



An
Coimisiún
Pleanála

Inspector's Report PL-501544-WX-26

Development	Single storey dwelling and all associated site works.
Location	Inch, Castle Ellis, County Wexford.
Planning Authority	Wexford County Council
Planning Authority Reg. Ref.	20260195W
Applicant(s)	John and Maureen Conroy
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party Normal Planning Appeal
Appellant(s)	John and Maureen Conroy
Observer(s)	None
Date of Site Inspection	30 th July 2026
Inspector	Bébhinn O'Shea

1.0 Site Location and Description

- 1.1. The site is located in close proximity to Blackwater Village, c. 16km south east of Enniscorthy and c. 3km from the coast¹. It is on a minor road that links the R744 and R742, which is narrow (such that two cars cannot pass) hilly and defined with a mature hedgerow at its roadside boundary. The site is wedge-shaped, rises from north to south with a level difference of c. 9m. There is a dwelling adjacent to south-west.

2.0 Proposed Development

- 2.1. Single storey dwelling and all associated site works. 3 No. bedroom GFA c. 217 sqm. Revised in response to Further Information to c. 198 sqm. Finishes include render, corrugated aluminium roofing, stone cladding and slate tile roof. Highest roof point 5.185m.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. The Planning Authority sought Further Information on 10/4/2026

- Item 1: Local need
- Item 2: Supplementary application form in relation to rural housing
- Item 3: Revised drawings showing compliance with Biodiversity Requirements of the CDP and enlarged site/reduced floor area to comply with same
- Item 4: Revised site layout showing location of WWTS tank
- Item 5: Revised layout showing location of wells on adjacent sites, in compliance with EPA CoP
- Item 6: Revised site layout plan showing sightlines, access splays and gradient

¹ I note the address on the application form is Knockbaun, Blackwater whereas on the LA documentation is Inch, Castle Ellis.

3.1.2. The Planning Authority subsequently refused permission as follows:

Having regard to the location of the application site within an Area Under Strong Urban Influence as defined within the Wexford County Development Plan 2022-2028, which seeks to manage the growth of areas considered to be under strong urban influence and to ensure that any development that does come forward does so based on a demonstrable social or economic need for the applicant to live in the rural area in question. The Planning Authority is not satisfied that the applicant has demonstrated adequate rural linkage and housing need in accordance with the rural housing policy as set out in Volume 1 Table 4.6 of the Wexford County Development Plan 2022-2028. The proposal is therefore contrary to the proper planning and the sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

3.2.1.1. The **first planning report** dated 7th April 2026:

- Considered that the applicants had failed to adequately demonstrate rural linkage and housing need in accordance with the CDP and that FI should be requested in this regard;
- Noted that external finishes were not specified on plans and drawings and that FI should be requested in this regard;
- Noted the floor area of the dwelling at 216.9 sqm and the size of the site at .31 hectares - based on table 3.3 of the CDP an enlarged site or reduced floor area was required for biodiversity requirements;
- Noted that landscaping plans were submitted identifying the necessary planting to promote biodiversity on 20% of the site;
- Noted that sightlines were incorrectly shown;

- Noted as per Environment Section report that FI was required in relation to the location of the WWTS tank and location of wells to the east and west of the site;
- Noted soakpits were proposed;
- Noted the site was in Flood Zone C.

The report recommended that Further Information be sought as set out above at 3.1.1.

3.2.1.2. The **second planning report** dated 18th May 2026:

- Noted the details submitted in response to Item 1 and 2 of the FI request (discussed in detail in Assessment below) but considered that the applicant had failed to adequately demonstrate rural linkage and housing need in accordance with the CDP.
- Noted that the area of the dwelling had been reduced such that compliance with table 3.3 of the CDP was achieved.
- Noted the response of the applicant in relation to the location of the WWTS tank and wells on adjoining site (FI Items 4 and 5) had been considered acceptable by the Environment Department.
- Noted the response of the applicant in relation to sightlines, access point and gradient has been considered by the Roads Department and was acceptable.

