

- 10.3.24. The PA's refusal reason no. 3 refers to a shortfall in car parking provision giving rise to the risk of overspill parking, and related obstruction and hazard, on the main access road and within the industrial estate, with similar concerns being raised by third parties in respect to the impact on the adjoining business park.
- 10.3.25. On the basis that the development plan and guidelines prescribe only maximum standards, I consider that there is no demonstrable policy basis which would support the conclusion that the rate of car parking provided for is inadequate.
- 10.3.26. I also draw the Commission's attention to the Residential Travel Plan submitted with the application (which also considers Site B) which outlines a range of supports to encourage sustainable travel patterns, the implementation of which is capable of being addressed by condition.

10.4. **Waste Management**

- 10.4.1. It is proposed to provide one single storey communal bin storage structure (c. 47sq.m with capacity for residential waste and recycling for 112 no. units) on the west side of the scheme (between proposed 'home zone 2' to south and 'home zone 4' to north which comprise exclusively of houses). The facility would also be provided, together with an adjoining bicycle store, adjacent to the proposed pedestrian and cycle connection to the Cluain Beag estate to the west. Whilst a refuse storage unit plan is submitted which illustrates its general internal layout, design/ materiality and point of access, no specific details are provided in respect to the capacity of the waste facility.
- 10.4.2. Refusal reason no. 2 centres on concerns regarding future residential amenity and specifically refers to insufficient information being submitted to demonstrate how the scheme's refuse/ recycling receptacle storage arrangements can be effectively managed to prevent public health hazards and visual disamenity. The basis for the PA's concerns in this regard is not further detailed.

- 10.4.3. It is contended in the GOA that PA did not identify any specific bin storage design/ location/ capacity deficiencies and that their concerns only relate to operational concerns which are capable of being addressed by condition.
- 10.4.4. As detailed above, there is no information on file in respect to the projected level of waste generation and types and quantities of receptacles required with no further clarification on same being provided as part of the grounds of appeal.
- 10.4.5. WCDP Volume 2, Section 3.12.6 provides guidance on refuse storage for multi-unit schemes stating that *“The Council will require that all housing developments include convenient and well-designed proposals for the storage of waste and recycling receptacles (three receptacles per home). With regard to apartment schemes, the development should comply with the refuse storage requirements set out in Sections 4.8-4.9 of the Apartment Guidelines”*. Sections 4.8 - 4.9 of the 2023 Apartment Guidelines provide that provision shall be made for the storage and collection of waste materials in apartment schemes (via the three-bin system for the collection of mixed dry recyclables, organic waste and residual waste), with such facilities to be accessible to each apartment stair/ lift core and designed with regard to the projected level of waste generation and types and quantities of receptacles required. Similarly, Section 4.2 (Waste Management) of the 2025 Apartment Guidelines seek that provision is made for accessible, adequate storage and collection which is adequately ventilated, well-lit and not accessible to general public whilst the 2024 Compact Settlement Guidelines require that refuse storage areas be screened and integrated with surrounding structures/ landscaping.
- 10.4.6. I note that there would be capacity for bin storage in the gardens of each of the nearby houses and that it is stated in the submitted Urban Design Statement that *“all duplex units...have direct, safe and convenient access to centralised refuse, recycling and bicycle storage facilities”*. On this basis, the rationale for the siting of the bin storage area, which is not integrated with or located reasonably conveniently to the proposed apartments/ maisonettes (i.e. in ‘homezone 3’ or ‘the crossings’ for example), is unclear. In terms of access for waste collection, I note the facility is sited at the turning head for large vehicles. In light of the totality of the policy guidance outlined above, and considering the likely disamenity to house no. 14, I consider it reasonable that it should be more conveniently located relative to the duplex blocks and, ideally, should

be integrated within same. This requirement could be addressed by amending condition where the Commission are minded to grant permission.

- 10.4.7. Whilst I consider that the information that has been provided in respect to the design and sizing of the waste facility to be inadequate, I do not consider that this matter constitutes a reasonable basis for refusal. It is my view that the matter is capable of being addressed by a condition requiring the submission of an Operational Waste Management Plan for agreement with the PA.

10.5. **Surface Water Management and Servicing**

- 10.5.1. In terms of surface water flow paths, the majority of the appeal site (west of access road) currently naturally drains in a north-west to south-easterly direction towards the existing main spine access road with this run-off being conveyed, via gullies and the surface water sewer system installed as part of the construction of that road (under P.A. Ref. W20063370), to the public sewer system under the Whitemill Industrial Estate Road/ Clonard Road to the south which in turn connects to the Killens Stream downstream of the site which flows into the Whitemill River (main Rathaspick River) which, in turn, discharges into Wexford Harbour. The remainder of the site (generally to north-east of access road) naturally drains to an unnamed drainage ditch that runs along the eastern boundary of the lands and from there to a culvert under the public road and onwards to the Killens Stream.
- 10.5.2. Refusal reason no. 5 states that insufficient information has been submitted to demonstrate that surface/ storm water would be effectively managed on the site contrary to WCDP Section 9.11.11 and Objective SWM01. The PA's specific concerns in this regard are not elaborated upon, but I do note that the PA's Roads Department raised a specific issue regarding the proposed surface water outfall rates to surface water mains.
- 10.5.3. The GOA refute the PA's concerns regarding the sufficiency of their surface water management proposals, arguing that that no fundamental deficiency in the proposed drainage strategy was raised by PA.
- 10.5.4. I note that the Sustainable Drainage Report submitted as part of the GOA addresses the surface water management matters raised. This clarifies surface water outfall rates and outlines how infiltration drainage solutions are not suitable in this instance on account of the site's topography and impermeable subsoil/ ground conditions (as

per BRE365 Soak Test Report submitted). Controlled attenuation-based drainage is therefore proposed to collect and hold run-off in order to manage and moderate the rate of discharge flow to the surface water infrastructure (attenuation and outfall systems constructed under P.A. Ref. W20063370) which traverses the site.

