



An
Coimisiún
Pleanála

Inspector's Report

PL-501060-WX-26

Development	50 residential units and 108 car parking spaces and all associated site works.
Location	Clonard Little, Wexford Rural
Planning Authority	Wexford County Council
Planning Authority Reg. Ref.	20260022W
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. Linda Leacy
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. 1.31ha, 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 immediate west/ south-west by undeveloped lands which are the subject of a concurrent appeal under ACP Ref. PL-501059-WX-26. To the north-west the site is adjoined 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. No's 1-3 Kencar Court and a number of detached properties (including Alana House, which is used as an overnight respite facility for children with intellectual and learning disabilities) fronting the L-3025 Clonard Road are located to the immediate north of the site. Wexford County Council's Whitemill depot and yard is located to the immediate north-east of the site, with Tekpak Automation Ltd. (a light industrial manufacturing facility) and related undeveloped lands, featuring a drainage ditch, being located to its south-east.
- 1.4.** The access to a recently developed residential estate known as Cluain Beag is located c. 35m to west of the uncontrolled T-junction serving appeal site and there is also a large residential scheme (known as 'Beechfield') under construction further to the north-west of the site, with a further Wexford County Council development site, subject of a Part 8 residential proposal for 57 no. residential units, being sited to the immediate 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 2 no. undeveloped greenfield sites adjoining its junction.
- 1.5.** The site itself comprises of unzoned and undeveloped lands which are in an overgrown condition, and it incorporates the existing access road to Westpoint Business Park together with its junction with the Whitemill Industrial Estate/ Clonard Road. The site slopes by approx. 7 meters north to south with the highest point of the site located in

its northwest corner. There is a ESB substation utility cabinet located on the west side of the lands adjoining the business park. To the east the site is bounded by metal fencing, a ditch and mature trees and hedgerows, with a watercourse (unnamed drainage ditch) running along the far side of the south-east portion of this boundary. The site boundaries shared with Kencar Court and the detached residential properties to the north comprise of a mix of palisade fencing, low scrub, block walls and mature trees and hedging. To the west, the site is delineated from the business park by mature hedgerows.

2.0 Proposed Development

- 2.1.** Permission is sought for the provision of 50 no. residential units on a site of c. 1.31ha (gross) to be accessed from Whitemill Industrial Estate/ Clonard Road. The residential units shall comprise of 22 no. houses and 28 no. apartments/ maisonette units in duplex blocks.
- 2.2.** The houses shall consist of mix of semi-detached and terraced 2-storey dwellings comprising 8 no. 2-bed units of 89sq.m and 14 no. 3-bed units of 105.5sq.m – all with private open space in the form of rear gardens.
- 2.3.** The apartments/ maisonettes shall be located in 12 no. 1-3 storey buildings (arranged in 4 no. rows) comprising of 12 no. 1-bed units of 49.4sq.m – 59.3sq.m, 8 no. 2-bed units of 67.1sq.m – 88.1sq.m and 8 no. 3-bed units of 109.1sq.m – 119.1sq.m – all with associated private open space in the form of balconies/ terraces. 4 no. commercial units/ offices (totalling c. 202sq.m) associated with 4 no. live-work units are also proposed (ground floor 1-bed units in each of the 4 no. Type G blocks).
- 2.4.** The proposed access shall be from Whitemill Industrial Estate/ Clonard Road, the existing road serving Westpoint Business Park within the Whitemill Industrial Estate and the proposal provides for alterations to same, including route reprofiling and realignment.
- 2.5.** The proposed development shall also include: the provision of 108 no. car parking spaces; 150 no. bicycle parking spaces; a communal bin store; public open space areas (c. 2,200sq.m); landscaping; boundary treatments; connections to existing public water mains and sewers permitted under and constructed in line with P.A. Ref. 20063370; and, all associated site development and infrastructural works.

2.6. 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.

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

- AA Screening Report
- Urban Design Statement
- Planning Report
- Roads 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.

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

Site Area (gross)	1.31ha
No. of Units	50 no.
Density	c. 38uph
Car and Bicycle Parking	<u>108 no. car parking spaces provided at surface level:</u> Includes 19 no. disabled spaces (16%) and 30 no. EV spaces (25%). (Parking ratio is 1 no. space per apartment/ duplex with 2 no. parking spaces provided per house plus an

	additional 10% (7 no. spaces) for visitors and 29 no. spaces for the live-work units together with Westpoint Business Park). <u>150 no. cycle spaces provided:</u> Includes 120 no. private bicycle storage spaces (in a secure facility) and 30 no. visitor bike parking spaces at grade.
Part V	Transfer 11 no. units on site.

Table 1: Key Scheme Statistics

	1-bed	2-bed	3-bed	4-bed	Total:
Houses	0	8	14	0	22
Apartments	12	8	8	0	28

Table 2: Unit Breakdown

2.9. The application has been submitted concurrently with the application for 92 no. residential dwellings and a creche made by the same applicant in respect to lands to the west/ south-west under P.A. Ref. 20260021W (PL-501059-WX-26). An overall masterplan drawing reflecting the 2 no. proposals (Site A – as detailed above and Site B - subject of this appeal) 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). It is also proposed that the application subject of PL-501059-WX-26 (Site A) will be commenced before the concurrent development subject of this appeal (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.

2.10. 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 6 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 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. The proposed development would result in an insufficient mix of house-types, particularly four-bedroomed houses, to reflect the diverse housing needs of the existing and future population. As such the proposed development would be contrary to section 4.7.5 and Objective SH21 of the Wexford County Development Plan 2022-2028 and to 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 and with regard to agreement from Uisce Eireann on the proposed water and wastewater connections. 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.

6. Insufficient information has been submitted with regard to intentions for the operation and management of the proposed 'live work' units.

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, pre-planning consultation, referrals received, submission/observations received, relevant national, regional and local planning policy, EIA Screening determination and assessment of AA screening which accompanied the application. 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.

- **Layout, Design & Density** – proposed layout and gross density of 35-38uph, contemporary building design and scale and public open space are all acceptable in principle.
- **Housing Mix** – inadequate provision of 4-beds non-compliant with Objective SH21.
- **Live-Work Units** – whilst siting adjoining business park is acceptable, insufficient details provided on their management.
- **Residential Standards** – concerns raised regarding proximity to business park uses and traffic giving rise to disamenity. Potential for conflict between established industrial use and future residential use.
- **Parking** – car and bike parking provision is adequate. However, car parking arrangements are unsatisfactory and would give rise to traffic hazard.
- **Waste Management** – insufficient details provided regarding management of bin storage facility with potential for visual amenity issues and public health hazard.
- **Neighbouring Amenity** – no potential for negative impacts on account of building design and separation distances.
- **Potable Water & Foul Drainage** – proposal for new connection to public mains/ sewer is acceptable on basis of Uisce Eireann (UE) confirmation of feasibility letter (in respect of 179 no. units) submitted with application. However, noted UE have requested further information in their submission on the application on the basis of ‘insufficient information submitted with the plans and particulars under Planning ref. 20260022W’.
- **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.

- **Archaeology** – not addressed as part of application. Site not located in Wexford town archaeological zone and there is no recorded monument 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** – Stage 2 AA (NIS) not required on basis of contents of screening report, characteristics of site and characteristics of proposed development.