Recommended permission be refused as set out above at 3.1.2.

3.2.2. Other Technical Reports

- Roads Department 01/04/2026 Recommends FI re. sightlines, access point, gradient.
- Roads Department 15/05/2026 Recommends grant of permission subject to conditions

- Environment Department 04/03/2026 FI requested re. WWTS and well locations.
- Environment Department 27/04/2026 Conditions provided.

3.3. Prescribed Bodies

Uisce Eireann Recommends condition for Connection Agreement in the event of a grant of planning permission.

3.4. Third Party Observations

None

4.0 Planning History

Site:

20070110 Subject site together with adjacent site to north.

Permission refused for 4 dwellings (Deficiencies in road network, layout/design, prominence due to siting and removal of hedgerow, public health)

20072806 Subject site together with adjacent site to north.

Outline permission granted for permission for 2 dwelling houses.

20091057 Subject site together with adjacent site to north.

Permission consequent on grant of outline permission for 2 dwellings.

To north:

20251189W Adjacent site to north as per history above

Permission refused to Shane Curran for dwelling (local need not adequately demonstrated, sightlines, WWTS, 20% of site area for biodiversity not achieved, no confirmation of feasibility from Irish Water.)

20250928W Adjacent again to north of the above site

Permission granted for the construction of a dwelling.

5.0 Policy Context

5.1 Development Plan

The relevant plan is the Wexford County Development Plan 2022 – 2028 (WCDP) in particular the following sections:

Volume 1

- Section 4.9 Housing in the Open Countryside – Rural Area Under Strong Urban Influence
- Section 4.9.1 Single (One-Off) Rural Housing Policy Context
- Section 4.6 Criteria for One-Off Rural Housing including Table 4.6 and Definitions and Notes relating to same

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

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

Objective SH45

To require the design of new single houses to be of high quality and in keeping with the rural character of the site and the area, protect the visual amenities of the area and that of the landscape character unit in which it is located.

- Section 8.8 Sightlines which Require Works

Objective TS79 Where works are required to achieve sightlines at a vehicular access, the following criteria must be complied with: • The necessary works to achieve the required sightlines must be indicated within the site edged red submitted with the planning application. • No construction of the dwelling shall take place until the sightlines are in place.

- Section 9.5 Water Supply
- Section 9.11 Flood Risk and Surface Water Management

Volume 2 Development Management

- Section 3.1 Single Dwellings in Rural Areas.
 - 3.1.1 Design Guidance for Single Houses in Rural Areas
 - 3.1.2 Standards for single dwellings in rural areas. Table 3.3 sets out site/house/biodiversity area sizes.
- Section 6.2.6 Siting and Design of Access/Egress Points
- Section 7.4 Landscape and Biodiversity
- Section 8.3 Wastewater

Volume 7 Landscape Character

- Section 3.0 Landscape Character Assessment - Lowlands

5.2 National/Regional Plans/Policies

National Planning Framework – Project Ireland 2040

Regional Planning Guidelines – a Regional Spatial and Economic Strategy (RSES) for the Southern Region of Ireland

5.3 National Guidance

Sustainable Rural Housing Guidelines for Planning Authorities

5.4 Natural Heritage Designations

Seas off Wexford c. SPA c. 2.8km to east

The Raven SPA c. 2.9km to south east

Screen Hills SAC c. 4.2mk to south

Wexford Harbour & Slobs SPA c. 13km to the west.

6.0 EIA Screening

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

7.0 The Appeal

7.1. Grounds of Appeal

- The appeal is made on behalf of the applicants John Conroy (JC) and his mother Maureen Conroy (MC). The appeal sets out the applicants' rural housing case.
- It states that the application is made jointly by JC and MC

- MC is stated to have an established local connection. She was born and raised in Blackwater and lived there until age 23. School records confirm she attended Blackwater National School in 1936-1944. Utility bills and bank records are not available due to the passage of time over 70 years ago.
- MC has a housing need as her current dwelling is unsuitable for her advanced age. The proposed dwelling is designed as a single storey accessible home to allow her age in place with her native community.
- JC is stated to have a functional and social housing need in order to provide support and care. He had a residence at Coolree Co. Wexford which is no longer available to him due to family separation proceedings. A letter from a solicitor is submitted in evidence of same.
- The site has established planning history. Consistency in planning assessment is an important consideration.
- It could be argued that the site is no longer a rural site given there is a housing scheme under construction just 300m away.