- 10.5.5. On the basis of this information on file, I am satisfied that the applicant's surface water management proposals are a reasonable and proportionate response to the evidenced soil character and impervious drainage characteristics of the site, and I agree that they are likely to enhance the drainage performance of the site overall. I also consider that the nature and extent of the SuDS measures proposed render the scheme compliant with WCDP surface water management policy – including Section 9.11.11 (Surface Water Management) and Objective SWM01 (SuDS) – together national policy and guidance as per NPO 79 and Nature Based Management of Urban Rainwater & Urban Surface Water Discharges, A National Strategy (DoHLGH, 2024).

Servicing

- 10.5.6. In respect to water supply, I note that there is a valid confirmation of feasibility (CoF - CDS24008658 for 179 no. units) on file from Uisce Eireann (dated 27/03/2025) which states that the subject proposal for a new connection to public potable and wastewater mains is feasible without requiring infrastructure upgrade. However, the applicant's engineers, in considering the cumulative impact of the development on Sites A & B (142 no. units), draw attention to the fact that the Uisce Eireann Code of Practice recommends for developments of over 100 units a 150mm watermain be used. Therefore, in the event the Commission are minded to grant permission for both schemes, a short length of 100mm public watermain may need to be upsized to 150mm between the existing 150mm watermain and the point where the supply to the two developments split – with the applicant stating that they are willing to facilitate same.
- 10.5.7. With regard to foul drainage, the aforementioned CoF from Uisce Eireann states that the proposed new connection to the public sewer on the public road (via an existing private sewer under access road which has been determined to have capacity) is feasible without requiring infrastructure upgrade.
- 10.5.8. I am satisfied that the aforementioned connections are capable of being addressed by standard condition where the Commission are minded to grant permission.

10.6. Impact on Neighbouring Properties

Residential Amenity

- 10.6.1. Third party concerns are raised regarding the impact of the proposal on the residential amenity of Alexandra House (Protected Structure Ref. No. WBC0284).
- 10.6.2. In considering the matter of residential amenity, the PA determined that there was no potential for proposal to negatively impact on the adjoining properties, Cluain Beag and Alexandra House, to the west or north-west with regard to overlooking or overshadowing of amenity spaces. Having considered the as-built arrangements/ boundaries together with the design and siting of House Type 1 as per the application scheme, I would agree with the PA's view in this regard. The appeal scheme (in which revised house type 1 (A) has an L-shaped modulated massing, does not feature any windows on its rear elevation and is sited c. 17m from the front elevation of Alexandra House at their closest point), would also not give rise to privacy impacts or to overshadowing of neighbouring amenity spaces.
- 10.6.3. An observation on the appeal has raised the matter of the proposed woodland walk and related amenity areas giving rise to unacceptable noise and disturbance to neighbouring properties, with the additional risk of trespass. I consider that these concerns could be addressed via revised landscaping proposals and boundary arrangements (which do not interfere with the riparian zone around the Killens River) as per my recommendations in Section 10.2 of this report. However, having inspected the site boundaries at this location together with the adjoining lands and having considered the totality of the information on file, I have identified more fundamental issues with respect to the conservation and visual amenity impact of the appeal proposal on neighbouring properties and built heritage.

Conservation/ Visual Amenity

- 10.6.4. The appeal scheme, in seeking to address refusal reason no. 4, has inadvertently created a potential issue with regard to visual impact/ intrusion, undue overbearance and (potentially) loss of internal daylighting to the protected structure arising from the siting and height (3-storeys) of House Type 1A which has now moved c. 8m closer to the north-west boundary (when compared to the application scheme). This is concerning given the disparity in site levels and the poor condition/ vulnerability (re: ash dieback) of mature trees along the boundary at this location as raised in an

observations on the appeal, the proposal to install a low (1.5m high) post and rail fence along this boundary and, particularly on account of the comments of the DAU received on the appeal.

- 10.6.5. Further concerns regarding overbearance and visual intrusion arise in respect to the excessive proximity of House Type 2A to the historic rural farmhouse (listed on the NIAH under Ref. 15608009) to the north-west under the appeal scheme, whereby it is now sited c. 2m closer to same (when compared to the application scheme), its overall length and scale now almost equalling that of the farmhouse and visually obscuring same.
- 10.6.6. The DAU submission (which relates to the appeal scheme and not the application scheme), whilst stating that no particular objections are raised on architectural heritage grounds, seeks to highlight to the Commission that no assessment of the potential visual impact of the proposal on Alexandra House or on the adjoining rural farmhouse (listed on the NIAH under Ref. 15608009)) has been provided, with that matter being required to be addressed prior to permission being granted.
- 10.6.7. In this respect, I also note the requirements of WCDP Objective TV54 which requires all development proposals where the building height will be above prevailing heights, including infill development, to include an analysis of the impact of building height and positioning of buildings on factors such as the immediate and surrounding environment (e.g. streetscape, historic character) and adjoining structures.
- 10.6.8. Therefore, having considered the lack of information on file in respect to the visual and conservation impact of the appeal proposal on these adjoining heritage structures, together with the design changes made to the scheme at appeal stage (which I consider have materially altered the nature and extent of these impacts), I would have serious concerns regarding the impact of the proposal on Alexandra House, a protected structure of regional importance and, also about its impact on the adjoining rural farmhouse (listed on the NIAH). On this basis, I consider that the appeal scheme is not acceptable on the basis of the design and siting of the aforementioned houses and, on balance, having regard to my earlier deliberations under Section 10.2 of this report, I consider the original scheme as lodged at planning application stage to be more appropriate in terms of its siting, height and visual relationship with the Protected Structure and farmhouse.

10.7. Other

Bike Parking

- 10.7.1. The PA were satisfied with the applicant's bike parking proposals (209 no. spaces in secure private storage facilities) but sought that additional shared rental bike/ scooter parking be provided at the entrance to scheme (i.e. over and above stated policy requirements). I note that there is ample open space at the entrance to the scheme that could facilitate same and I recommend to the Commission that this matter is addressed by condition in the event of a grant of permission.

Construction

- 10.7.2. The report of the PA's Roads Department raised a number of matters regarding construction access arrangements, hardscape materiality, whether permeable paving parking spaces should be excluded from taking in charge area and construction site management details etc. I consider that such matters are not material to this assessment and are capable of being addressed by standard condition/ post-permission. I further note that a CEMP and phasing plan have been submitted, with the PA raising no concerns regarding same.