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

3.2.2. Other Technical Reports

Housing Officer (19/01/2026) – with regard to Part V compliance, notes agreement in principle in place to transfer 11 no. units on site to Wexford County Council.

Disability Officer (26/01/2026) – notes Disability Access Cert is required for apartment/ duplexes – to be addressed by compliance.

Environmental Department (10/02/2026) – FI recommended in respect to oil interceptor and silt trap installed on the existing surface water sewer system.

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

- design of main entrance/ junction with L-7606 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.

PA EIA Pre-Screening & Stage 1 Preliminary Examination (13/01/2026) – determined EIAR not required on basis of no likelihood of significant effects.

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, whereby 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*”.

3.3. Prescribed Bodies

Uisce Eireann (26/01/2026) – notes that there is insufficient information submitted with the plans and particulars under Planning ref. 20260022W and recommends further information in the form of the submission of a pre-connection inquiry to UE in order to assess feasibility of connection to the public water/ wastewater infrastructure and the submission of the outcome of same to the PA as further information.

3.4. Third Party Observations

The PA received 11 no. third party submissions from neighbouring business and service 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), Ard Aoibhinn Services on the behalf of Alana House (12/02/2026), Tracey and Andrew Carty (10/02/2026), Linda and Brian Lacey (10/02/2026) and Anne Marie and John Stafford (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** – proposal conflicts 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 and design of access road. Potential for traffic and pedestrian hazard arising from conflict between pedestrians/ children and commercial vehicles etc.
- **Traffic** - Existing access road/ junction is at capacity and subject to traffic congestion/ tailbacks at peak times. Residential traffic together with existing light industrial traffic has not been assessed. An additional/ alternative access route should be pursued.
- **Layout** – the removal of security gate at entrance to business park and the absence of a separation/ gate between residential scheme and business park presents safety and security/ trespass risks for existing businesses.
- **Creche** – siting/ drop-off area to be accessed via business park raises significant parking and safety concerns. Inadequate disabled and staff parking also noted in addition to lack of gates/ barriers etc. between creche and business park.
- **Live-Work Units** – proposal to access parking spaces serving same via business park is inappropriate and does not take account of existing parking layout.
- **Parking** - proposed resident and visitor parking is inadequate and will lead to loss of existing parking and to ad-hoc, overspill resident and visitor parking and traffic, parking space access and delivery issues within the business park where parking is already at capacity.

Issues Raised by Adjoining Residents

- **Land Use** – site location between Council depot and business park makes it unsuitable for development as housing due to land use incompatibility.
- **Traffic** – cumulative effect of new developments is already impacting road safety, congestion and parking. Proposal will exacerbate these impacts.

- **Privacy** – height & proximity of proposed 3-storey houses, first floor house balconies and windows overlook rear gardens and rear elevations of units to north. Seek redesign/ omission of upper floor balconies & terraces and permanent obscurement.
- **Height** – 3-storey homes are overbearing and incompatible with 2-storey character of area and may give rise to overshadowing/ daylight impacts. Seeks that 3-storey houses are relocated to centre of site, further setback or reduced to 2-storeys in height. Daylight/ Sunlight and Overshadowing assessments of proposal sought.
- **Overdevelopment** – significant residential construction has already taken place in area. There are inadequate local infrastructure/ services to support proposal.
- **Open Space** – proposal does not provide for sufficient high quality open space.
- **Boundaries** – proposal for a part hedge, part wall to north boundary incl. Alana House not acceptable. Seek 2m-2.4m high block wall with planting is provided along entire length of boundary for privacy & security.
- **Bin Storage** – siting of communal bin storage could give rise to nuisance/ health & safety risks for Alana House. Seeks that it is relocated more centrally in Site B.
- **Construction** – concerns re: impact of traffic, noise, dust and vibrations.

4.0 Planning History

4.1. Lands at Clonard Little (incl. part of appeal site & Westpoint Business Park)

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.

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.

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.

Notwithstanding the granting of an extension to the appropriate period of the planning consent under P.A. Ref. 20070918 (Phase 2) on the 12/03/2013 (until 03/01/2018), Phase 2, which partly related to lands which are now subject of this appeal before the Commission, was not subsequently built out.

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.

4.2. Adjoining Development Site (Site A to South-West) in Applicant's Ownership

P.A. Ref. 20260021W (PL-501059-WX-26) – concurrent application by Clonard Little Ltd. for 92 residential units, a creche and all associated site works on a site of 2.3ha

at Clonard Little, Co. Wexford was refused permission on 04/03/2026 for 5 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. 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 an extension to the appropriate period of the planning consent under P.A. Ref. W2008024 (Phase 3) on the 15/03/2013 (until 01/05/2018) Phase 3, which related to lands which are now subject of this appeal before the Commission, it was not subsequently built out.

4.3. Wider Clonard Little Lands to 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.

4.4. Wider Lands to South (Whitemill Industrial Estate, Opp. Side of Clonard Road)

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.

4.5. Lands Further West (Clonard Great)

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.

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 and ancillary facilities (application included NIS), granted permission subject to conditions on 20/03/2023.*

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.

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.

4.6. 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 an 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).

Policy and Objective 5.1 relates to public open space provision and requires development plans to make provision for not less than 10% of the net site area and not more than a min. of 15% of the net site area save in exceptional circumstances. Sites with significant heritage or landscape features may require a higher proportion of open space.

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.

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.

Appendix C (Supplemental Information for Planning Applications) – recommends that Operational Waste Management Plans be submitted in support of 30 or more residential units or 1,000 sq.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).

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.

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.

Section 3.8.4 of the Plan outlines that the zoned land requirement for each level in the settlement hierarchy was determined based on an allocated average density for that settlement, which is specified for Level 1 Key Towns as 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 homes 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).

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 – HDNA which informs Housing Strategy identifies need for a mix of house types. In this regard, where a residential scheme is proposed with houses, the development should provide for the following house type mix, except in cases where SPPR 2 of the Apartment Guidelines for Planning Authorities applies

- 25% two-bedroom houses
- 30% three-bedroom houses
- 30% four-bedroom/five-bedroom houses
- 15% to be allocated to any of the above based on evidence of demand.

This standard will be applied to schemes of 25 or more units. The Planning Authority will consider a deviation from the above housing type mix where local requirements and/or market evidence suggest that a different housing mix is required.

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 TV44: To ensure the scale of infill development reflects the location of the site and the characteristics of the settlement. The Council will consider the scale of infill development having regard to the need to make efficient use of centrally located sites and the prevailing scale in the area. The Council will encourage development which intensifies the use of the land to at minimum the intensity of adjoining uses but optimally, subject to the appropriate protection of amenities of adjoining residences to a higher intensity.

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.

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 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.

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.

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).

Objective FRM14: To require the use of sustainable drainage systems (SuDS) and nature-based solutions.

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

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 of Volume 2 which is 80sq.m for 2-bed dwellings and 92sqm for 3-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 refuse 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 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)
- Commercial: Office - 1 no. per 25sq.m of office space (max. 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 northern boundaries of the appeal site, adjoining the junction with Whitemill Industrial Estate Road/ Clonard Road and the Kencar Court/ residential properties fronting the L- 3025 respectively were zoned as a 'Transition Zone' where Residential was 'N' Not Normally Permitted and 'Office' (re: live-work units) were 'O' Open for Consideration.