7.2. Planning Authority Response

No response received

7.3. Observations

None

8.0 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, and 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:

- Rural housing need

- Other matters

8.1. Rural housing need

- 8.1.1. In order to be considered for a single dwelling in the open countryside, an applicant must meet one of the following categories as per Table 4.6 of the WCDP:

Category A: Housing for persons who have a demonstrable social functional rural housing need to live in a particular rural area and who are building a permanent home for their own use. While demonstrable social functional need does not apply in Structurally Weak Areas, the person must be building a permanent home for their own use.

Category B: Housing for persons who have a demonstrable economic functional rural housing need to live in a particular rural area and who are building a permanent home for their own use. While demonstrable economic functional need does not apply in Structurally Weak Areas, the person must be building a permanent home for their own use.

- 8.1.2. I note the Definitions and Notes following Table 4.6 in particular

- 1. A person with a social functional rural housing need is defined as a person who is an intrinsic member of a local rural community having lived for the specified period of time in their 'local rural area' and who has never owned a rural house. It includes persons who were reared in the local rural area but that local rural area is now within a settlement boundary/zoned land. It also includes a person who has links by virtue of being a long term rural landowner or the son or daughter or successor of such a person. A long term rural landowner is defined as a landholding owned by that person before the 30th April 2007.*
- 2. The 'local rural area' is defined as an area within the 'specified distance' in Table 4-6 above of where the applicant has lived or was living.*
- 3. Under both Category A and B, the persons must not have previously owned a rural house. However the Planning Authority, may in exceptional circumstances, give consideration to such persons. These circumstances include:*
 - (a) The person is no longer in possession of that home having been disposed of following a legal separation/divorce/repossession/ the transfer of a home attached to a farm to a family member and that person can demonstrate that they have a social or economic functional need to live in*

the local rural area.

- 8.1.3. As per Map 1, the site is in an Area Under Strong Urban Influence (outside the Coastal Zones indicated on Map 3).
- 8.1.4. Given the age of applicant MC, and absence of any information to the contrary, I consider that this applicant has no apparent occupation and therefore no economic functional rural housing need at this location. This applicant is therefore assessed under Category A:

A person who has lived full-time in a principal residence for a minimum of 7 years (not necessarily concurrently and at any time in their life) in that local rural area and the site is within 7km radius of where the applicant has lived or is living and who has never owned a rural house. (See Point 4 in Definitions and Notes regarding owning a rural house). The dwelling must be the person's permanent place of residence. The person can work from home or commute to work daily.

- 8.1.5. MC's place of birth is unclear. The application states MC was born in the family home. The map submitted in response to Further Information does not show a precise dwelling location but marks with a large X a number of fields c. 1.5 km south east of the site. Her place of birth is stated to be at home, in Blackwater parish. Blackwater parish is a broad area, and also the name of the nearby village. On her birth certificate, the place of birth appears to state Enniscorthy although I cannot be conclusive in this regard.
- 8.1.6. I note the unavailability of bank details and utility bills given the passage of time. However the national school records relating to MC's childhood do not state her address. School registers typically recorded residence. This matter was raised at Further Information but the same school record was re-submitted.
- 8.1.7. There are no details offered as to the residence of applicant after national school. She is stated to have left the area at approximately 23 years of age. Her current residence is in Wexford Town.
- 8.1.8. I note that a person with a social functional rural housing need is defined as a person who is an *intrinsic member of a local rural community* having lived for the *specified period of time* in their 'local rural area' (emphasis added). I am unable to conclude that applicant MC has lived in this local rural area for the specified

period of time (7 years), due to the absence of any documentary evidence of her address during national school and until age 23. The location of her homeplace is also unprecise.