Archaeology

- 10.7.3. The PA sought that archaeological investigation on the site be undertaken, with the DAU raising no comments in this regard. Having consulted the Historic Environment Viewer (accessed 22/06/2026), I note that there are no recorded monuments shown as being within the application red line area (with the nearest built heritage features being Alexandra House and the rural farmhouse), which is also not located in the Wexford town walls archaeological zone. Notwithstanding, I note that the requirement to undertake archaeological investigations on the site was attached to previous permissions granted on the site under P.A. Refs. 20070918 (condition no. 12) and W2008024 (condition no. 7), and for this reason, I consider it reasonable that such a condition also be attached in this instance where the Commission are minded to grant permission.

11.0 AA Screening

11.1. Stage 1 – Appropriate Assessment Screening

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.

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 give rise to significant effects on the Slaney River Valley SAC (Site Code 000781) and Wexford Harbour and Slobbs SPA (Site Code 004076) in view of the conservation objectives of these sites and is therefore require further consideration. Appropriate Assessment is required.

This determination is based on:

- Nature of works.
- Hydrological connection provided by the Killens Stream and the drainage ditch adjacent to part of the east boundary.
- Negative effects on qualifying interest habitats and species that are sensitive to changes in water quality.

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'.

11.2. Stage 2 – Appropriate Assessment

- 11.2.1. The following is an objective assessment of the implications of the proposal on the relevant Conservation Objectives (CO) of the Wexford Harbour and Slobbs SPA (Site Code 004076) and the Slaney River Valley SAC (Site Code 000781) 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.

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 (as per Section 9 of NIS). 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 6 of the NIS submitted.

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 000781) and the Wexford Harbour and Slobbs 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.

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 000781) and the Wexford Harbour and Slobbs 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.

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 for Slaney River Valley SAC (Site Code 000781) and the Wexford Harbour and Slobbs SPA (Site Code 004076) European Sites or prevent or delay the restoration of favourable conservation condition for these Sites.
- Effectiveness of mitigation measures proposed in the NIS.
- Adoption of CEMP submitted.
- Application of conditions to ensure the mitigation measures proposed are undertaken.

12.0 Water Framework Directive Screening

The subject site is located on the outskirts of the Wexford suburban area in the townland of Clonard Little. The proposed development comprises of 92 no. residential units, a childcare facility and all associated site works. The Killens Stream flows to the east of the subject site crossing under the junction of the site with the public road to the south subsequently connecting with the Whitemill River (the main Rathaspick River) and ultimately discharging to the Lower Slaney Estuary which is located c. 3km to the north-east of the site. The appeal site is connected to the Killens Stream via natural flowpaths to its existing surface water drainage network which outfalls to the stream and also via its natural flowpaths to the unnamed drainage ditch along its south-eastern boundary which also discharges to the Killens Stream.

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 and 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.

The reason for this conclusion is as follows:

- Nature and scale of proposed development incl. SuDS prior to discharge to the local surface water drainage network and discharge to the Killens Stream.
- The context of the surrounding area.
- Location-distance from other nearest water bodies.
- The mitigation included within Construction Environmental Management Plan.
- The Natura Impact Statement which accompanied the application.

I conclude that, on the basis of objective information, 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.

13.0 Recommendation

I recommend that permission be REFUSED for the following reasons:

14.0 Reasons and Considerations

1. Having regard to the location of the site, within an industrial estate and directly adjoining an established business park and a light industrial manufacturing facility, it is considered that the proposed development, which is almost entirely residential in nature, would give rise to an unacceptable land use conflict and would prejudice the future development of industrial/ employment lands in the vicinity. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.
2. The proposed development seeks to realign the existing access road leading from the junction with the Whitemill Industrial Estate Road/ Clonard Road and to provide for the future shared use of this access road by the subject scheme, Westpoint Business Park and also by a further proposed residential development of 50 no. units to the immediate north-east. Having regard to the design and layout of that road, to its shared use, and particularly the design and layout of car parking and the proposed 3-arm junction at the terminus of the main access road to the north of the site, it is considered that the proposal would endanger public safety by reason of traffic hazard and would lead to conflict between road users, that is, vehicular traffic, pedestrians and cyclists. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

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.

Emma Gosnell

Planning Inspector

29th June 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-501059-WX-26
Proposed Development Summary	Mixed use. 92 Residential units a creche. NIS with this application.
Development Address	Clonard Little, Wexford Rural.
IN ALL CASES CHECK BOX / OR LEAVE BLANK	
1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?	☒ Yes, it is a 'Project'. Proceed to Q.2.
	☐ No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
☒ No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
☐ No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	

☒ Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	Part 2, Class 10(b)(i) Infrastructure – dwelling units – 500 units – 92 no. units proposed (sub-threshold) Part 2, Class 10(b)(iv) - Urban development – 10 hectares (built-up area). Site is c. 2.3ha
4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☐	Screening Determination required (Complete Form 3)
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____

Date: _____

Appendix 2: Form 2 - EIA Preliminary Examination

Case Reference	PL-501059-WX-26
Proposed Development Summary	Mixed use. 92 Residential units a creche. NIS with this application.
Development Address	Clonard Little, Wexford Rural.
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	The development is for the redevelopment of a greenfield suburban site for residential purposes. Whilst it does come forward as a standalone project it should be considered in the context of the proposal concurrently under appeal under PL-501060-WX-26. It does not involve the use of substantial natural resources or give rise to significant risk of pollution or nuisance. The development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change. It presents no risks to human health.
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	The development site constitutes undeveloped greenfield lands at the edge of Whitemill Industrial Estate (comprising light industrial/ employment/ manufacturing uses) and to the immediate south and east of Westpoint Business Park which features a number of permitted light industrial units and operations in addition to recreational, social/ community, office, storage and retail uses. There are newly developed and developing residential estates to the west of the site, with a protected structure and historic farmhouse (both listed on NIAH) being located to the immediate north and north-west. The site forms part of a larger bank of undeveloped lands at this location, with part of this landbank being subject to a further residential proposal which is under concurrent appeal under PL-501060-WX-26. The receiving location is not particularly environmentally sensitive and is removed from identified landscapes of

