



An
Coimisiún
Pleanála

Inspector's Report PL-501560-WX-26

Development	4 no. two storey dwelling houses together with all associated and ancillary site works.
Location	Walsheslough, Rosslare, County Wexford.
Planning Authority	Wexford County Council
Planning Authority Reg. Ref.	20260466W
Applicant(s)	Gerard and Margaret Doyle
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party Normal Planning Appeal
Appellant(s)	Gerard and Margaret Doyle
Observer(s)	The Cove Residents Association
Date of Site Inspection	10 th September 2026.
Inspector	Kathy Tuck

1.0 Site Location and Description

- 1.1. The appeal site is located in Walsheslough in Rosslare village, Co. Wexford within and accessed via an existing housing estate called 'The Cove'. The appeal site is located east of the R740 (Station Road) and is accessed from Maruitius Road to the south where the entrance to 'The Cove' is located. The site is encompassed by residential developments on all sides including a site to the NW of the appeal site where a housing estate is currently being constructed.
- 1.2. The appeal site itself has an area of 0.35ha and is currently vacant and overgrown. The front of the site facing onto the estate road (NE boundary) is defined by a hedge and part by wooden fencing (where the vehicular access is proposed). A ditch defines the SE boundary of the appeal site with the estate under construction to the NW. The SW boundary is open to a house located within the field which the appeal site is located within.

2.0 Proposed Development

- 2.1. The proposed development is comprised of the erection of 4 no. dwelling houses, entrance onto the existing estate road together with ancillary site works. The design of the proposed dwellings is contemporary and the design proposed is for two storey (dormer style), four bedroom houses with a ridge height of approximately 7.9m. The GFS of each house is approximately 180m². The houses are finished in painted render and metal cladding.
- 2.2. Vehicular access is proposed onto the existing estate road and parking for 2 no. cars per house is also proposed. An internal road running parallel to the estate road fronting the site will provide access to each individual house and landscaping is also proposed.
- 2.3. Mains water supply and connection to the mains sewer are proposed to service the site.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. The Planning Authority issued a decision to refuse planning permission on the 3rd of June 2026 for the following reason:

The proposed development is likely to significantly contribute to the overloading at the existing wastewater treatment plant, potentially impacting on receiving waters. The proposed development is therefore likely to be prejudicial to public health and contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

- 3.2.1. Planning Reports

The report of the Planning Officer sets out the location of the site, provides a description of the development, the planning history pertaining to the site, a summary of reports received from internal and external consultees, a summary of submissions received, and sets out all relevant national, regional and local planning policy. The report also includes for an EIA and AA screening report.

The assessment notes that the development as proposed would be acceptable in principle and the overall design and layout would also be considered to accord with the relevant development policy requirements. Reference is made to the report of the roads engineer. It states that this report sought further information, however I note that the report from the roads department on file recommends that permission be granted subject to condition.

The overall conclusion of the assessment notes that the report from the Environment section states that there is limited capacity for future development and that it is recommended that new development within the Village be restricted to infill/brownfield permanent residential maximum of 1 no. units and therefore it was recommended that permission be refused in line with the decision issued.

- 3.2.2. Other Technical Reports

Environment – Senior Executive Scientist

Report request that the following further information

- Submit details, including manufacturers specifications and a revised site layout map, of an oil interceptor and silt trap to be installed on the proposed storm water drainage system prior to discharge to the existing watercourse.
- Submit report carried out by a qualified person regarding mitigation measures to protect the existing watercourse during construction phase with regards the proposed development.
- Submit a CEMP complied by suitably qualified person with regards the proposed development. The CEMP shall include, but not be limited to, construction phase controls for dust, noise and vibration, waste management, protection of soils, groundwaters, and surface waters and site housekeeping.

Roads Department

Recommends permission be granted subject to condition.

3.3. Prescribed Bodies

3.3.1. Uisce Éireann

Report dated 30th April 2026 – The report notes that the applicant has engaged with Uisce Éireann via a Pre-Connection Enquiry and Uisce Éireann can confirm that a Confirmation of Feasibility has been issued to the applicant advising that (water/ wastewater) connection(s) are feasible, without upgrade works required.