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 (corresponding with the location of the existing junction) 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:

- Wexford Harbour and Slobs SPA (Site Code 004076) – c. 2km to north/ east.
- Slaney River Valley SAC (Site Code 000781) – 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 4 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 and 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 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 and pattern of development in 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 2009 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.
- Scheme layout responds to as-built context with live-work units in transition zone.
- 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 plan 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 residential development located to immediate north of business park.
- 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 safety standards.
- Car parking ratio is adequate and is 1.55 no. spaces per unit when combined with Site A (more accessible) scheme which 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 – Housing Mix

- Proposed unit mix of 1-3 bed units responds to demographic trends/ HDNA housing demand – PA present no evidence that 4-bed or 5-bed units are required at this location.
- WCDP policy not mandatory and provides for flexibility on provision of 4-bed units and it is noted that Site A provides for 9 no. 4-bed units – 6% across Sites A & B.
- During Part V engagement, WCC had preference for 1, 2 and 3 bed units only.

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.

Reason No. 6 – Operation and Management of Live Work Units

Not addressed as part of GOA.

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 Masterplan Layout	<u>Drawings:</u> - Roads Layout - Site & Area Topography - Surface Water Sewers - Sewer Longitudinal Sections <u>Reports:</u> - Wastewater and Sustainable Surface Water 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

No submissions received.

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:

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 observation raises the following issues:

- **Access** – proposal relies on the business park’s only means of access and part of the eastern side of the business park (hardstanding) has been included in red line. Design changes to access road are inadequate. Concerns raised regarding achievement of sightlines at access junction, continued facilitation of HGV/ turning movements on account of repurposing of hardstanding area on east side of business park and potential conflict with residential traffic, and no submission of Stage 1 Road Safety Audit or DMURS Audit – not appropriate these be conditioned.
- **Land Use** - Information provided on occupancy and use of business park is inaccurate and safe access and operation of business park must be ensured. The observer seeks to clarify that:
 - 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.

Linda Leacy (received 22/04/2026)

It is stated at the outset that the observation is also made on the behalf of other residents within the Kencar Court estate who also submitted individual observations at planning application stage. The observation on the appeal raises the following issues:

- **Land Use Incompatibility** - on account of proximity to business park/ industrial estate/ council depot and long term intended use of lands for industry/ employment. Residential proposal would prejudice existing and future viability of adjoining lands.
- **Residential Amenity** – loss of existing privacy, overbearance on and overshadowing of/ loss of daylight to adjoining gardens and houses. Poor standard of residential amenity due to noise/ disturbance from adjoining non-residential land uses – impacts which are incapable of being mitigated.
- **Traffic/ Access** – industrial/employment uses sharing a road with residential gives rise to traffic and safety concerns. Design of access/ parking is substandard and would give rise to pedestrian/ traffic hazards.
- **Housing Mix** – non-provision of large family homes is not compliant with policy.
- **Surface Water** – insufficient information provided and proposals have not been fully resolved. Drainage pressures in locality also noted.
- **Live-Work Units** – lack of detail regarding use, operation and management etc.

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
- Unit Mix and Live-Work Units
 - Unit Mix
 - Live-Work Units

- Access and Parking
 - Access
 - Traffic Impact
 - Parking
- Waste Management
- Surface Water Management and Servicing
- Residential Amenity
- Other
 - Local Overdevelopment
 - Construction
 - Archaeology

10.1. Principle of Development

- 10.1.1. The proposal comprises the construction of 50 no. residential units, inclusive of 4 no. live-work units, and all ancillary works on lands of c. 1.31ha 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 south-west (Site A).
- 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.

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

10.1.10. 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, scale and contemporary building design proposed was considered generally acceptable to the PA with third parties also raising no specific issues in respect to the latter two issues. An issue was raised in respect to general local overdevelopment. I deal with this in Section 10.5 of this report.

10.1.11. 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.

- 10.1.12. 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.
- 10.1.13. 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.
- 10.1.14. It is apparent from my site inspection that the existing context of the south-east portion 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.
- 10.1.15. The c. 1.31ha appeal site forms the north-western 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. The site is presently adjoined on its north-west side by a business park and on its north-east side by a Council depot and yard. To the south-east the site borders the site of a light industrial manufacturing facility and to the south-west is Site A comprising of a bank of undeveloped land. The recent housing developments cited in the GOA (i.e. Cluain Beag (c. 59 no. units built out), Part 8 housing scheme (c. 57 no. units) and Beechfield (c. 167 no. units under construction) being located further to the west/ north-west respectively and on the far side of Site A.
- 10.1.16. 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 Alexandra House and its attendant grounds acting as a buffer between these sites and the business park and industrial/ employment lands. 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.

10.1.17. 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 linked/ subsequent Phase 2 industrial development (P.A. Ref. 20070918) and a Phase 3 office development (P.A. Ref. W2008024) on lands to the immediate south-west (Site A) were never implemented, with no further permissions being sought on those lands in the intervening period prior to the lodgement of the applications subject the concurrent appeal (PL-501059-WX-26). I acknowledge that the land subject of this appeal was subject to an application for a meanwhile use (temporary school accommodation) in 2010 under P.A. Ref. W2010053.

10.1.18. 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.

- 10.1.19. 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.
- 10.1.20. In respect to the conflicting information on file with regard to the use and operation of Westpoint Business Park and 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 4.1 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.
- 10.1.21. 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

- 10.1.22. 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) which comes within 25m of the proposed live-work units and within a radius of 90m overall). I also highlight for the Commission the siting of Wexford County Council's Whitemill Depot and yard (comprising vehicular storage, fuelling station, underground repair facility and aggregate bunkers etc.) to the immediate east of the main body of the site (would be c. 8m from proposed house no's 101-114), together with the existence of a light industrial manufacturing facility (Tekpak Automation Ltd.) to its immediate south/ south-east.
- 10.1.23. I consider that the proximity of these existing uses to the residential development proposed, where no transitional lands or intermediate buffer is proposed, could give rise to potential landuse conflicts and coexistence issues (due to the noise and activity disturbance etc. typically associated with the aforementioned commercial, municipal and light industrial uses which would potentially adversely affect future residential amenity). It is my view that this fundamental land use conflict would potentially undermine the continued operation of neighbouring commercial and municipal properties with implications for their related property values.
- 10.1.24. 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/ 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 building), which could potentially be impacted by the subject proposal.

Conclusion

10.1.25. Therefore, whilst I acknowledge that there has been an intensification of residential development/ use of lands generally further 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, the Wexford County Council's Whitemill Depot and Tekpak Automation Ltd., which would not be in accordance with the proper planning or sustainable development of the area.