	historical or cultural significance in the County Development Plan. The Killens Stream (river) is located along the site's south west boundary. This stream flows in a southerly direction for c. 650m until it joins up with the Whitemill River (main Rathaspick River) which in turn discharges into the Lower Slaney Estuary and to the Slaney River Valley SAC and the Wexford Harbour and Slobbs SPA. There is a drainage ditch located adjacent to part of the site's east boundary. This drainage ditch is culverted under the Whitemill Industrial Estate Road/ Clonard Road (to the south) and it is connected to the Killens Stream. The development is generally removed from cultural heritage features, sensitive natural habitats and designated sites identified significance in the County Development Plan. The development is proximate to identified built cultural heritage features (identified above), with its impact on same being assessed as part of the planning assessment undertaken. The proposal's impact on local traffic and parking conditions, surface water management regime and on neighbouring properties is dealt with as part of the Planning Assessment in the main body of the Inspector's Report – where significant concerns are raised on the grounds of principle of development and access. Having regard to the above and the nature and limited scale of the proposed development, I am satisfied that impacts on environmental sensitivities can be adequately assessed in this case without the need for EIA.
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration,	Due to the nature and scale of the development, the construction stage will not be significant in terms of duration or complexity. The main operational impacts would be limited to residential amenity, impact on adjoining land uses and built heritage, traffic safety and impacts, parking and the wastewater and surface water emissions arising from the site. These elements

cumulative effects and opportunities for mitigation).	would be subject to standard assessment/ design, and I am satisfied that they can be assessed without potential for significant environmental effects that would require EIA. There would be no significant cumulative impacts with other projects. Therefore, having regard to the characteristics and nature of the proposed development; the location, proximity and connectivity to sensitive habitats/features; likely limited magnitude and spatial extent of effects, and absence of significant in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.

Inspector: _____ **Date:** _____

DP/ADP: _____ **Date:** _____

(only where Schedule 7A information or EIAR required)

Appendix 3

Screening for Appropriate Assessment Test for likely significant effects				
Step 1: Description of the project and local site characteristics				
Case File: PL-501059-WX-26				
Brief description of project		Normal Planning Appeal		
		92 no. units, creche and all ancillary works.		
Brief description of development site characteristics and potential impact mechanisms		The subject site is a greenfield site which is located in the Whitemill Industrial Estate to the south-west of Wexford town. The development will comprise of the construction of a creche and 92 no. residential units which comprises of a mix of houses and maisonette/ apartment units. The development includes for a car park area and on site drainage infrastructure including SUDS measures with connections to the existing watermain and foul wastewater services also being proposed. The Killens Stream directly abuts part of the south-western site boundary, with an unnamed drainage ditch abutting the site's east boundary. Both watercourses connect to the Whitemill River (also known as the Rathaspick River) which discharges into the Slaney Estuary and to the Slaney River Valley SAC and the Wexford Harbour and Slob's SPA c. 3km to the north-east of the site.		
Screening report		Yes Accepted by Wexford County Council – see Section 3.2.1 of Inspector's report for details.		
Natura Impact Statement		Yes Also accepted by Wexford County Council – see Section 3.2.1 of Inspector's report for details.		
Relevant submissions		No – DAU submission received related to built heritage only.		
Step 2. Identification of relevant European sites using the Source-pathway-receptor model				
2 no. European sites were identified in the submitted AA Screening as being located within a potential zone of influence of the proposed development due to their physical proximity and the potential hydrological connection provided via the Killens Stream. These sites are detailed in Table 1 below. Given that there is no ecological justification for a wider consideration of other European sites, 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)	Estuaries [1130] Mudflats and sandflats not covered by seawater at low tide [1140] Atlantic salt meadows (Glaucopuccinellietalia maritimae) [1330]	c. 2km	Yes - indirect via runoff and silt/ pollutants entering the Killens Stream/ Drainage Ditch	Yes

	Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410] Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitricho-Batrachion</i> vegetation [3260] Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles [91A0] Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>) [91E0] <i>Margaritifera margaritifera</i> (Freshwater Pearl Mussel) [1029] <i>Petromyzon marinus</i> (Sea Lamprey) [1095] <i>Lampetra planeri</i> (Brook Lamprey) [1096] <i>Lampetra fluviatilis</i> (River Lamprey) [1099] <i>Alosa fallax fallax</i> (Twaite Shad) [1103] <i>Salmo salar</i> (Salmon) [1106] <i>Lutra lutra</i> (Otter) [1355] <i>Phoca vitulina</i> (Harbour Seal) [1365] <u>Slaney River Valley SAC National Parks & Wildlife Service</u> (accessed 16/06/2026)		which discharges into Wexford Harbour/ Lower Slaney Estuary	
Wexford Harbour and Slobbs SPA (Site Code 004076)	Little Grebe (<i>Tachybaptus ruficollis</i>) [A004] Great Crested Grebe (<i>Podiceps cristatus</i>) [A005] Cormorant (<i>Phalacrocorax carbo</i>) [A017] Grey Heron (<i>Ardea cinerea</i>) [A028] Bewick's Swan (<i>Cygnus columbianus bewickii</i>) [A037] Whooper Swan (<i>Cygnus cygnus</i>) [A038] Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] Shelduck (<i>Tadorna tadorna</i>) [A048] Teal (<i>Anas crecca</i>) [A052] Mallard (<i>Anas platyrhynchos</i>) [A053] Pintail (<i>Anas acuta</i>) [A054] Scaup (<i>Aythya marila</i>) [A062] Goldeneye (<i>Bucephala clangula</i>) [A067]	c. 2km	Yes – as above	Yes

	Red-breasted Merganser (Mergus serrator) [A069] Hen Harrier (Circus cyaneus) [A082] Coot (Fulica atra) [A125] Oystercatcher (Haematopus ostralegus) [A130] Golden Plover (Pluvialis apricaria) [A140] Grey Plover (Pluvialis squatarola) [A141] Lapwing (Vanellus vanellus) [A142] Knot (Calidris canutus) [A143] Sanderling (Calidris alba) [A144] Dunlin (Calidris alpina) [A149] Black-tailed Godwit (Limosa limosa) [A156] Bar-tailed Godwit (Limosa lapponica) [A157] Curlew (Numenius arquata) [A160] Redshank (Tringa totanus) [A162] Black-headed Gull (Chroicocephalus ridibundus) [A179] Lesser Black-backed Gull (Larus fuscus) [A183] Little Tern (Sterna albifrons) [A885] Wigeon (Anas penelope) [A885] Greenland White-fronted Goose (Anser albifrons flavirostris) [A395] Wetland and Waterbirds [A999] https://www.npws.ie/protected-sites/spa/004076 (accessed 16/06/2026)			
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The proposed development is connected to the Slaney River Valley SAC and the Wexford Harbour and Slobbs SPA via the Killens Stream. Due to hydrological corridor connectivity, potential for water quality deterioration within the Natura 2000 sites identified is possible.