- 8.1.9. While noting nieces living in the area and relatives buried in Blackwater cemetery, given the age of the applicant, and that she left the area some 70 years ago, neither do I conclude a compelling case has been made that the applicant MC is an intrinsic member of that local rural community.
- 8.1.10. I therefore conclude that the applicant MC has not demonstrated adequate rural linkage and housing need in accordance with the rural housing policy as set out in Volume 1 Table 4.6 of the Wexford County Development Plan 2022- 2028.
- 8.1.11. As this is a joint application, I have also considered the case for applicant JC although applicant MC's case for rural housing is being relied upon. Given the applicant's nature and place of work, I conclude that he has not indicated an economic functional rural housing need at this location. The applicant is also therefore assessed under Category A.
- 8.1.12. The address of JC at birth, childhood etc., is not provided. It is not suggested that applicant JC was born or lived in the local area (within 7km of the site) for 7 years at any point. It is stated his mother left the local area 70 years ago. No information is presented to suggest JC is part of the is an intrinsic member of that local rural community. His most recent family home was at Coolree, Co. Wexford. He aims to live with his mother (along with his partner) to provide support.
- 8.1.13. I therefore conclude that the applicant JC has not demonstrated adequate rural linkage and housing need in accordance with the rural housing policy as set out in Volume 1 Table 4.6 of the Wexford County Development Plan 2022- 2028.
- 8.1.14. Finally, I note the design of the dwelling. In my opinion, it better fits the needs and profile of applicant JC than applicant MC, whose rural housing need is being replied upon.

8.2. Other matters

- 8.2.1. The appellant cites the planning history of the site in support of the application. I have considered the site history above, however significant time has passed since those applications, and a different policy context applies, not only in relation to rural housing need, but also biodiversity, wastewater/WFD, etc. The application is taken on its merits having regard to the current policy context in this regard.
- 8.2.2. The appellant also states that it could be argued that the site is no longer a rural site given there is a housing scheme under construction just 300m away. Blackwater is a Level 4 Large Village under the WCDP. These are described as being large villages that have a moderate level of existing infrastructural services, both physical and social, and are capable of accommodating additional population growth. The spatial planning approach for these villages is to concentrate new residential growth within the exiting footprint of the village. The proposed dwelling does not express as part of the village, and is clearly rural in nature.
- 8.2.3. I note the nature of the road on which the dwelling is located. It is narrow, poorly surfaced, sloping significantly and enclosed with mature hedgerows limiting visibility and having limited opportunities for passing. The response to Further Information indicates that approximately 65m of mature hedgerow is to be removed to facilitate sightlines, almost the full front roadside boundary. The dwelling is located at the highest point of the site. The removal of the hedgerow will render it more visible and significantly reduce the absorption of the dwelling into the rural area. While I do not object to the design of the house, I consider the siting to be contrary to the provisions of Section 3.1.1. of Volume 2 of the WCDP - Design Guidance for Single Houses in Rural Areas and contrary to Objective SH45 of the WCDP which is To require the design of new single houses to be of high quality and in keeping with the rural character of the site and the area, protect the visual amenities of the area and that of the landscape character unit in which it is located. I also consider the roadway unsuitable for multiple housing development and I note Objective SH40 in this regard, which is To strictly control individual rural housing in the open countryside in areas that are reaching their

carrying capacity in terms of effluent treatment capacity, visual amenity and/or roads carrying capacity

9.0 AA Screening

- 9.1. I have considered the proposed development in light of the requirements of S.177U of the Planning and Development Act 2000, as amended. The subject site is located within a rural area. The application site is located c. 2.8km from the Seas off Wexford c. SPA, 2.9 km from The Raven SPA, c 4.2km from Screen Hills SAC and c. 13 km from Wexford Harbour & Slobs SPA. The proposed development comprises the construction of dwelling, garage, WWTS and vehicular entrance.
- 9.2. No submissions relating to Appropriate Assessment were received.
- 9.3. The site is located c. 200m from the Blackwater River which flows approximately 3.2 km through Blackwater village and discharges at the meeting point of the Raven SPA and Seas off Wexford c SPA. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site. The reason for this conclusion is as follows:
- The minor nature and scale of the works.
 - Distance from European sites and waterbodies, weak hydrological connectivity and intervening environment.
 - The screening comments of the Local Authority.
- 9.4. I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000, as amended) is not required.

