rd Party Appeal

Correspondence Coversheet

Case Number	Case Priority	Case Lodged On	Case EO	PA Reg. Reference
PL-500109-WX	Normal	21/10/2025	Cathy Carleton	20250962W

Case Details

Planning Authority
Wexford County Council

PA Reg. Reference
20250962W

Summary Description
10 year planning permission for development of an Integrated Tourism Resort Complex. A Natura Impact Statement (NIS) and Environmental Impact Assessment Report (EIAR) has been submitted with the application.

Site Location
Beak and Nemestown, Kilmore Quay, Co. Wexford.

Correspondence Details

Correspondence Type	Received From	Lodged On	Validity	Valid OH Req
3rd Party Appeal	Anthony Matthews	29/10/2025	Valid	No

Issue	Participant	Representative
BP01M — English	Anthony Matthews	—

Response Date Applicable	Number of Days Allowed	Keep Copy of Letter	Return Docs	Keep Envelope
☑	28	☑	☐	☑

Comments
—

Filing

Attach to File	Return to EO
☐	☐

Signatures

Signed	Date
Cathy Carleton	30/10/2025
Cathy Carleton, Executive Officer	
dm	6/11/25
Lauren Simone Murphy, Administrative Assistant	

Correspondence Coversheet

Payment ID: **FEE-PAY-000222**

An Coimisiún Pleanála

Section:	Processing
PA Name:	Wexford County Council

Submission Reference:	20250962W

Date:	29/10/2025
Name:	Anthony Matthews
Total:	€220.00 ✓

Attachments/Comment:	—

Created By:	Seán Young
Channel:	Registered Post

Multiple

DOD: 6/10/25

LID: 3/11/25 ✓

Name + address ✓

Dete ✓

The Secretary
An Coi[illegible]un Pleanala
64, Marlborough Street
Dublin 1
D01 V902

AN COIMISIUN PLEANÁLA
LDG- fee-pay-000222
ACP-
29 OCT 2025
Fee: € 220 Type: Cheque
Time: 9.15 By: reg post

Objection to Planning Application 20250962W , Wexford County Council
Inadequate sewage / wastewater capacity
I object to the grant of planning permission for application 20250962W (Beak/Nemestown, Kilmore, Wexford) on the grounds that the planning documentation does not demonstrate that adequate wastewater treatment and sewer network capacity exists to service the proposed development without causing deterioration of water quality or breach of licensed discharge conditions.

Reasons:
1. The proposal would add approximately 504 bedrooms (hotel, family suites, staff accommodation and lodges) — equivalent to an additional roughly 250–1,000 persons (PE) when conservatively modelled for occupancy and peak events — before accounting for high-strength loads from catering, laundry, spa/pool discharge and conference/event use. This is a substantial incremental load for a small coastal agglomeration and must be quantified in the EIAR.

2. Uisce Éireann's Wexford WWTP Capacity Register is indicative only and explicitly states that network capacity is not assessed by the register; connection offers are discretionary and require a formal Connection Agreement. The application has not publicly produced a signed Connection Agreement or demonstrated network upgrade commitments. Permission cannot lawfully be granted in the absence of that certainty.

3. EU and national law (Urban Waste Water Treatment Directive, Water Framework Directive and Waste Water Discharge Regulations) require that new developments do not cause deterioration of water bodies or breaches of discharge conditions. An EIAR and NIS have been submitted — the Planning Authority must not grant permission until it is satisfied that no adverse effects will occur and until the necessary infrastructure (or binding upgrades) is secured.

4. The EPA's recent audit of Wexford County Council (Section 63(2), April 2025) records ongoing sewage complaints, unresolved discharges and resource constraints in enforcing wastewater/inspections. Given local enforcement constraints, additional caution is warranted and binding infrastructure commitments must be made before permission is granted.

1. Regulatory obligations: EU and Irish law (Urban Waste Water Treatment Directive, Water Framework Directive and national Waste Water Discharge Regulations) require that new developments must not cause deterioration of receiving waters, must comply with discharge authorisation limits, and must not cause the WWTP or network to be overloaded. New EU rules (revision of urban wastewater rules) strengthen requirements for treatment and pollution reduction. Planning authorities must ensure compliance through conditions and by having certainty about capacity before permission is granted. An EIAR and NIS have been signalled for this project precisely because of likely significant impacts.

2. Local enforcement & resource constraints: The EPA's recent Section 63(2) audit of Wexford County Council (April 2025 report) documents ongoing sewage complaints, unresolved discharges, incomplete inspection programmes for domestic wastewater systems, and resource constraints in the Council's environmental/water enforcement functions. The audit records sewage investigations and that lack of staff/resources has hampered timely investigations/enforcement. This weakens the Council's ability to detect and manage network or discharge problems that could result from a large new load.

Quantified load estimate for 20250962W
The additional overnight bed capacity from the application text and a conservative range of likely additional persons (and thus population-equivalent wastewater load) the development could add.

High scenario (design/peak): 100% occupancy × 2 persons/bed = 1.0 × 504 × 2 = 1,008 persons.