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
Site 1: Slaney River Valley SAC (Site Code 000781)	<u>Direct:</u> No The project is not directly connected with or necessary to the management of a	Risk of surface water borne pollutants and particulate matter reaching the SAC resulting in changes to

Estuaries [1130] Mudflats and sandflats not covered by seawater at low tide [1140] Atlantic salt meadows (Glauco-Puccinellietalia maritima) [1330] Mediterranean salt meadows (Juncetalia maritimi) [1410] Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation [3260] Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0] Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0] Margaritifera margaritifera (Freshwater Pearl Mussel) [1029] Petromyzon marinus (Sea Lamprey) [1095] Lampetra planeri (Brook Lamprey) [1096] Lampetra fluviatilis (River Lamprey) [1099] Alosa fallax fallax (Twait Shad) [1103] Salmo salar (Salmon) [1106] Lutra lutra (Otter) [1355] Phoca vitulina (Harbour Seal) [1365]	European Site. The proposed development will not result in any direct effects such as habitat loss on any European site. <u>Indirect:</u> No impact is expected during the operational phase given the proposed connection to existing/ public surface and foul water drainage networks. Potential hydrological connection (via surface water drainage arrangements) of the site to the Killens Stream (tributary of the Rathaspick River) which flows southwards towards the main Rathaspick River which in turn flows north-eastwards for c. 3km toward the Lower Slaney Estuary which forms part of the Slaney River Valley SAC and Wexford Harbour & Slob SPA. This connection arises due to the sites natural flowpaths to the existing surface water management infrastructure on the site (under the main access road) and also to the unnamed drainage ditch which borders the site. 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). Given the proximity of the proposed road realignment/ site works to the existing drainage ditch to east and given the potential hydrological connection between the existing surface water drainage system (gullies etc.) along the existing access road, public road to south and the Wexford Harbour (via the Killens Stream and Rathaspick River), there is potential for sedimentation/ surface water deterioration to occur downstream of the development site during the construction phase. 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	habitat quality arising from deterioration in water quality. Degradation to water quality and subsequent habitat may undermine conservation objectives associated with the qualifying impacts for the site. Possibility of significant effects cannot be ruled out without further analysis and assessment
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	construction projects in the area and other pressures on water quality. Potential for impacts to transitional water quality from the <u>construction</u> 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.	
Yes	Likelihood of significant effects from proposed development (alone): Y/N	
N/A	If No, is there likelihood of significant effects occurring in combination with other plans or projects?	
	Impacts	Effects
Site 2: <u>Wexford Harbour and Slobs SPA (Site Code 004076)</u> Little Grebe (<i>Tachybaptus ruficollis</i>) [A004] Great Crested Grebe (<i>Podiceps cristatus</i>) [A005] Cormorant (<i>Phalacrocorax carbo</i>) [A017] Grey Heron (<i>Ardea cinerea</i>) [A028] Bewick's Swan (<i>Cygnus columbianus bewickii</i>) [A037] Whooper Swan (<i>Cygnus cygnus</i>) [A038] Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] Shelduck (<i>Tadorna tadorna</i>) [A048] Teal (<i>Anas crecca</i>) [A052] Mallard (<i>Anas platyrhynchos</i>) [A053] Pintail (<i>Anas acuta</i>) [A054] Scaup (<i>Aythya marila</i>) [A062] Goldeneye (<i>Bucephala clangula</i>) [A067] Red-breasted Merganser (<i>Mergus serrator</i>) [A069] Hen Harrier (<i>Circus cyaneus</i>) [A082] Coot (<i>Fulica atra</i>) [A125]	<u>Direct:</u> No The project is not directly connected with or necessary to the management of a European Site. The proposed development will not result in any direct effects such as habitat loss on any European site. <u>Indirect:</u> No impact is expected during the <u>operational</u> phase given the proposed connection to existing/ public surface and foul water drainage networks. Potential hydrological connection (via surface water drainage arrangements) of the site to the Killens Stream (tributary of the Rathaspick River) which flows southwards towards the main Rathaspick River which in turn flows north-eastwards for c. 3km toward the Lower Slaney Estuary which forms part of the Slaney River Valley SAC and Wexford Harbour & Slobs SPA. This connection arises due to the sites natural flowpaths to the existing surface water management infrastructure on the site (under the main access road) and also to the unnamed drainage ditch which borders the site. 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).	Risk of surface water borne pollutants and particulate matter reaching the SPA resulting in changes to habitat quality arising from deterioration in water quality. Deterioration in water quality and subsequent habitat deterioration (i.e. affecting the diet of birds) may undermine conservation objectives associated with the qualifying interests for the site. Possibility of significant effects cannot be ruled out without further analysis and assessment.