10.0 Water Framework Directive

- 10.1. The subject site is located west of Blackwater Village within the Cahore_SC_010 sub catchment. It is c. 200m from the Blackwater (Wexford)_010 waterbody which has 'good' status and is at 'review' in terms of risk. No pressures are identified. It is within the Curracloe Gravels Groundwater body IE_SE_G_162 which has 'good' status and is 'not at risk'.
- 10.2. The proposed development comprises a new dwelling house, access point and WWTS.
- 10.3. No water deterioration concerns were raised in the planning appeal. Further information was requested in relation to the proposed WWTS and separation distances to features. The response was deemed satisfactory.
- 10.4. I have assessed the proposed dwelling 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 development I am satisfied that the development 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:

- The small scale and nature of the development
 - The distance to waterbodies
 - Compliance with the EPA Code of Practice
- 10.5. I conclude that on the basis of objective information, that the development would not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

11.0 Recommendation

I recommend permission be refused.

12.0 Reasons and Considerations

The site is located within a rural Area Under Strong Urban Influence as defined within the Wexford County Development Plan 2022-2028, which seeks to manage the growth of such areas to ensure that any development that does come forward is based on a demonstrable social or economic need for the applicant to live in the rural area, in accordance with **Objective SH39**. In this instance, the Commission was not satisfied that either applicant had demonstrated adequate rural linkage and housing need in accordance with the rural housing policy as set out in Volume 1 Table 4.6 of the Wexford County Development Plan 2022- 2028.

In addition, having regard to the siting of the dwelling, the removal of the roadside boundary required for sightlines, and the condition of the road on which the dwelling is proposed to be located, it is considered that the proposed development would be contrary to Objective SH45 of the WCDP (to require the design of new single houses be in keeping with the rural character of the site and the area and protect the visual amenities of the area) and contrary to Objective SH40 (to strictly control individual rural housing in the open countryside in areas that are reaching their carrying capacity in terms of visual amenity and/or roads carrying capacity).

The proposed development is therefore contrary to the proper planning and the sustainable development of the area.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence me, directly or

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

Bébhinn O'Shea

Senior Planning Inspector

14th August 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-501544-WX-26
Proposed Development Summary	Single storey dwelling and all associated site works.
Development Address	Inch, Castle Ellis, County Wexford.
IN ALL CASES CHECK BOX / OR LEAVE BLANK	
1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?	☒ Yes, it is a 'Project'. Proceed to Q.2.
	☐ No, No further action required.
(For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	
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)	Class 10 (b)(i) Construction of more than 500 dwelling units.
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 ☐	
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ Date: _____

Appendix 2: Form 2 - EIA Preliminary Examination

Case Reference	PL-501544-WX-26
Proposed Development Summary	Single storey dwelling and all associated site works.
Development Address	Inch, Castle Ellis, County Wexford.
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (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 modest in scale, comes forward as a standalone project, does not require demolition works, does not require 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	The development is situated in a rural area, agricultural with some rural housing. The development is removed from sensitive natural habitats, centres of population and designated sites and landscapes of identified significance in the County Development Plan. Potential impacts on European Sites and waterbodies are considered in the report above including in AA and WFD and ruled out.

populated areas, landscapes, sites of historic, cultural or archaeological significance).	
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	Having regard to the modest nature of the proposed development, its location, normal construction practices, likely limited magnitude and spatial extent of effects, and absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA not required

Inspector: _____ **Date:** _____