3.4. Third Party Observations

The Planning Authority received 1 no. submission. The Planning Officer provided for a detailed summary of the concerns raised within their report. These can be summarised as:

Concerns over:

- Site notice.
- Access Arrangements.
- Construction Traffic.

- Roof Tile Colour.
- Boundary Treatment.
- Legal Interest.
- Taken in charge.
- Public Services.
- Capacity in public sewer.
- Surface water/flooding.

4.0 Planning History

4.1. Appeal Site

ABP-318551-23 Permission REFUSED for 4 no 2 storey dwellings and associated site works. The reason for refusal was as follows:

It has not been demonstrated to the satisfaction of the Board that the proposed development would not cause overloading at the waste water treatment plant, potentially impacting on receiving waters. It is considered that the proposed development would be prejudicial to public health and would therefore be contrary to the proper planning and sustainable development of the area.

PA Ref 20220579 Permission REFUSED for 7 no detached dwellings. The reasons for refusal were as follows:

1. Given the paucity of information, detail and non-compliant proposals to connect to the public foul and stormwater networks and ongoing concern over the capacity in the wastewater treatment plant to cater for the proposed development, it is considered that the proposal would represent a public health hazard and is premature at this time.

2. While it is accepted that infill development is necessary to deliver compact sustainable growth, it is considered that the

development as proposed fails to deliver a high-quality design in terms of functionality and visual appeal and does not provide for a high level of residential amenity. The submitted documentation fails to provide sufficient detail on site layout and service provision, adaptability and permeability, and is substandard in terms of pedestrian access, public open space, public lighting, landscaping and boundary treatment, and construction and environmental management plans. The proposed development is therefore considered to be contrary to Section 18.10 of the Wexford County Development Plan 2013-2019 (as extended) and to the proper planning and sustainable development of the area.

PA Ref 20211309 Permission REFUSED for 8 no. detached houses. The reasons for refusal were as follows:

1. There is insufficient capacity in the wastewater treatment plant to cater for the proposed development. Therefore, the proposed development is considered premature pending the upgrade of the wastewater treatment infrastructure in the village.

2. While it is accepted that infill development is necessary to deliver compact sustainable growth, it is considered that the development as proposed fails to deliver a high-quality design in terms of functionality and visual appeal and does not provide for a high level of residential amenity. The submitted documentation fails to provide sufficient detail on site layout and service provision, adaptability and permeability, and is substandard in terms of pedestrian access, public open space, public lighting and boundary treatment. The proposed development is therefore considered to be contrary to Section 18.10 of the Wexford County Development Plan 2013-2019 (as extended) and to the proper planning and sustainable development of the area.

PA Ref. 20032073 Permission was sought for the construction of 4 no. detached houses but following a request for Further Information issued by the Planning Authority no response was received within the

appropriate period and this application was deemed to be withdrawn.

4.2. Within the Vicinity

PA Ref 20190109 ABP-304443-19 (20190109) – on the site adjacent to the NW boundary of the appeal site permission was granted by the Planning Authority on 30th July 2019 for the construction of 7 no. two storey dwellings together with overall site ancillary works previously granted under planning reference numbers 20090849, 20080876 and 20064077. This permission was appealed to the Board by a Third Party but the appeal was dismissed by the Board under the provisions of subsections (1)(b)(i) and (ii) of section 138 of the Planning and Development Act, 2000 (as amended). This development is currently nearing completion.

5.0 Policy Context

5.1 Wexford County Development Plan 2022-2028

The following policy objectives are of relevance when assessing the proposed development. Development Plan polices regarding housing design and other development management standards have not been reproduced below as the primary issue in this appeal relates to wastewater treatment.

5.1.1. Volume 1: Written Statement

Section 9.6 Wastewater

Table 9-3 Overview of Public Wastewater Infrastructure - Level 3a Service Settlements - Rosslare Strand – Capacity = 8,500PE and Headroom = 2,826PE. (Source: Irish Water Wastewater Capacity Register 29th April 2020 but subject to change).