10.2. Unit Mix and Live-Work Units

Unit Mix

- 10.2.1. Refusal reason no. 4 centres on the inadequacy of the mix of proposed house types, with the low level of 4-bed houses being specifically highlighted, which is contrary to Section 4.7.5 and Objective SH21 of the WCDP. The non-provision of larger family homes is also highlighted by an observer to the appeal.
- 10.2.2. Section 4.7.5 states that where a residential scheme of 25 or more units is proposed with houses, it should provide for a unit mix including 30% four-bedroom/ five-bedroom houses. However, deviation from same is allowable where local requirements and/or market evidence suggest that a different housing mix is required.
- 10.2.3. It is contended by the grounds of appeal that the proposed unit mix of 1-3 bed units responds to demographic trends and to HDNA housing demands, with the PA presenting no evidence that larger units are required at this location. It is also argued that WCDP policy in this regard is not mandatory and provides for flexibility on the provision of 4-bed units.
- 10.2.4. I note that the proposal for 50 no. units (22 no. houses and 28 no. apartments) contains no 4-bed or 5-bed houses where the stated policy requirement is for the mix of houses to comprise of a minimum of 30% four-bedroom/five-bedroom houses. Whilst the policy does allow for the PA to consider a deviation from same in certain circumstances, I note that the applicants statements around housing demands/ demographic trends are

not substantiated by any specific demographic data or evidence with regard to housing demand in the immediate locality.

10.2.5. Notwithstanding the foregoing, I note that the Council's own recently approved Part 8 scheme for 57 no. residential units on lands also within Clonard Little further to the south-west provided for no 4-bed or 5-bed houses. Similarly, the constructed Cluain Beag residential scheme permitted under P.A. Ref. 20180014 provided for 59 no. dwellings and for no 4-bed or 5-bed houses. Furthermore, only 15.5% of the 167 no. units granted under the 10-year permission P.A. Ref. 20221652-LRD for 167 no. units in Clonard Little were 4-bed units (no 5-beds provided) with the PA accepting the applicant's arguments that the proposed unit mix is reflective of the growing trend toward reduced average household sizes. Indeed, I note that this same trend is recognised in the preamble HDNA/ housing Strategy related text within Section 4.7.5 which specifically refers to the "*need for one and two bedroom properties is particularly evident*".

10.2.6. I further note that 28 no. of the 50 no. units proposed are apartments with SPPR1 of the 2025 Apartment Guidelines stating that "*there shall be no restrictions within statutory plans in relation to the mix of unit sizes or types to be provided within apartment developments. There shall be no minimum or maximum requirements for apartments with a certain number of bedrooms*".

10.2.7. Therefore, whilst the proposed unit mix is contrary to the 30% requirement under the development plan, having regard to the use of the word 'should' in Section 4.75 and to the inherent flexibility around the application of the policy and having considered the provisions of Section 4.7.5 and HDNA outlined above together with SPPR1, I consider that, on balance, the proposed unit mix is acceptable in this specific instance.

Live-Work Units

- 10.2.8. Refusal reason No. 6 relates to inadequate information being submitted with regard to the intended operation and management of the 4 no. proposed live-work units. The PA's refusal in this regard was not addressed as part of the GOA.
- 10.2.9. An observer to the appeal also raises a concern regarding the lack of detail provided with respect to the use, operation and management of the live-work units.

- 10.2.10. 4 no. live work units (G blocks) are proposed on the west side of the scheme opposing Westpoint Business Park. Each would provide for 50.5sq.m of commercial/ office floorspace at ground floor level with living accommodation at the upper level. 29 no. on-street parallel parking spaces would be provided to the front of these units.
- 10.2.11. I consider their proposal and siting to be favourable, and I recognise that, in principle and in urban design terms, they would act as somewhat of a buffer between this element of the residential scheme and the business park.
- 10.2.12. The PA's concerns regarding the units appears to relate to the future use/ operation of the ground floor commercial/ office units. I consider that this is a relatively minor matter that is capable of being addressed by the application of a condition stating that they need to be retained in single ownership in terms of their use and occupancy.

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 detailed 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 the appeal site.

Access

Sightlines

- 10.3.4. 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.

Main Spine Access Road

- 10.3.5. The proposal seeks to provide for a main spine access road with a new straight north-south horizontal alignment for c. 200m along the south-eastern site boundary leading from the aforementioned junction. 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 A on the western side of the road. I draw the Commission's attention to the fact that the realignment of the dog-leg portion of the existing main spine access road leading to Westpoint Business Park is not provided for in the application red line area, nor is the parallel parking and adjoining public footpath located on the west side of the road (as per the proposals under the concurrent application on Site A).
- 10.3.6. 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 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.
- 10.3.7. 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.
- 10.3.8. 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 not illustrate the reality of the grass verge or pedestrian footpaths at this location.

- 10.3.9. 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.
- 10.3.10. 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.
- 10.3.11. The appeal scheme also removes the 'homezone' designation from the main spine access road and introduces traffic calming raised tables along its length (in proximity to the proposed perpendicular (and disabled) car parking bays which are excluded from the redline of Site B). 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 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). 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.
- 10.3.12. The scheme as proposed provides for a 2m wide footway on the east side of the access road (the footway on the west side being excluded from the red line) which inexplicably terminates in an incidental green area next to the 3-arm Y-junction and c. 20m short of the start of the shared surface homezone which leads into the housing area subject of this appeal. The site layout plan also shows that a pedestrian entering the scheme

would have to directly cross this busy, unsignalized 3-arm junction in order to access the central amenity space (homezone 3 'the green') within the scheme.

- 10.3.13. Furthermore, it is the case that c. 35 no. residential parking spaces along the western side of the site (to the front of the 4 no. G blocks), will be accessed from the adjoining business park lands. 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 west side of the proposed scheme to be contextually inappropriate
- 10.3.14. 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.
- 10.3.15. I also draw the Commission's attention to the design of the proposed 3-arm Y-junction to the north (terminus) of the access road and south 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.
- 10.3.16. Furthermore, whilst I acknowledge the changes made to the design of the access road 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 to 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.

Turning Movements

- 10.3.17. An observer notes that there is currently a 22m wide area of hardstanding located on the east side of the blocks in Westpoint Business Park, which is currently used for turning by HGVs, which will be reduced c. 12.7m in width on account of the proposal. They argue that this will give rise to conflict with HGV turning movements and will require large vehicles to undertake dangerous turning/ reversing manoeuvres.
- 10.3.18. I note that the easternmost portion of the hardstanding area referred to is proposed to be used for perpendicular parking to the front of the live-work units. Whilst there is information on file illustrating refuse truck/ fire tender autotracking along the main spine access road and within the interior residential zone of Site B (and Site A) with hammerheads being provided therein, it does not appear that the impact of the proposal on vehicular movements, and specifically HGV turning movements given the nature of the adjoining use, within the business park has been considered. This lacuna would further exacerbate my concerns in respect to impact on the ongoing operation of the business park/land use incompatibility and to pedestrian safety/ traffic hazard arising from conflicts between parking, pedestrians and vehicular movements.

Cycle Connection

- 10.3.19. 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.

- 10.3.20. I note that there is no proposal for a cycle/ pedestrian connection to Cluain Beag put forward as part of the application subject of this appeal before the Commission (with this proposal relating specifically to Site A).

Traffic Impact

- 10.3.21. 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.
- 10.3.22. 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 (which would have assessed the pattern of existing light industrial traffic arising from the business park) 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.
- 10.3.23. 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 for cumulative development in the locality) 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.