Oystercatcher (Haematopus ostralegus) [A130] Golden Plover (Pluvialis apricaria) [A140] Grey Plover (Pluvialis squatarola) [A141] Lapwing (Vanellus vanellus) [A142] Knot (Calidris canutus) [A143] Sanderling (Calidris alba) [A144] Dunlin (Calidris alpina) [A149] Black-tailed Godwit (Limosa limosa) [A156] Bar-tailed Godwit (Limosa lapponica) [A157] Curlew (Numenius arquata) [A160] Redshank (Tringa totanus) [A162] Black-headed Gull (Chroicocephalus ridibundus) [A179] Lesser Black-backed Gull (Larus fuscus) [A183] Little Tern (Sterna albifrons) [A885] Wigeon (Anas penelope) [A885] Greenland White-fronted Goose (Anser albifrons flavirostris) [A395] Wetland and Waterbirds [A999]	Given the proximity of the proposed road realignment/ site works to the existing drainage ditch to east and given the potential hydrological connection between the existing surface water drainage system (gullies etc.) along the existing access road, public road to south and the Wexford Harbour (via the Killens Stream and Rathaspick River), there is potential for sedimentation/ surface water deterioration to occur downstream of the development site during the construction phase. Potential for impacts to transitional water quality from the <u>construction</u> 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.	
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?	
Further Commentary/ Discussion: Due to the nature of the site and its proximity and connection to the Killens Stream/ Rathaspick River (via natural surface water run-off flowpaths to the existing surface water management system in access road and to the unnamed drainage ditch which both subsequently connect to the Killens Steam), I consider that at this stage I cannot exclude that the proposed development would not generate impacts that could affect site within the identified zone of influence on ecological receptor. The potential exists for pollutants such as silt, sediment, oils etc. to be mobilised from the development site into surface water runoff during the construction phase and transported downstream into the European sites which could adversely affect QIs for which the Sites have been designated. The NIS submitted considers measures as set out in the Planning Drainage Report which include standard measures and good construction practice including installation of silt traps, timing of works, dust suppression, plant maintenance, plant & machinery maintenance, fuel management, staff compound, waste management and a construction environment management plan (CEMP) should avoid any such		

adverse effects on the European sites during the construction phase. I consider the applicants reinforcement measures identified above constitute mitigation.

The project also has potential to give rise to significant effects in combination with approved large scale housing projects in the vicinity such as that permitted under P.A. Ref. 20221652-LRD (which is also hydrologically linked to the Killens Stream) whereby the possibility of significant effects is primarily due to cumulative water quality pressures.

Step 4 Conclude if the proposed development could result in likely significant effects on a European site

Based on the information provided in the screening report, 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 construction stage of the proposed development could have potential to result significant effects on the Slaney River Valley SAC (Site Code 000781) and Wexford Harbour and Slobbs SPA (Site Code 004076) due to a potential deterioration in water quality.

I concur with the applicants' findings that such impacts could be significant in terms of the stated conservation objectives of the SAC and SPA 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.

It is not possible to exclude the possibility that proposed development either alone or in combination with other plans and projects would result significant effects on (1) Wexford Harbour and Slobbs SPA and (2) Slaney River Valley SAC European site(s) from effects associated with potential water quality deterioration.

Proceed to AA.

Screening Determination

Significant effects cannot be excluded.

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that it is not possible to exclude that the proposed development alone or in combination with other plans and projects will give rise to significant effects on 2 no. European Sites (Slaney River Valley SAC (Site Code 000781) and Wexford Harbour and Slobbs SPA (Site Code 004076)) in view of the sites conservation objectives. **Appropriate Assessment is required.**

This determination is based on:

- The Zone of Influence of potential impacts.
- Information presented in the submitted NIS.
- Qualifying interests, special conservation interest and conservation objectives of the European sites.
- Hydrological pathway to the European site(s) via Killens Stream which is a tributary of the Rathaspick River which discharges into the Lower Slaney Estuary.

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 92 no. residential units, a creche and all associated site development works including surface water management and attenuation infrastructure, open space, access road modifications and landscaping at Clonard Little, Co. Wexford in view of the relevant conservation objectives of the Slaney River Valley SAC and Wexford Harbour and Slobbs SPA, based on scientific information including that provided by the applicant. The information relied upon includes the following: • Natura Impact Statement submitted at application stage. • Planning application documents including engineering, ecological and landscaping proposals, EclA and CEMP. • 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 also 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 No issues related to AA raised in submissions. (The DAU submission received related to built heritage only).			
Site 1: Slaney River Valley SAC (Site Code 000781) Summary of Key issues that could give rise to adverse effects (from screening stage): (i) Water quality degradation (construction)			
Qualifying Interest features likely to be affected	Conservation Objectives	Potential adverse effects	Mitigation measures (summary) SEE NIS SECTION 8
Estuaries [1130] Mudflats and sandflats not covered by seawater at low tide [1140]	Maintain/restore favourable conservation condition	Water quality degradation and/ or alteration of habitat quality would undermine conservation objectives of the following qualifying interests:	Best practice pollution control and biosecurity measures including maintaining a buffer of from Killens Stream.

Atlantic salt meadows (<i>Glaucopuccinellietalia maritima</i>) [1330] Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410] Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitricho-Batrachion</i> vegetation [3260] Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles [91A0] Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>) [91E0] <i>Margaritifera margaritifera</i> (Freshwater Pearl Mussel) [1029] <i>Petromyzon marinus</i> (Sea Lamprey) [1095] <i>Lampetra planeri</i> (Brook Lamprey) [1096] <i>Lampetra fluviatilis</i> (River Lamprey) [1099] <i>Alosa fallax fallax</i> (Twaite Shad) [1103]		- [1130] Estuaries - [1140] Tidal Mudflats and Sandflats - [3260] Floating River Vegetation - [1029] Freshwater Pearl Mussel (<i>Margaritifera margaritifera</i>) - [1095] Sea Lamprey (<i>Petromyzon marinus</i>) - [1096] Brook Lamprey (<i>Lampetra planeri</i>) - [1099] River Lamprey (<i>Lampetra fluviatilis</i>) - [1103] Twaite Shad (<i>Alosa fallax</i>) - [1106] Atlantic Salmon (<i>Salmo salar</i>) - [1355] Otter (<i>Lutra lutra</i>) - [1365] Common (Harbour) Seal (<i>Phoca vitulina</i>)	The existing vegetation between the proposed road and the drainage ditch to the east will be retained during the construction works to act as a physical barrier for surface water runoff. Application of industry standard controls including provision of silt fencing/ sandbags to hedgerow etc. adjoining drainage ditch and silt mats to road gullies, appropriate timing of works, dust suppression. SuDS (tree pits & soakaways), fuel/oil bypass separator, and monitoring chamber. Above as per implementation of the submitted CEMP.
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Salmo salar (Salmon) [1106]			
Lutra lutra (Otter) [1355]			
Phoca vitulina (Harbour Seal) [1365]			
The above table is based on the documentation and information provided on the file and I am satisfied that the submitted NIS has identified the relevant attributes and targets of the Qualifying Interests.			
Site 2: Wexford Harbour and Slobs SPA (Site Code 004076)			
Summary of Key issues that could give rise to adverse effects (from screening stage): (i) Water quality degradation (construction stage)			
Qualifying Interest features likely to be affected	Conservation Objectives	Potential adverse effects	Mitigation measures (summary) NIS SECTION 8
Little Grebe (Tachybaptus ruficollis) [A004] Great Crested Grebe (Podiceps cristatus) [A005] Cormorant (Phalacrocorax carbo) [A017] Grey Heron (Ardea cinerea) [A028] Bewick's Swan (Cygnus columbianus bewickii) [A037] Whooper Swan (Cygnus cygnus) [A038] Light-bellied Brent Goose (Branta bernicla hrota) [A046] Shelduck (Tadorna tadorna) [A048]	Maintain favourable conservation condition	Water quality degradation and/ or alteration of habitat quality would undermine conservation objectives of all listed qualifying interests whereby a potential deterioration in water quality may affect the diet of species.	Best practice pollution control and biosecurity measures including maintaining a buffer from Killens Stream. The existing vegetation between the proposed road and the drainage ditch to the east will be retained during the construction works to act as a physical barrier for surface water runoff. Application of industry standard controls including provision of silt fencing/ sandbags to hedgerow etc. adjoining drainage ditch and silt mats to road gullies, appropriate timing of