Table 9-4 which lists EPA Urban Wastewater Areas of Concern (Rosslare not Included).

Table 9-5 which lists Irish Water Investment Plan Public Wastewater Projects 2020 2024 (Rosslare not Included).

Relevant Objectives:

- Objective WW04 - To facilitate Irish Water in the delivery of public wastewater services which address the residential, commercial and industrial needs of the

county subject to compliance with all relevant EU and national legislation and guidelines and normal planning and environmental criteria.

- Objective WW05 - To work alongside Irish Water to facilitate the wastewater projects identified in Table 9-5 and any other projects that may arise during the lifetime of this Plan subject to compliance with all relevant EU and national legislation and normal planning and environmental criteria.
- Objective WW06 - To ensure that proposals in the coastal and maritime area do not significantly adversely affect existing and planned wastewater management and treatment infrastructure (where a consent, authorisation or lease has been granted to or formally applied for by Irish Water) unless compatibility with such infrastructure can be satisfactorily demonstrated or there are exceptional circumstances.
- Objective WW07 - To work with Irish Water, other public infrastructure agencies and local communities to develop the programme for 'new homes in small towns and villages' as set out in NPO 18b of the National Planning Framework for the settlements listed in Table 9-6. This programme will provide serviced sites with appropriate infrastructure to attract people to build their own homes and live in small towns and villages in the county and is subject to complying with the Habitats Directive and normal planning and environmental criteria.
- Objective 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.
- Objective WW13 - To protect existing wastewater infrastructure, including way leaves and buffer zones, from inappropriate development and zoning.

5.4 Natural Heritage Designations

The appeal site is not situated within or directly abutting any Natura 2000 sites.

The following natural Heritage designations are located in the vicinity of the appeal site:

- Seas off Wexford SPA (004237) – c.811.1m to the east.
- Wexford Harbour and Slobs SPA (004076) – c.923m to the north-west.
- Wexford Slobs and Harbour pNHA (000712) – c.7.5m to the north.

6.0 EIA Screening

- 6.1. The scale of the proposed development does not exceed the thresholds set out by the Planning and Development Regulations 2000 (as amended) in Schedule 5, Part 2(10), and I do not consider that any characteristics or locational aspects (Schedule 7) apply.
- 6.2. I conclude that the need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required. Appendix 1 and Appendix 2 of my report refers.

7.0 The Appeal

7.1. Grounds of Appeal

This is a 1st Party appeal against the decision of the Planning Authority to refuse permission. The grounds are summarised and set out below:

- language used in the reasoning for refusal 'is likely to'; 'potentially'; and 'likely to be' it either is or it isn't prejudicial to public health and contrary to the proper planning and sustainable development of the area.
- If it 'is likely to' 'potentially' be prejudicial to public health as described by WCC, Uisce Eireann would not have supported the application for both Water and Wastewater Connections by issuing a letter of Feasibility without Infrastructure upgrade.
- Uisce Eireann is Irelands national public water utility provider - responsibilities and services is to manage wastewater services, including collection, treatment, and safe reintroduction into the environment of waste waters.
- Uisce Eireann the most qualified body for wastewater assessment, carried out a feasibility study to assess the viability of the development in the current network and deemed the development acceptable on all accounts.