- 10.3.24. 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

- 10.3.25. The application scheme proposed 108 no. car parking spaces in total to serve scheme inclusive of 19 no. disabled spaces and 30 no. electric vehicle spaces which meets WCDP provisions in respect to specialist parking provision. Furthermore, all communal on-street car parking spaces will be provided with the necessary infrastructure installed to accommodate future electric charging points, with many of the parallel parking spaces lining 'homezone 1' having EV charging points installed.
- 10.3.26. WCDP Table 6-7 (Car Parking Standards) provides for a maximum standard of 2 no. spaces per house (max. 44 no. spaces), 1 no. per apartment (max. 28 no. spaces) with 1 no. per 25sq.m of office space (c. 8 no. spaces) – giving rise to a max. WCDP requirement of 80 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. 100 no. total).
- 10.3.27. A perceived shortfall in resident car parking provision, giving rise to the risk of overspill parking and related delivery and servicing issues within the industrial estate and wider locality, is raised by third parties in respect to the impact on the adjoining business park where parking is stated to already be at maximum capacity. In respect to the live-work units, observers argue that the proposal to replace existing parking spaces serving the business park with spaces that would also serve the commercial element of the live-work units is inappropriate and does not take account of existing parking layout.
- 10.3.28. Concerns regarding creche parking arrangements are also raised, but I note that no creche forms part of the subject proposal.
- 10.3.29. As detailed in Table 1 in Section 2.0 of this report, the proposed parking ratio is 1 no. space per apartment/ duplex (22 no. total) with 2 no. parking spaces provided per

house (44 no. total) plus an additional 10% (7 no. spaces) for visitors and a further 29 no. spaces provided for the live-work units and to compensate for parking displacement at the east side of Westpoint Business Park.

- 10.3.30. On the basis that the development plan and guidelines prescribe only maximum standards, and given the proposals to make provision for displacement of the existing ad-hoc parking which occurs along the western site boundary to the business park, I consider that there is no demonstrable policy basis which would support the conclusion that the rate of car parking provided for is inadequate. I also note that the PA and Roads Department were satisfied with the rate of provision.
- 10.3.31. I also draw the Commission's attention to the Residential Travel Plan submitted with the application (which also considers Site A) 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. 35sq.m with capacity for residential waste and recycling for 70 no. units) on the north-east side of the scheme (between proposed house no's 112 and 113).
- 10.4.2. 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.
- 10.4.3. 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.
- 10.4.4. An appeal observer raised specific concerns regarding nuisance and health & safety risks arising from the siting of the aforementioned communal bin storage relative to their property to the north of the site and they seek its relocation.
- 10.4.5. 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.

- 10.4.6. 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.
- 10.4.7. It is stated in Section 10 of the submitted Urban Design Statement that *“all duplex units...have direct, safe and convenient access to centralised refuse, recycling and bicycle storage facilities”*. However, the plans illustrate that the communal bin store would be located within c. 30m of ‘The Courtyard’ duplex block at its closest point (at the terminus of the scheme hammerhead), with residents having cross to the opposite side of the avenue to access it. The rationale for the siting of the bin storage area, which is not integrated with or located reasonably conveniently to the proposed apartments/ maisonettes in the courtyard, is unclear and I would have concerns regarding its likely impact on the future residential amenity of the proposed houses on either side (no’s 112 and 113). However, I do not consider that it has the potential to give rise to nuisance or environmental risk to any existing properties to the north of the site on account of its proposed siting c. 17m from the north site boundary and due to the existence of intervening houses (proposed no’s 113 and 114). In terms of access for waste collection, I note the facility is sited at the turning head for large vehicles.
- 10.4.8. Therefore, in light of the totality of the policy guidance and considerations outlined above, I am of the opinion that the communal bin storage area should be more conveniently located relative to the duplex block and, ideally, should be integrated

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

- 10.4.9. 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. However, 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

Surface Water Management

- 10.5.1. In terms of surface water flow paths, the majority of the appeal site currently naturally drains in a north to south direction and towards the unnamed drainage ditch adjacent to the site's south-east boundary. This watercourse in turn discharges to a culvert under the public road to the south (Whitemill Industrial Estate Road/ Clonard Road) which connects to the Killens Stream. The surface water-run off from the existing road (which is in part contained within the application red line area) is collected by existing road gullies which connect to an existing sewer under the public road which in turn connects to the Killens Stream downstream of the site.
- 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. In this respect, I note that the PA's Roads Department raised a specific issue regarding the proposed surface water outfall rates to surface water mains with their Environmental Department seeking additional information in respect to oil interceptor and silt trap installed on the existing surface water sewer system.
- 10.5.3. An observer to the appeal raises a general concern regarding drainage pressures in the locality but no further information is provided in this regard and it is unclear if this relates to surface water or foul drainage issues.
- 10.5.4. 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.

- 10.5.5. I note that the Sustainable Drainage Report submitted as part of the GOA addresses the surface water management matters raised by the PA's Roads Department. 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.
- 10.5.6. 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).
- 10.5.7. However, I do note that the GOA have not provided further clarification with regard to the queries in respect to the nature, exact location and specifications of the oil interceptor and silt trap installed on the existing surface water sewer system which were raised by the PA's Environmental Department at application stage. The remaining uncertainty in respect to the nature and application of this interception infrastructure exacerbate my concerns regarding the conclusion of the submitted AA screening of this project (I refer the Commission to Section 11 and Appendix of this Inspector's report in this regard). However, I am satisfied that, given the full extent of the aforementioned existing surface water sewer system is in the applicant's ownership and is within the red line of the application, this matter is capable of being addressed by a specific condition requiring this check to be completed (and interception and trap mechanisms upgraded where required) where the Commission are minded to grant permission.

Servicing

- 10.5.8. 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 the public 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.
- 10.5.9. Similarly, 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.
- 10.5.10. However, notwithstanding the aforementioned CoF, Uisce Eireann made a submission at application stage stating that, notwithstanding the CoF that had issued, insufficient information submitted with the plans & particulars under Planning ref. 20260022W and they invited the applicant to submit a new pre-connection inquiry. No further details as to the nature of the inadequacy was provided. No such submission was received in respect to the concurrent application on Site A.
- 10.5.11. The appellant in responding to Uisce Eireann's submission, notes that the CoF under CDS24008658 was submitted with the application and related to both developments on Site A and Site B. In considering the validity of same, I note that the Uisce Eireann Capacity Register states that there is capacity available in the Wexford town Water Resource Zone Name (WRZ) with spare capacity available in the Wexford town WWTP (which is also meeting its EPA licensing requirements).
- 10.5.12. Having reviewed the information on file together with that submitted with the GOA, I note that adequate information has been provided in respect to the proposed surface water and foul sewerage arrangements, whereby it is proposed that the new residential development will discharge into the existing surface water and foul water networks which exist on the lands before subsequently discharging to the public mains at the public road to the south. Whilst additional information is not provided in respect to the proposed potable water arrangements as part of the appeal, I note the information provided on engineering drawing no. G1576-203 submitted with the application that the scheme would be supplied in accordance with the Uisce Eireann Code of Practice

for Water Infrastructure via a 100mm uPVC watermain in the private road in turn supplied from a public connection to an existing watermain the public road from which the proposed development will be served.

- 10.5.13. Therefore, in light of the foregoing, I am satisfied with regard to the information on file in respect to foul, potable and surface water servicing and I am satisfied that the aforementioned connections are capable of being addressed by standard condition where the Commission are minded to grant permission. However, in the event the Commission are minded to grant permission for both schemes, I highlight that 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.