Population Equivalent (PE): Many regulatory assessments express load as PE. For a very approximate conversion, visitor/person ~ 1 PE . Under that approximation, the resort could add roughly ~up to 1,000 PE to the local agglomeration, before considering day visitors, conference attendees, restaurant customers, pools/spa backwash, laundry and other high-strength effluent from catering and leisure facilities (which increase PE). This is a large incremental load for a small rural coastal agglomeration. (Because of uncertainties about per-person discharge and process loads, the developer should be required to provide the PE calculation used in the EIAR.)
WCC Planners report dated 02.10.2025 is stating on pages 11 'Operational Phase' a reserved capacity of 744 PE of the resort. It has not been mentioned , if this is excluding or including day visitors, conference attendees, restaurant customers, pools/spa backwash, laundry and other high-strength effluent from catering and leisure facilities. Neither does it mention the PE capacity left for Kilmore Quay village.
Taking into consideration the resort's total water consumption of 241 cbm/day and given a conservative 90% of the 241.000 ltr/

day return of the water usage into the WWTP water treatment plant, the number will be the equivalent to 1630 PE. Adding to this the present local population of 447 people, the future capacity of the waste water treatment plant after expansion will have to cope with 2077 PE instead of the recommended 1900 PE. Phase 2 construction of the modular expansion of the WwTP will provide a treatment capacity up to a population of 1900 (see AA and NIS Report, page 50)
I respectfully ask ACP to look into the apparent discrepancy between the planners report with 744 PE and the actual requirement of at least 1630 PE without considering the village needs.

How the EU/national rules apply (concise legal argument)
• UWWTD & national regulations: Additional load from the resort must not cause the agglomeration to exceed its licensed discharge conditions or cause deterioration in water quality of receiving waters. The planning authority must be satisfied that the proposal can be serviced without causing breaches of the Waste Water Discharge (Authorisation) Regulations or the Water Framework Directive objectives.
• Connection certainty requirement: The Uisce Éireannregister and national process require a Pre-Connection Enquiry and a formal Connection Agreement for new loads. The register explicitly states a connection offer is discretionary and capacity must be confirmed by UisceÉireann; the Planning Authority cannot assume capacity. The developer has indicated a total load of 241.000 ltr/day. The planning office has calculateted744 PE. It is the planning authority, which assumed the daily load, not the developer. If the developer has not produced a signed Connection Agreement showing the additional load can be accommodated (or a binding commitment to upgrade the WWTP/network funded by developer + implementation schedule), permission would be premature and inconsistent with EU/national law.

• A firm implementation schedule is missing
• Precaution and NIS/EIAR: Because an NIS and EIAR are being provided, the precautionary principle applies: where there is uncertainty about effects on Natura 2000 sites or water quality, permission should not be granted unless no significant adverse effects can be ruled out. The scale of this development, the coastal location, and the known sensitivity of many Irish coastal waters mean this is a real concern. The planning authority must demonstrate full compliance with Habitats and Water Framework obligations.

• Local enforcement capacity: The EPA audit shows the Council has ongoing resource constraints and unresolved sewage investigations — this indicates limited capacity to monitor and enforce post-planning mitigation and to quickly detect/rectify problems if discharges worsen. That is an additional reason for the Planning Authority to insist on clear, binding water infrastructure commitments before granting permission.

Natura/Water Framework compliance: the Planning Authority must perform an appropriate assessment and be satisfied beyond reasonable scientific doubt that there will be no adverse effect on integrity of any Natura site or deterioration of water bodies.

A binding wastewater management plan (design, construction, commissioning and long-term monitoring) and clear enforcement schedule (what happens if discharges exceed limits), with financial guarantees for off-site upgrades is necessary.

With a WWTP at it's maximum load no further development in Kilmore Quay will be possible, no new houses, no industrial development to support the local fishing industry, no incentive for the children to stay in Kilmore Quay.

Finally, I would ask the question:
Who wants to build and stay in a hotel, which is next to a sewage plant instead of a golf course!
The visual impact would be profound and overbearing,creating an incongruous intervention and an overdevelopment of the site.

Anthony Matthews
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Tony Matthews

28/11/2025

9 September 2025

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ACKNOWLEDGEMENT OF RECEIPT OF SUBMISSION OR OBSERVATION ON A PLANNING APPLICATION

THIS IS AN IMPORTANT DOCUMENT

KEEP THIS DOCUMENT SAFELY. YOU WILL BE REQUIRED TO PRODUCE THIS ACKNOWLEDGEMENT TO AN BORD PLEANÁLA IF YOU WISH TO APPEAL THE DECISION OF THE PLANNING AUTHORITY. IT IS THE ONLY FORM OF EVIDENCE THAT WILL BE ACCEPTED BY AN BORD PLEANÁLA THAT A SUBMISSION OR OBSERVATION HAS BEEN MADE TO THE PLANNING AUTHORITY ON THE PLANNING APPLICATION.

PLANNING AUTHORITY NAME: **WEXFORD COUNTY COUNCIL**

PLANNING APPLICATION REF NO: **20250962W**

APPLICANT: **Robert Roche**

LOCATION: **Beak/Nemestown, Kilmore**

A submission/observation in writing has been received from **Anthony Matthews** on 05-Sep-2025 in relation to the above planning application which was received by the Planning Authority on 05-Aug-2025.

The appropriate fee of €20.00 has been paid.

The submission/observation is in accordance with the appropriate provisions of the Planning and Development Regulations 2001 (as amended) and will be taken into consideration by the Planning Authority in its determination of the planning application.

WEXFORD COUNTY COUNCIL

PP Emma Seaver

Staff Officer Planning Authority Stamp
Planning and Development