- The current CDP states there is 2826 population headroom in the Rosslare WWTP and capacity available to cater for growth population target until 2027.
- All other departments within the LA were in support of the development including Senior Executive Scientist (Environment) who requested Further Information on other issues which can be very easily answered - no mention of 'prejudicial to public health'.
- Is this not the department the Executive Planner states undertook a 'study'? Should they not be aware of this 'study' and be the upmost authority on it –
 - no name or reference to this 'study',
 - there is no policy or objective reference to it in the current CDP 2022-2028
 - There is no publication available of such 'study'.
- previous supplementary report from the senior planner Diarmuid Houston, stating that:
 - an agreement with the water services section that infill/brownfield residentialTM development of up to 10 no. units would be permitted as such developments would not represent a risk with respect to capacity issues at the Rosslare WWTP
- How the Planning Authority got from allowing 'up to 10 units would be permitted' within their CDP, to restricting new development to a maximum of 1 no. from an unpublished, non-policy 'study' has no basis at all.
- Table 9-1 Irish Water Public Water Supplies and Capacities of the CDP 2022-2028, confirms that there is capacity available in the main network to cater for the population target of 2027 stating a headroom of 2826 population in the system.
- A review of the latest Granted Planning applications relating to the Rosslare WWTP coming out of WCC, shows a number of permissions were granted with no reference made to the 'Study' referenced in this instance. These included:
 - 20251398W for 2no. dwellings – GRANTED
 - 20260455W Retention permission for the change of use of unauthorized timber cabin previously used as a dwelling – GRANTED.

➤ 20260435W for 1 no. dwelling – GRANTED.

- Previous application (ABP-318551-23) - Inspector disagreed entirely with the comments of the planner stating that nowhere was there a statement or opinion from Uisce Eireann explicitly stating that a grant of planning permission would likely cause overloading at the wastewater treatment plant.
- UE Confirmation of Feasibility dated 22/01/2026 submitted with this application, confirms the connection is currently feasible without infrastructure upgrade, a subsequent connection application is being made to Uisce Eireann.
- Decision to refuse planning for the proposed development is in direct conflict with the policies and objectives of the current CDP.
- The disregard from the Planning Authority, ignoring the strategic and calculated opinion of the governing body of Uisce Eireann with regard to this proposal is nothing short of tinkering with no notable benefit other than to show a vote of no confidence and insubordination in the state body.
- Request that the decision be overturned and permission be granted.

7.2. Planning Authority Response

None received.

7.3. Observations

The Commission received 1 no. observation from the Cove Residents Association. The concerns raised can be summarised as follows:

- Reference made to observation lodged to the Planning Authority which is have summarised in section 3.4 of me report above.

1. Planning permission

- 4th Permission on site – no willingness to engage in pre-application or with relevant stakeholders.
- Stark contrast to how the neighbouring site was developed.

- Previous application utilised typical house plans from a website without copyright to do so.
- Continuous concerns have been expressed to all applications on site.
- Concerns expressed, beyond that of Wastewater Capacity, consistently placed Wexford County Council in an unsatisfactory position versus the County Development Plan and housing need.
- Selective extraction of data to support agents view can be counter argued – capacity issue is real and has been the result of years of development but will only be resolved when the project to extend the capacity is funded and completed.

2. Proposed Access Route

- Access proposed via residential estate the Cove – there is a more direct access available from Station Road on either side of the applicant's property.
- Alternative access would utilise sterilised unkept and unused land – consistent with Grange Lough Development.
- Significant issues outstanding and unresolved with accessing through the Cove Estate – regards legal entity and an unproven 'legal entitlement' to do so.

3. In the Appellant /company name in the Republic of Ireland

- Indicated as 'Yes' on the Planning Application Form.
- Address and Phone number provided from two different Countries.
- The appellants normally reside outside the state in the UK.
- Previous application a UK address was used – unable to verify.

4. Notice Location and Date

- Notice was not put in position on the dates as noted in the Planning Application.
- Location within the Cove at the rear of the site did not provide sufficient opportunity for residents/members of the general public to make a submission.

5. Road/Pedestrian Access

- Considered to be significant and has legal considerations.

6. Construction Phase Access/Resident Safety

7. Visual Amenity/Impact

- Open approach and the orientation of the proposed four dwellings towards the Cove which is similar to the adjoining Grange Lough development.
- Access should be off Station Road similar to the Grange Lough development.
- Roof tile colour should match that of The Cove and adjacent houses.

8. Landscaping and Boundary Treatment

- Boundary treatments other than the proposed division of properties are unclear - no specific details of boundary treatment between this new site and the existing Cove estate.
- Insufficient vehicle turning areas for both standard and emergency vehicles in the site plan for the proposed four new houses
- very little space to provide a grassed and landscaped area along the boundary and it is unclear how the applicant proposes to link the new development with The Cove estate.
- submitted site layout drawings do not show the “relationship to adjoining
- lands/properties” as required under planning regulations. In particular, nearby houses.
- within The Cove, as well as the associated open spaces, are not shown. Some dimensions have been shown in respect of other properties but not The Cove estate. This is a concerning and significant omission.