10.6. Residential Amenity

- 10.6.1. Third parties raise concerns regarding the 3-storey height and siting of the proposed buildings giving rise to overbearance, overshadowing and daylight impacts on existing neighbouring 3-storey properties. Daylight/ sunlight and overshadowing assessments of proposal sought in this context. They also seek that the design of the scheme is revised to reduce its overall height to 2-storeys and/or to relocate 3-storey elements to the core of the site and setback away from the boundaries.
- 10.6.2. Adjoining residents also raise issues regarding the height and proximity of the proposed 3-storey houses and the proposed balconies/ terraces to their properties and outline concerns relating to privacy impacts on their rear gardens and habitable rooms to the rear of their dwellings.
- 10.6.3. A specific issue is also raised regarding the proposed northern boundary treatment, whereby a 2-2.4m solid block walls together with screen planting is sought along entire length of boundary to safeguard privacy and security.
- 10.6.4. In assessing the likely impact of the proposed scheme on neighbouring properties, the PA determined that there would be no potential for negative impacts on account of building design and separation distances.
- 10.6.5. I note that the neighbouring residential properties are generally located due north of the proposed scheme which means the, on account of this aspect, there is potential

for it to give rise to impacts on and sunlight. I consider this and the other matters raised further below.

- 10.6.6. I do note that the development of the subject lands for any purpose, including residential or indeed industry/ employment purposes, will give rise to a material change in the visual character of the lands and to the outlook for neighbouring residents. I consider the elements of the proposed scheme which could have the potential to negatively impact on existing residential amenity are the houses and apartment blocks located closest to the northern boundary and to the existing houses beyond.
- 10.6.7. House type 2 is 2-storey in height with a centrally pitched roof and a shoulder height of c. 6m. The closest such house to the boundary is unit no. 114 which sides onto and is offset from same by c. 2.4m, giving rise to a separation distance of c. 15m from the rear elevation of the nearest existing neighbouring property (also 2-storey), with no potential therefore to give rise to undue visual intrusion, overbearance or internal daylight impacts on same. The side elevation of this property would feature a small secondary window serving a landing area only, with no proposal for an upper level balcony or terrace. As such, I consider its design has no potential to give rise to overlooking/ privacy concerns. The siting of the house in relatively close proximity to the shared boundary at this location may give rise to some overshadowing of a portion of the adjoining amenity space to the north for part of the day, but I note that this amenity space is relatively large with a favourable south facing aspect and, given the urban location and the relatively small scale of the house relative to it, I am satisfied that this impact would not be material.
- 10.6.8. Proposed blocks A, F and G (containing proposed unit no's 136-142) are 1-3-storeys in height rising to a maximum height of 10.6m above ground level. Three such blocks are located on the north-west side of the scheme to the rear of a number of houses fronting/ accessed from Kencar Court and Clonard road to the north. In the case of the first and second floor residential units, the private amenity space (in the form of a terrace) serving same is sited to their side (i.e. integrated within the block). This design, coupled with the siting of the blocks c. 13m from the northern boundary at the closest point and c. 15m more generally, means that these blocks would not be likely to give rise to undue overbearance or privacy impacts on the neighbouring properties to the north – particularly due to the fact that a physical separation between the proposed

and existing properties well in excess of the min. standard of 16m prescribed by SPPR1 of the 2024 Compact Settlement Guidelines will be achieved. For the same reason, and notwithstanding the nature and extent of the boundary treatments that are existing or proposed, I consider that there is no potential for the same blocks to give rise to material overshadowing of the adjoining rear gardens to the north or to adverse impacts on the internal daylighting.

- 10.6.9. In respect to the issue of the treatment to the northern party boundary, I note from the submitted landscape plan and landscape section G-G that native hedging is proposed along the western portion of this boundary, with a shorter stretch of 2m high concrete block walling proposed on its eastern side. The rationale for the dual treatment is not set out, and I note from my site inspection that the existing boundary treatments at this location vary from palisade fencing with low scrub etc on its east side to intermediate block walls and mature trees and hedging on west side. Therefore, having considered the site layout as proposed together with the nature and extent of existing boundaries to the site which I consider provide for a reasonable level of privacy and security, I consider that the nature and extent of the boundary as proposed is acceptable.
- 10.6.10. Furthermore, I note the development of the lands and bringing them into productive use will address any current anti-social behaviour and be likely to improve security of properties on account of increased passive surveillance.

10.7. Other

Local Overdevelopment

- 10.7.1. Third parties are of the view that significant residential construction has already taken place in the area, and they consider that there are inadequate local infrastructure/ services to support proposal. In this regard note the lands were previously zoned and designated for development under the WTEDP (now expired, with the publication of a new plan being imminent) and that their development is in line with the development plan's Core Strategy which seeks to make efficient use of zoned and serviced urban/ suburban lands and to provide for Compact growth and liveable sustainable settlements.

Public Open Space

- 10.7.2. The scheme provides for c. 2,200sq.m of open space (c. 17% of the site area) in the form of a green network comprising of one large greenspace on the south side of the scheme, a communal courtyard space and a smaller kickabout area along the north-western boundary.
- 10.7.3. It is submitted by third parties that the proposal does not provide for sufficient high quality open space. The PA were satisfied with regard to the quality and quantity of open space provided and I note that the rate of open space provision made is also in compliance with Policy and Objective 5.1 of the 2024 Compact Settlement Guidelines.

Construction

- 10.7.4. 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. A third party has raised concerns regarding the impact of traffic, noise, dust and vibrations. Where the Commission are minded to grant permission, I consider that these are all matters capable of being adequately dealt with by relatively standard conditions in respect to working hours and the submission of a Construction Management Plan, Construction Traffic Management Plan and detailed CEMP, which includes for noise and vibration, for agreement with the PA.

Archaeology

- 10.7.5. 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 to 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 and location of works.
- The proposed surface water discharge to a watercourse with associated downstream hydraulic connectivity to 2 no. European sites.
- The qualifying interests and conservation objectives of those 2 no. European sites.
- The proximity of those sites to the subject site.

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'.

12.0 Water Framework Directive

The subject site is located on the outskirts of the Wexford suburban area in the townland of Clonard Little. The proposed development comprises 50 no. residential units, incl. 4 no. live-work units, and all associated site works. The Killens Stream flows approximately 50m to the west of lands 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 & 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 nearest water bodies.
- The mitigation included within Construction Environmental Management Plan.

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, a County Council depot and yard 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 main spine 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 92 no. units to the immediate west/ south-west. Having regard to the design and layout of that road, its shared use, and particularly the design and layout of 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.
3. On the basis of the information provided with the application and appeal and in the absence of a Natura Impact Statement the Commission cannot be satisfied that indirect water quality impacts arising from the construction phase of the proposed development individually, or in combination with other plans or projects, would not result in adverse effects on the integrity of the Slaney River Valley SAC (Site Code 000781) or on that of Wexford Harbour and Slobbs SPA (Site Code 004076) in view of those sites' Conservation Objectives. In such circumstances the Board is precluded from granting approval/ permission under the provisions of Article 6(3) of the Habitats Directive (92/43/EEC).