Teal (<i>Anas crecca</i>) [A052]			works, dust suppression.
Mallard (<i>Anas platyrhynchos</i>) [A053]			Above as per implementation of the submitted CEMP.
Pintail (<i>Anas acuta</i>) [A054]			
Scaup (<i>Aythya marila</i>) [A062]			
Goldeneye (<i>Bucephala clangula</i>) [A067]			
Red-breasted Merganser (<i>Mergus serrator</i>) [A069]			
Hen Harrier (<i>Circus cyaneus</i>) [A082]			
Coot (<i>Fulica atra</i>) [A125]			
Oystercatcher (<i>Haematopus ostralegus</i>) [A130]			
Golden Plover (<i>Pluvialis apricaria</i>) [A140]			
Grey Plover (<i>Pluvialis squatarola</i>) [A141]			
Lapwing (<i>Vanellus vanellus</i>) [A142]			
Knot (<i>Calidris canutus</i>) [A143]			
Sanderling (<i>Calidris alba</i>) [A144]			
Dunlin (<i>Calidris alpina</i>) [A149]			
Black-tailed Godwit (<i>Limosa limosa</i>) [A156]			

Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157] Curlew (<i>Numenius arquata</i>) [A160] Redshank (<i>Tringa totanus</i>) [A162] Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] Lesser Black-backed Gull (<i>Larus fuscus</i>) [A183] Little Tern (<i>Sterna albifrons</i>) [A885] Wigeon (<i>Anas penelope</i>) [A885] Greenland White-fronted Goose (<i>Anser albifrons flavirostris</i>) [A395] Wetland and Waterbirds [A999]			
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 Killens Stream (a tributary of the Rathaspick River_010) 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. The Industrial Facility (P0062-02) groundwater body underlying the site is Poor and At Risk. Water quality degradation in SAC 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 fish spawning or nursery grounds or affect the diet of mammals etc.

Water quality degradation in SPA

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 grounds etc.

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. This is to be achieved via design (avoidance) application of specific mitigation measures which are all encapsulated within the submitted CEMP.

In-combination effects

Plans and projects that could act in combination with the proposed development are detailed and assessed in Section 9.0 of the NIS. However, the NIS does not include all plans and projects. It omitted to consider the Pre-draft Consultation Report on the Wexford Town Local Area Plan 2024-2030 (published November 2023), the Part 8 s scheme consented under P.A. Ref. LAC2506 or the concurrent proposal on the applicant's lands to the north-east (Site B) under P.A. Ref. 20260021W (PL-501060-WX-26).

Notwithstanding the foregoing, 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 the NIS and the negligible post mitigation risk associated with the development, it is considered that there is no significant risk of an in-combination effect with any other construction project and I therefore 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 the aforementioned European sites.

Based on the information provided, I am 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 etc. 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. In combination effects have also been reasonably assessed and there is no potential for combination effects.

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 Slaney River Valley SAC (Site Code 000781) or Wexford Harbour and Slobbs SPA (Site Code 004076) European Sites. 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 and Wexford Harbour and Slobbs 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 and all associated material submitted, I consider that adverse effects on site integrity of the Slaney River Valley SAC and Wexford Harbour and Slobbs 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 and adoption of the CEMP.
- Application of planning conditions to ensure these matters if permission is granted.

Appendix 5

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Bord Pleanála ref. no.	PL-501059-WX-26	Townland, address	Clonard Little, Wexford Rural.
Description of project		Mixed use. 92 Residential units a creche. NIS with this application.	
Brief site description, relevant to WFD Screening,		The 2.3ha site is situated on undeveloped lands within Whitemill Industrial Estate to the south-west of Wexford town. The majority of the site (west of access road) currently naturally drains (north-west to south-east) towards the existing access road, and it is conveyed from via gullies and the surface water sewer system installed as part of the construction of that road (under P.A. Ref. W20063370) to the public sewer system under the Whitemill Industrial Estate Road/ Clonard Road to the south which in turn connects to the Killens Stream downstream of the site which flows into the Whitemill River (main Rathaspick River) which, in turn, discharges into Wexford Harbour. The remainder of the site (generally to north-east of access road) naturally drains to an unnamed	

	drainage ditch that runs along the eastern boundary of the lands and from there to a culvert under the public road and onwards to the Killens Stream. There is an existing underground attenuation tank serving the Westpoint Business Park located on the north-east side of the site and this, together with the associated surface water sewer network which runs to the north-west and south-east, is proposed to be retained. The Killens Stream (identified as a tributary of the Rathaspick River on EPA mapping) flows to the south-west and south of the site and then in an easterly/ north-easterly direction towards the Whitemill River/ Rathaspick River which discharges into the Wexford Harbour/ the Lower Slaney Estuary c. 3km to the north-east of the appeal site. The estuary flows southeast and enters Wexford harbour and subsequently the southwest Irish Sea. Site's subsoils are classified as impermeable/ poorly drained (the national soils hydrology map identifies stoney till type subsoils). The underlying bedrock aquifer is classified as poor and generally unproductive except for local zones. The entirety of site is classified as having a low vulnerability.
Proposed surface water details	A surface water management scheme has been submitted which includes for 1 no. catchment area, the creation of a new surface water sewer network incl. various SuDS measures (i.e. permeable paving, swales and tree pits etc.) which feed into a new proposed attenuation tank on the south side adjoining the site access which will in turn discharge to the public sewer.