9. Legal Entity/Entitlement

- Applicant ignored and has not proven any legal entitlement to provide access via The Cove.

10. Open Water Drain

- Reference made to an open drain which is located to the rear of house numbers 34-40 in the Cove estate.
- Corens regarding the natural high-water table and natural drainage run-off via this open drain. We believe this merits further investigation ahead of any planning approval on this site and may already merit additional attention due to any risks due to excess rainfall, water run-off or flooding.
- water drainage connection is shown linking into an existing drainage pipe installed under a wayleave arrangement. In review we believe that the applicant does
- not have the necessary rights to connect into this pipe.
- This drainage pipe crosses land under separate ownership. While a wayleave exists for the current connection, no such wayleave is in place for the proposed additional connection as illustrated.

8.0 Assessment

8.1. Introduction

8.1.1. Having examined the application details and all other documentation on file, including the appeal, and having inspected the site and having regard to the relevant local policy guidance, I consider the main issues in relation to this appeal are as follows:

- Response to Reason for Refusal – Wastewater treatment capacity.
- Other Issues.

8.2. Reason for Refusal – Wastewater Treatment Capacity.

- 8.2.1. The Planning Authority refused planning permission for the development as proposed as it was considered that it is likely to significantly contribute to the overloading at the existing wastewater treatment plant, potentially impacting on receiving waters. The proposed development was considered to likely be prejudicial to public health.
- 8.2.2. The conclusion of the Planning Officers report makes reference to studies which have been carried out by the Environment Section which indicate that there is limited

capacity for future development which recommends that new development within the village be restricted to infill/brownfield permanent residential maximum of 1 no. unit.

- 8.2.3. Notwithstanding the comments of the Planning Officer, I note that the report received from the Environment Section of the Local Authority does not make any reference to the studies referred to by the Planning Officer and recommends that further information be sought with reference to the provision of a silt traps and a CEMP.
- 8.2.4. The application was accompanied by a pre-connection agreement from Uisce Eireann (CDS25009723) which is dated from the 22nd January 2026. The submission from Uisce Eireann received by the Planning Authority also made reference to same. The pre-connection agreement indicated that both water and wastewater connections are feasible. Furthermore, the submission states that a connection would be feasible without the requirement for infrastructure upgrade.
- 8.2.5. I consider that the issues around the capacity of the Rosslare WWTP to accommodate the proposed development seem to be reasonably clear. From a review of the documentation on file available to me and also that online, with a specific reference to the history files detailed in Section 4.0 of my report above, it is evident to me that Irish Water has not stated that permission should be refused for the proposed dwellings on the grounds that there is insufficient capacity in the Rosslare WWTP to service the proposed development. Furthermore, I have not been able to obtain any details with regard to the studies referenced by the Planning Officer within the conclusion of their report.
- 8.2.6. I would draw the Commissions attention to Table 9.1 – Irish Water Public Water Supplies and Capacities of the Wexford County Development Plan 2022-2028 which states that there is '*Capacity available in the main networks serving the villages to cater for the 2027 population target*' to serve Rosslare Harbour /Rosslare strand. In addition, I would also reference Table 9.3 of the County Plan which sets out the Overview of Public Wastewater Infrastructure and further confirms that there is a capacity of 8,500PE and headroom of 2,826PE at the Rosslare WWTP. The development plan indicates that the source for these figures as being the Irish Water Wastewater Capacity Register 29th April 2020 and notes this is subject to change.
- 8.2.7. From a review of Uisce Eireann's wastewater capacity register [Wexford | Wastewater Treatment Capacity Register | Uisce Éireann \(formerly Irish Water\)](#) on the 7th of

September 2026 I note that the status of the Rosslare WWTP is Amber which means that potential spare capacity is available and applications are to be considered on an individual basis considering their specific load requirements.