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-501060-WX-26
Proposed Development Summary	50 residential units incl. 4 no. live works units and 108 car parking spaces and all associated site works.
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 – 50 no. units proposed (sub-threshold) Part 2, Class 10(b)(iv) - Urban development – 10 hectares (built-up area). Site is c. 1.31ha
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-501060-WX-26
Proposed Development Summary	50 residential units, incl. 4 no. live works units and 108 car parking spaces and all associated site works.
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-501059-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 east and south-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. 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-501059-WX-26. There are newly developed and developing residential estates, a protected structure and a historic farmhouse (both listed on NIAH) located further to the south-west of the site and beyond the lands subject of the concurrent appeal.

	There is a drainage ditch located adjacent to part of the site's south-east boundary. This drainage ditch is culverted under the Whitemill Industrial Estate Road/ Clonard Road (to the south) and is connected to the Killens Stream (a tributary of the Rathaspick River) which also runs along the south-west boundary of the adjoining appeal site (Site A). This stream flows in a southerly direction for c. 650m until it joins up with the Whitemill River (the 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 c. 3km to the north-east of the site. The receiving location is not particularly environmentally sensitive, and the development is generally removed from cultural heritage features, sensitive natural habitats and designated sites of identified significance in the County Development Plan. The proposal's impact on local traffic and parking conditions, surface water management regime and on neighbouring properties etc. 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, safe access and Appropriate Assessment and it is recommended that permission be refused. 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,	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, traffic safety and impacts, parking and the wastewater and surface water

intensity and complexity, duration, cumulative effects and opportunities for mitigation).	emissions arising from the site. These elements 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-501060-WX-26				
Brief description of project	Normal Planning Appeal 50 no. residential units incl. 4 no. live-work units all associated site 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 devolvement will comprise of the construction of a creche and 50 no. residential units, which comprises of a mix of houses, live-work units 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. An unnamed drainage ditch abuts part of the site's south-east boundary with this watercourse connecting to the Killens Stream (tributary of the Rathaspick River) c. 50m to the south. This watercourse subsequently connects to the Whitemill River/ main Rathaspick River which discharges into the Slaney Estuary and to the Slaney River Valley SAC and the Wexford Harbour and Slob 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	No - however, an NIS was submitted in respect of the adjacent application under P.A. Ref. 20260021W and ACP Ref. PL-501059-WX-26.			
Relevant submissions	None received.			
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 interests¹ Link to conservation objectives (NPWS, date)	Distance from proposed	Ecological connections²	Consider further in screening³

		development (km)		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 (<i>Glaucopuccinellietalia maritima</i>) [1330] Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410] Water courses of plain to montane levels with the <i>Ranunculus fluitans</i> and <i>Callitriche-Batrachium</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> (Twaiite 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)	c. 2km	Yes	Yes
Wexford Harbour and Slob SPA (Site Code 004076)	Little Grebe (<i>Tachybaptus ruficollis</i>) [A004]	c. 2km	Yes	Yes

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]			
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] 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: Name (code) <u>Slaney River Valley SAC (Site Code 000781)</u> Estuaries [1130] Mudflats and sandflats not covered by	<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.	Risk of surface water borne pollutants and particulate matter reaching the SAC resulting in changes to habitat quality arising from deterioration in water quality. Deterioration in water quality and subsequent habitat deterioration (i.e.

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 Callitricho-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]	<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 south-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.	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. This conclusion is reflected in the screening exercise undertaken by the applicants in respect of the adjoining development under P.A. Ref. 20260021W and ACP Ref. PL-501059-WX-26.
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Phoca vitulina (Harbour Seal) [1365]		
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: Name (code) <u>Wexford Harbour and Slob SPA (Site Code 004076)</u> 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] Teal (Anas crecca) [A052] Mallard (Anas platyrhynchos) [A053] Pintail (Anas acuta) [A054]	<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 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 south-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	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. This conclusion is reflected in the screening exercise undertaken by the applicants in respect of the adjoining development under P.A. Ref. 20260021W and ACP Ref. PL-501059-WX-26.

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]	(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.	
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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]		
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: Whilst I acknowledge that the AA screening statement submitted with the application concluded that Stage 2 AA (NIS) was not required, with the PA reaching the same conclusion, due to the nature of the site and its proximity to the drainage ditch (whereby it is stated in the CEMP that the surface water from the site naturally runs towards the drainage ditch adjacent to the east boundary with excess run-off flowing toward the existing access road) and connections to the Killens Stream/ Rathaspick River (via existing surface water management system on access road and via the drainage ditch), I consider that at this stage I cannot exclude that the proposed development would not generate impacts that could affect European sites within the identified zone of influence. My concerns in this regard relate specifically to the construction stage of the project whereby site works (regrading and earth moving etc.) in connection with the realignment and reprofiling of the existing access road, shared with Site A and Westpoint Business Park, will take place in very close proximity to the drainage ditch to the south-east. Whilst I note the existence of an existing hedgerow at this location (between the appeal site where the proposed works are due to take place and the drainage ditch) and the applicant's proposal to retain and reinforce this natural physical barrier (with sandbags etc.), I consider that there would still be some potential for sediments/ hydrocarbons/ pollutants etc. associated with the aforementioned construction works to be washed down into the drainage ditch and also onto the existing drainage system via the existing road gullies on the existing access road which in turn likely connects to the Killens Stream (tributary of the Rathaspick River) which is in turn hydrologically connected to the Slaney Estuary which forms part of the Slaney River Valley SAC and Wexford Harbour & Slobbs SPA. I further consider the applicants reinforcement measures identified above to constitute mitigation.		

Therefore, in light of the foregoing, I consider that there is potential for sedimentation/ surface water deterioration to occur downstream of the development site during the construction phase.

The AA screening statement submitted in respect of the application subject of this appeal states that, during the construction stage of the project no works will take place within 9m of the drainage ditch to the site, with the existing hedgerow between the road and ditch acting as a physical barrier preventing surface water run-off from the site. However, I note from the information on file that the full extent of the proposed realigned main access road (which is included in the red line for both PL-501059-WX-26 (Site A) and PL-501060-WX-26 (Site B)) comes within c. 6-7m of the drainage ditch and for this reason, the proposed buffer is unfeasible.

Furthermore, given that the proposal to realign the access road is common to both proposals, it is reasonable to assume that the proposed access road realignment related works which gave rise to a conclusion in respect to the AA Screening undertaken for PL-501059-WX-26 (Site A) that Stage 2 AA was required, would also give rise to the same conclusion in respect to the proposed development on Site B. In this respect I draw the Commission's attention to the fact that the AA Screening submitted by the same ecologist in respect of Site A concluded that, given the proposed proximity of the aforementioned works to a drainage ditch and given the potential for hydrological connection between existing surface water drainage system along the road and the Slaney Estuary, there is potential for sedimentation/ surface water deterioration to occur downstream of the development site during the construction phase of the proposal subject of this appeal. The ecologist also determined under the subsequent NIS that mitigation measures are required to be put in place in order to protect the watercourses during the construction works.

Therefore, whilst I acknowledge the AA screening conclusions reached by the PA and applicant, I do not agree with the view that the proposal would have no potential to significantly affect the qualifying interests/ special conservation interests of Slaney River Valley SAC or Wexford Harbour and Slobbs SPA and I note that such a conclusion in respect of Site B directly contradicts the same ecologist's AA screening conclusion in respect of Site A i.e. on the basis of works which are common to the development proposals in respect of both Site A & Site B.