Proposed water supply source & available capacity		Uisce Eireann (UE) mains water connection – confirmation of feasibility (CDS24008658) dated 27/03/2025 submitted with application confirms that water connection (for 179 no. units) is feasible without requiring infrastructure upgrades. UE Water Supply Capacity Register (accessed 15/06/2026) states that there is potential capacity available in the Wexford Town Water Resource Zone.				
Proposed wastewater treatment system & available capacity, other issues		UE public sewer wastewater connection - confirmation of feasibility (CDS24008658) dated 27/03/2025 submitted with application confirms that wastewater connection (for 179 no. units) is feasible without requiring infrastructure upgrades. UE Wastewater Treatment Capacity Register (accessed 15/06/2026) states that there is spare capacity available in the Wexford Town WWTP (Reg. D0030). The 2024 Annual Environmental Report for this WWTP and its associated discharge licence (D0030-02) was received by the EPA on 11 th September 2025 and noted that the WWTP is operating within capacity and in compliance with the ELVs specified in the discharge licence.				
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,	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off,

				review, not at risk		drainage, groundwater)
River body	To south-west and south of site	Killens Stream (tributary of Rathaspick River) IE_SE_12R020920	Moderate	Under review	No pressures identified	Yes - Surface water discharge via drainage ditch/ existing attenuation system which is potentially hydrologically connected to Killens Stream which is in turn to the Whitemill River/ Rathaspick River (which discharges into

						Lower Slaney Estuary).
Transitional Waterbody	2.9km downstream	Lower Slaney Estuary IE_SE_040_0200	Poor	At risk	Agriculture and urban wastewater	Yes - As above
Coastal Waterbody	3km downstream	Wexford Harbour IE_SE_040_0000	Moderate	At Risk	No pressures identified	Yes - As above
Coastal Waterbody	7km downstream	Southwestern Irish Sea IE_SE_010_0000	Good	Not at risk	No pressures identified	Yes - As above
Groundwater waterbody	Underlying site	Industrial Facility (P0062-02) IE_SE_G_151	Poor	At risk	Chemical, Surface Water Runoff	No - No likely pathway on account of poor soil permeability which offers protection to groundwaters

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' proceed to Stage 2.
1.	Surface	Killens stream (tributary of Rathaspick River) IE_SE_12R020920	Existing and proposed surface water discharge to drainage ditch/ Killens stream	Siltation, pH (Concrete), hydrocarbon spillages	Best practice standard construction methodologies/ CEMP	No	Screened out

2.	Surface	Lower Slaney Estuary IE_SE_040_0200	Existing and proposed surface water discharge to drainage ditch/ Killens stream	As above	As above	No	Screened out
3.	Surface	Wexford Harbour IE_SE_040_0000	Existing and proposed surface water discharge to drainage ditch/ Killens stream	As above	As above	No	Screened out
4.	Surface	Southwestern Irish Sea IE_SE_010_0000	Existing and proposed surface water discharge to drainage ditch/ Killens stream	As above	As above	No	Screened out
5.	Ground	Industrial Facility (P0062-02) IE_SE_G_151	Pathway exists but poor drainage characteristics	As above	As above	No	Screened out
OPERATIONAL PHASE							

1.	Surface	Killens stream (tributary of Rathaspick River) IE_SE_12R020920	Surface water discharge to Killens Stream and on to Whitemill River/ Rathaspick River which are watercourses downstream of the site	Hydrocarbon spillage and siltation	Best practice engineered mitigation i.e. hydrocarbon interceptors and general maintenance of existing surface water system/ Installation of SuDS features.	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 and exceedance of ELVs.	As above and WWTP subject to EPA licensing and is operating within capacity.	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	Industrial Facility (P0062-02) IE_SE_G_151	Pathway exists but poor drainage characteristics	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 status of all bodies of surface water	<u>Objective 2: Surface Water</u> Protect, enhance and restore all bodies of surface water with aim of achieving good status	<u>Objective 3: Surface Water</u> Protect and enhance all artificial and heavily modified bodies of water with aim of achieving good ecological potential and good surface water chemical status	<u>Objective 4: Surface Water</u> Progressively reduce pollution from priority substances and cease or phase out emission, discharges and losses of priority substances	Does this component comply with WFD Objectives 1, 2, 3 & 4? (if answer is no, a development cannot proceed without a derogation under art. 4.7)
	Describe mitigation required to meet objective 1:	Describe mitigation required to meet objective 2:	Describe mitigation required to meet objective 3:	Describe mitigation required to meet objective 4:	

Construction Works	Site specific construction mitigation methods described in the CEMP e.g. fuelling areas, material handling and storage procedures, dust suppression, weather appropriate activities, pollution prevention plan, sediment control including settlement tanks, silt fences and silt traps.	Site specific construction mitigation methods described in the CEMP e.g. fuelling areas, material handling and storage procedures, dust suppression, weather appropriate activities, pollution prevention plan, sediment control including settlement tanks, silt fences and silt traps.	N/A	N/A	Yes
Stormwater Drainage	Adequately designed and constructed drainage features	Adequately designed and constructed drainage features including SuDS measures.	N/A	N/A	Yes

	including SuDS measures. Implementation of appropriate maintenance.	Implementation of appropriate maintenance			
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.	N/A	N/A	Yes
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	<u>Objective 2:</u> <u>Groundwater</u> Protect, enhance and restore all bodies of	<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,	

	and to prevent the deterioration of the status of all bodies of groundwater	groundwater, ensure a balance between abstraction and recharge, with the aim of achieving good status*		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:	
Construction Works	N/A	N/A	N/A	N/A
Stormwater Drainage	N/A	N/A	N/A	N/A