- 8.2.8. Overall, having regard to the reports available to me on file, including the submission made to the Planning Authority by Uisce Eireann and the Environment Section, the wastewater capacity register of Uisce Eireann and Table 9.1 and Table 9.3 of the Wexford County Development Plan 2022-2028, I do not accept the conclusions drawn by the Planning Authority, and in the absence of availability of the reports referenced by the Planning Authority, I would advise the Board that there is no obstacle with respect to capacity issues at the Rosslare WWTP in granting permission for the proposed development if it is minded to do so. I therefore recommend that permission be granted.

8.3. Other Matters

8.3.1. Planning Application

Reference is made by an observer to this appeal to the vast planning history, consistent concerns that have been raised and the unwillingness of the applicant to engage in pre-application consultation and with neighbouring property owners.

I have undertaken a detailed review of the planning history of the appeal site and all observations submitted to the Planning Authority not only those pertaining to the subject appeal but also those raised on previous applications. I accept that the concerns raised by the observer have been consistent and that the relevant reports of the Local Authority Planning Officers and the Planning Inspector, in the case of the previous application under ABP-318551-23, have adequately addressed all concerns raised.

With regard to the participation of the applicant, I consider that participation in pre-application consultation and with other relevant stakeholders is completely voluntary and does not form part of the statutory requirement of the Planning Process.

8.3.2. Vehicular Access/Legal Entitlement

Concern is raised over the vehicular access being proposed via The Cove residential estate and that a more appropriate access would be to provide access from Strand

Road via undeveloped land which is in the applicants ownership. It is further contended that the applicant hasn't demonstrated that they have a legal entitlement to provide access via The Cove.

From a review of the site location map submitted the applicant has not indicated that they have any legal interest in the lands to the west of the site which addresses Strand Road and as such may not be able to provide access from this location.

I note that The Cove residential estate has been taken in charge by Wexford County Council. The estate was taken in charge on the 15th June 2015 and this included Roads, Footpaths, Public Lighting and Public Open Space. Therefore, consent would not be required to be obtained from the residents of The Cove. Furthermore, I note that the report from the Roads Department of the Planning Authority did not raise any concern over the access as proposed.

I would draw the Commissions attention to section 5.13 of the Development Management Guidelines for Planning Authorities that advise that the planning system is not designed as a mechanism for resolving disputes about rights over land and that these are ultimately matters for resolution in the Courts. Furthermore, Section 34(13) of the Planning and Development Act 2000, (as amended), states that a person shall not be entitled solely by reason of a permission to carry out any development.

8.3.3. Appellant Address

A concern is raised over the address of the Appellant (applicant) being outside of the state of the Republic of Ireland. I do not consider that this has any standing on my assessment.

8.3.4. Site Notice

Contended that the site notice was not in place on the dates stated and that the location at the Cove did not provide sufficient opportunity for other residents of the area to make a submission.

In the 1st instance I note that the Planning Officer indicated within their report that the site notice was in place and inspected on the 28th April 2026. Article 19(c) of the Planning and Development Regulations, 2001 (as amended) states that a Site Notice shall be '*.....fixed in a conspicuous position on or near the main entrance to the land or structure concerned from a public road, or where there is more than one entrance*

from public roads, on or near all such entrances, or on any other part of the land or structure adjoining a public road, so as to be easily visible and legible by persons using the public road, and shall not be obscured or concealed at any time'. The appeal site only addressed 1 no. public road, that being The Cove. Therefore, there was no requirement to erect a site notice in any other location.

8.3.5. Construction Phase Access and Pedestrian Safety

Concerns raised have been noted. I consider that in the event the Commission are minded to grant permission a condition should be included to require the applicant to submit a Construction Management Programme for the written agreement of the Planning Authority.

8.3.6. Visual Impact

Having examined other aspects of the proposed development such as layout, design, access arrangement, overlooking potential, overshadowing, standard of amenity and potential impacts on the visual and residential amenity of the area, I find that all planning aspects of the proposed development are satisfactory. The design of the dwellings proposed are in keeping with the established pattern of development within the area.