In summary, given that the element of the project (the realigned and reprofiled access road along east boundary) which gave rise to the requirement for Stage 2 AA (NIS) in the case of the proposal subject to appeal under PL-501059-WX-26 (Site A) is also common to and included in the red line of the proposal subject of this appeal, I consider that the subject proposal should also have been subject to Stage 2 (NIS) for the reasons outlined above.

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

The submitted AA Screening Report states that the potential for impacts to European sites as a result of the proposed development such as potential water quality impacts, introduction of invasive species, habitat destruction and impacts from noise and dust were considered and the level of risk posed assessed and it was objectively concluded that no significant effects arising from the proposed development are likely to occur in relation to the Slaney River Valley SAC or the Wexford Harbour and Slobbs SPA or indeed any other Natura 2000 site in the wider hinterland.

Notwithstanding this conclusion, I submit that there is a hydrological connection between the site and the aforementioned 2 no. European sites via the said drainage ditch and via the existing surface water management system which both connect into the Killens Stream/ Whitemill River (the Rathaspick River) which in turn discharges into the Slaney Estuary. As a consequence, there is potential for indirect effects from emissions to surface water bodies during the construction phase of the development such as silt laden run off, hydrocarbons or other pollutants.

As per the Construction Environmental Management Plan received by the Planning Authority on the 9th January 2026, the potential pollution receptors identified include the Killens Stream, the unnamed drainage ditch and existing road gullies that lead to the existing surface water drainage network with potential hydrological connection to the Killens Stream/ Whitemill River and from those watercourses onwards to Wexford Harbour.

Measures are to be implemented in the vicinity of the watercourses, and these include a minimum 10m buffer and exclusion zones from the Killens Stream (where no construction works or machinery access will take place) and within 9m of the drainage ditch. Silt fencing, straw bales and/or sandbags will also be installed and maintained along site perimeters, drainage paths and the near side of the hedgerow wherever sediment could enter the stream or drainage ditch. Existing access road gullies are also to be covered with silt mats until completion.

Screening for Appropriate Assessment must be without the benefit and consideration of mitigation measures or in other words, in the absence of an Appropriate Assessment, potential significant effects must be ruled out without mitigation. Whilst it may be argued that the measures to be employed during the construction phase, as detailed above, entail standard/ best practice construction control and management, I consider that such measures would not be required were the development not in proximity to the said Killens Stream and the unnamed drainage ditch. They are therefore, in effect, mitigation measures on the basis that they can be construed as being intended to avoid or reduce adverse effects on European sites.

On this basis therefore, and based on the information provided in the screening report, site visit, review of conservation objectives and supporting documents, I consider that in the absence of mitigation measures beyond best practice construction methods, it is not possible to exclude the possibility that the

proposed development alone would result in significant effects on Slaney River Valley SAC (Site Code 000781) or on that of Wexford Harbour and Slobbs SPA (Site Code 004076) arising from surface water quality impacts at construction stage could give rise to interference with ecological relationships and structure/function of these sites. Therefore, as the likelihood of significant effects cannot be ruled out without further investigation, an Appropriate Assessment is required on the basis of the possible effects of the project 'alone'.

Plans and projects that could act in combination with the proposed development are detailed and assessed in Section 6.4 of the AA Screening report. However, I note that it does not include all plans and projects with 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 and the concurrent proposal on the applicant's lands to the north-east (Site B) under P.A. Ref. 20260022W (PL-501060-WX-26) not being considered. Notwithstanding, having regard to my earlier conclusion, I consider that further assessment in-combination with other plans and projects is not required at screening stage.

Therefore, on the basis of the information provided with the application and appeal and in the absence of a Natura Impact Statement the Commission cannot be satisfied that indirect water quality impacts arising from the construction phase of the proposed development individually, or in combination with other plans or projects, would not be likely to result in adverse effects on the integrity of the Slaney River Valley SAC (Site Code 000781) or on that of Wexford Harbour and Slobbs SPA (Site Code 004076) in view of those sites' Conservation Objectives.

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 in view of the sites conservation objectives. Appropriate Assessment is required.

This determination is based on:

- Nature and location of works.
- The proposed surface water discharges to a watercourse with associated downstream hydraulic connectivity to 2 no. European sites.
- The qualifying interests and conservation objectives of those 2 no. European sites.
- The proximity of those sites to the subject site.

Appendix 4

Water Framework Directive Screening

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Bord Pleanála ref. no.	PL-501060-WX-26	Townland, address	Clonard Little, Wexford Rural.
Description of project	50 no. residential units incl. 4 no. live-work units and 108 car parking spaces and all associated site works.		
Brief site description, relevant to WFD Screening,	The 1.31ha site is situated on undeveloped lands within Whitemill Industrial Estate to the south-west of Wexford town. The majority of the site currently naturally drains (north to south) towards the unnamed drainage ditch adjacent to the site's south-east boundary which in turn discharges to a culvert under the public road to the south (Whitemill Industrial Estate Road/ Clonard Road) which connects to the Killens Stream. The surface water-run off from the existing road is collected by existing road gullies which connect to an existing sewer under the public road which in turn connects to the Killens Stream downstream of the site. The Killens Stream (which is 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 Lower Slaney Estuary c. 3km to the north-east of the appeal site. In		

	turn, the estuary flows southeast and enters Wexford harbour and subsequently the southwest Irish Sea. The 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 decommissioning/ diversion of a section of existing surface water sewer on the south-east side of the site to provide for a new alignment and it is proposed to utilise the existing surface water drainage, attenuation and outfall infrastructure installed under P.A. Ref. Reference W20063370 (which has been determined to have sufficient available capacity) to serve the proposed residential development, with the addition of some new SuDS measures within the appeal site (i.e. permeable paving, swales and tree pits etc.). Following attenuation and treatment, all surface water will ultimately drain to the Killens Stream as above.
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. However, Commission's attention is drawn to Uisce Eireann submission at application stage. 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, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off, 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

						hydrologically connected to this watercourse
Transitional Waterbody	3km 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/ watercourse	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	As above	As above	No	Screened out

			drainage ditch/ watercourse				
3.	Surface	Wexford Harbour IE_SE_040_0000	Existing and proposed surface water discharge to drainage ditch/ watercourse	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/ watercourse	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/ watercourses downstream of the site	Hydrocarbon spillage and siltation	Best practice engineered mitigation i.e. hydrocarbon interceptors and general maintenance of	No	Screened out

					surface water system/ installation of SuDS features.		
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						
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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	N/A	N/A	Yes

	including SuDS measures. Implementation of appropriate maintenance.	including SuDS measures. 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 and to prevent the deterioration of the status of all bodies of groundwater	<u>Objective 2:</u> <u>Groundwater</u> Protect, enhance and restore all bodies of groundwater, ensure a balance between abstraction and recharge, with the aim	<u>Objective 3: Groundwater</u> Reverse any significant and sustained upward trend in the concentration of any pollutant resulting from the impact of human activity	Does this component comply with WFD Objectives 1, 2, 3 & 4? (if answer is no, a development cannot proceed without a	

		of achieving good status*		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