8.3.7. Open Water Drain

In the first instance I note that the appeal site is situated within Flood Zone C as per the OPW Flood maps and as such has a low to minimal risk for flooding. The report from the Environment Section of the Planning Authority has requested further information with regard to the protection of the watercourse referenced by an observer to this appeal, which I recommend be included as a condition in the event the Commission are minded to grant permission.

9.0 AA Screening

- 9.1. In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on the Seas off Wexford SPA (004237), the Wexford Harbour and Slobs SPA (004076), and the

Wexford Slob and Harbour pNHA (000712), or any other European site, in view of the Conservation Objectives of those sites and Appropriate Assessment (and submission of a NIS) is not therefore required.

- 9.2. While I note the report from the Environmental Section of the Planning Authority makes reference to the existing water course, I note from undertaking a review of the maps available to me on the EPA Portal, that this water course is not mapped. Furthermore, from undertaking a site visit I did not see any watercourses on the appeal site.
- 9.3. The Grange-Little River is situated c.107m to the northwest of the appeal site and separated from the appeal site via the existing road network and a number of residential dwellings. This river which flows into the Grange Big River 520m from the closest point of the Grange-Little River with the appeal site. The Grange Big River then connects with the Whitehouse River c.359m to the north. The Whitehouse meets the Wexford Harbour and Slob SPA a further 728m to the north and flows into Wexford Harbour approximately 2km again further north. The point of entry to the harbour does not form part of any Natura 2000 site. As such, notwithstanding the comments of the Environment Section, I note that the appeal site is not directly connected or abutted by any watercourse.
- 9.4. This determination is based on:
- The relatively minor scale of the development and lack of impact mechanisms that could significantly affect a European Site.
 - Distance from and weak indirect connections to the European sites.
 - Taking into account screening determination by Planning Authority.
- 9.5. See Appendix 3 of this report for Appropriate Assessment Screening Determination. No mitigation measures aimed at avoiding or reducing impacts on European sites were required to be considered in reaching this conclusion.

10.0 Water Framework Directive

- 10.1. The subject site is situated at Walsheslough, Rosslare, County Wexford. The application is seeking permission to construct 4 no. two storey dwelling houses together with all associated and ancillary site works.

10.2. The Grange-Little River is situated c.107.03m to the north-west of the site which has a moderate status. The site is also situated within the Bridgetown groundwater catchment which has a good status.

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

10.4. The reason for this conclusion is as follows:

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

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

11.0 Recommendation

I recommend that permission be granted for the reasons and considerations set out below:

12.0 Reasons and Considerations

Having regard to the provisions of the Wexford County Development Plan 2022 2028, especially Table 9.1 and 9.2 which relate specifically to the capacity of the wastewater system, the wastewater capacity register of Uisce Eireann and the submission on file from Uisce Eireann, it is considered that the proposed development would not seriously injure the visual or residential amenity of the area or have an adverse impact

on the receiving environment. The development would, therefore, be in accordance with the proper planning and sustainable development of the area.

13.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars submitted on the 14th day of April 2024, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars. Reason: In the interest of clarity.
2. Prior to the commencement of development the applicant shall submit for the written approval of the Planning Authority:
 - a. a revised site layout map, of an oil interceptor and silt trap to be installed on the proposed storm water drainage system prior to discharge to the existing watercourse.
 - b. A Construction Environmental Management Plan complied by suitably qualified person with regards the proposed development. The CEMP shall include, but not be limited to, construction phase controls for dust, noise and vibration, waste management, protection of soils, groundwaters, and surface waters and site housekeeping

REASON: In the interest of the proper planning and sustainable development of the area.

3. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

4. Details of the materials, colours and textures of all the external finishes to the proposed dwellings shall be as submitted to the Planning Authority on the 14th day of April 2024, unless otherwise agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

5. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

6. Prior to the commencement of development, the developer shall enter into a Connection Agreement (s) with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply and/or wastewater collection network.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

7. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:

- a) Specifications for mounding, levelling, cultivation and other operations associated with plant and grass establishment
- b) Proposals for the protection of all existing and new planting for the duration of construction works on site, together with proposals for adequate protection of new planting from damage until established
- c) A timescale for implementation, including details of phasing, which shall provide for the planting to be completed before the dwelling is first made available for occupation.

Reason: In order to screen the development and assimilate it into the surrounding rural landscape, in the interest of visual amenity.

8. Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including hours of working, noise and dust management measures and off-site disposal of construction/demolition waste and safety measures to ensure pedestrian safety.

Reason: In the interest of public safety and amenity.

9. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer, or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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.”

Kathy Tuck

Planning Inspector

23rd September 2026

Appendix 1

Form 1 EIA Pre-Screening

Case Reference	PL-501560-WX-26
Proposed Development Summary	Permission for the erection of 4 no. two storey dwelling houses together with all associated and ancillary site works.
Development Address	Walsheslough, Rosslare, 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.
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.	State the Class here
☒ 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.	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold.	
☒ Yes, the proposed development is of a Class but is sub-threshold.	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 ☐	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-501560-WX-26
Proposed Development Summary	Permission for the erection of 4 no. two storey dwelling houses together with all associated and ancillary site works.
Development Address	Walsheslough, Rosslare, 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).	This is an application for the construction of 4 no. detached dwellings and all associated site works at a greenfield site situated at Walsheslough, Rosslare, County Wexford. Access is proposed to sever the site via the existing residential estate known as 'The Cove'. The proposed dwellings will be connected to the mains for both water supply and wastewater treatment. The development has a modest footprint, 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 appeal site is located in Walsheslough in Rosslare village, Co. Wexford within and accessed via an existing housing estate called 'The Cove'. The subject site is not located within a designated Natura 2000 Site. The appeal site is situated: • Seas off Wexford SPA (004237) – c.811.1m to the east. • Wexford Harbour and Slobbs SPA (004076) – c.923m to the north-west. • Wexford Slobbs and Harbour pNHA (000712) – c.7.5m to the north. The development is removed from sensitive natural habitats, centres of population and designated sites and landscapes of identified significance in the County Development Plan.
Types and characteristics of potential impacts	Having regard to the modest nature of the proposed development, its location removed from sensitive habitats/features, 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	
There is no real likelihood of significant effects on the environment.	EIA is not required.

Inspector: _____ Date: _____

Appendix 3

AA Screening Determination

Appropriate Assessment: Screening Determination (Stage 1, Article 6(3) of Habitats Directive)

I have considered the proposed development in light of the requirements of S177U of the Planning and Development Act 2000 as amended.

The proposed development comprises the construction 4 no. two storey dwelling houses together with all associated and ancillary site works.

The Planning Authority, within their assessment, undertook a screening determination of the proposed development and found that significant effects are not likely to arise, either alone or in combination with other plans and projects that will result in significant effects to any Natura 2000 area. It was concluded that a full Appropriate Assessment of this project is therefore not required.

European Sites

The proposed development site is not located within or immediately adjacent to any site designated as a European Site, comprising a Special Area of Conservation or Special Protection Area (SPA).

The boundary of the nearest European Site is within 15 km or 1 no. of European sites are located within a potential zone of influence of the proposed development.

These are:

- Seas off Wexford SPA (004237) – c.811.1m to the east.
- Wexford Harbour and Slobbs SPA (004076) – c.923m to the north-west.
- Wexford Slobbs and Harbour pNHA (000712) – c.7.5m to the north.

There are no direct natural hydrological connections from the subject site to any Natura 2000 Sites.

Screening Determination

Finding of no likely significant effects

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on the Seas off Wexford SPA (004237), the Wexford Harbour and Slobbs SPA (004076), and the Wexford Slobbs and Harbour pNHA (000712) or any other European site, in view of the Conservation Objectives of those sites and Appropriate Assessment (and submission of a NIS) is not therefore required.

This determination is based on:

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

No mitigation measures aimed at avoiding or reducing impacts on European sites were required to be considered in reaching this conclusion.