

ALPHAPLAN DESIGN

HOME DESIGN AND PLANNING SERVICES

Suite 14, Block 1, Broomhall Business Park, Rathnew, Co. Wicklow A67 C634

Tel: (0404) 64123 (086) 2461269 E Mail: eugene@alphaplandesign.com

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Company Reg. No. 158820. Reg. Vat. No. IE3212037H

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RE: Appeal against Wicklow County Council's decision to refuse planning permission for a development at 19 St. Michaels Terrace, Arklow, Co. Wicklow.

Planning ref. no. 26/147

Development: Proposed demolition of existing shed on site and proposed two storey apartment building consisting of 6 apartments of 5 x two-bedroom units and 1 x one-bedroom unit with connection to services, boundaries, extension of public footpath, bin and bicycle storage, courtyard, attenuation works and associated works.

**Applicants: Liam and Trevor Mellon,
Sunnymeade,
Ballyduff South,
Arklow,
Co. Wicklow.**

AN COIMISIÚN PLEANÁLA	
LDG- <u>FEE-PAY-004819</u>	
ACP- _____	
09 OCT 2026	
Fee: € <u>1500</u>	Type: <u>CMA</u>
Time: <u>9:15</u>	By: <u>POST</u>

Dear Sir / Madam,

I wish to appeal against Wicklow County Council's decision to refuse planning permission for the above development on behalf of the applicants Liam and Trevor Mellon. Enclosed please find a copy of all drawings, documents and statements which were attached to the original planning application, together with a copy of the refusal as issued on 17th September 2026.

This appeal is merited as a previous planning application on this site for a larger development of 8 apartments was refused under planning ref. no. 26/52 in March of this year. The application under planning ref. no. 26/52 was refused with two reasons attached to the refusal issued. I attach a copy of this refusal for ease of reference.

Reason no. 1 for refusing this application.

The first reason for refusal was issued due to the absence of a Site Specific Flood Risk Assessment, as it was felt that the proposal did not demonstrate that it would not give rise to a flood risk at the location or increase the flood risk to adjoining properties.

A new application under planning ref. no. 26/147 was lodged with the planning authority. This included the preparation of a detailed Site Specific Flood Risk Assessment undertaken by a Consultant Environment Geoscientist whose practice Core Ltd. carried out detailed testing and site surveys as part of the assessment. This full and concise Flood Risk Assessment was submitted with the current application and I enclose a copy for ease of reference. This report concluded that having considered the strategic flood mapping,

historical evidence, hydraulic context, detailed site investigation, and the proposed drainage design it is considered that the proposed development can be accommodated without giving rise to unacceptable flood risk under either present-day conditions or the projected mid-range future climate change scenario. The development will not obstruct flow paths, reduce flood storage, increase run-off or displace flood waters onto adjoining lands. It will improve the management of surface water through the incorporation of infiltration-based Sustainable Urban Drainage Systems and climate- resilient drainage design.

In issuing its refusal, the Local Authority appear to have ignored the Site Specific Flood Risk Assessment (SSFRA) and all its findings and conclusions lodged with this application. Refusal reason no. 1 appears to be a carbon copy of the previous refusal reason, even though a full SSFRA was included in this application. It begs the question as to whether the SSFRA was read when being assessed as it clearly contradicts the first reason for refusal. Justification has been provided in the SSFRA for this development, but this has clearly been ignored while assessing this application. It is indeed frustrating when an application containing specialized prepared assessments only to have them ignored at planning assessment stage. Enclosed with this appeal is a statement from Core Ltd clarifying their SSFRA and clearly addressing the issues that the planning assessment has missed.

Reason no. 2 for refusing this application.

The second reason for refusing this application is basically the same as that of refusal reason no. 2 of the previous application ref. no. 26/52. Once again it appears the same wording was used which begs the question of the appropriate assessment being applied to this application. This is despite the proposed development being totally re-designed to address the concerns raised in the previous application. The current proposal is for a reduced no. of apartment units from 8 to 6 units, reduced building height, re-design reflecting the gable aspects on the west elevations reflecting the existing two storey gable aspects of nos 19 and 20 at St. Michaels Terrace, and the inclusion of a communal courtyard open space area. It is confusing that it is stated in the reason for refusal that this proposal “*is without any communal open space provision*” when the plans and site layout plan clearly indicate a paved courtyard with seating for the residents of the proposed units. A full and proper assessment appears to have been left wanting on this application due to the anomalies stated in the refusal reasons. The proximity of the first floor balconies and windows of the proposed building overlook public laneways. The southern laneway is a pedestrian link from the general Tinahask area of Arklow to the docks and south beach area. It is currently 1.0m wide and it is proposed to widen this public path to 2.0m and set the building back a further 1m. The upper windows and balcony with its high privacy screen will serve to overlook the public path and will increase the security of this pathway due to its overlooking. To state that the proximity of the proposed windows and balcony could impact the future development of the potential adjoining sites to the south is spurious to say the least as there is currently no proposal to develop the commercial yard to the south. Any future development of the commercial yard to the south of this proposal will need to be designed having regards to what is constructed in the area rather than what may or may not be constructed. This proposal has no bearing on what the future holds for the commercial yard to the south.

The upper balconies and windows to the east elevation of the proposed development are also set back 1.8m – 2m from the edge of the back lane. The back lane is another link used mainly for local access to the rear yards of the dwellings and St. Michaels Terrace and a local engineering business. Once again, the upper windows will afford a passive overlooking of this lane and will improve the security in this area. The high screens of the balconies afford

privacy to the apartments from ground level. Across the lane to the east of this proposal is the fenced Arklow Rowing Club building which is an industrial style building and is fully developed at this stage. I fail to see how this proposal will have any impact on the Rowing Club building as stated in the refusal reason no. 2.

It is important to note that apart from the courtyard communal open space proposed herein, there is the Arklow Maritime Park located less than a one-minute walk from the site and also the docks area and the south beach which is five-minutes walk. The recently commissioned Arklow Rock Walk is five-minutes walk away and all these amenities are free and for public use. Enclosed is a map indicating the location of the various public open spaces and amenities withing 400m of this site.

Overall, this application for 6 apartments on a residentially zoned site complies with the Arklow Town Development objectives and will bring to life a large unused site in a centrally located area of the town just a short walk from all Arklow's amenities. The method statement supporting this application is enclosed for ease of reference and outlines the densities, and merits of this application from a local context to provide much needed housing to this area.

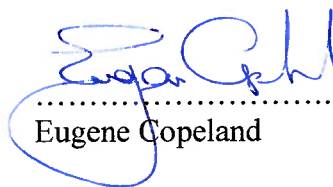
Enclosed please find all documents and drawings associated with this application and a cheque in the amount of €1,500.00 as the fee for this appeal.

Documents Enclosed herein:

- Copy of the full panning permission submission including drawings, forms, method statements, Site Specific Flood Risk Assessment, Part V agreements.
- Clarification regarding the Flood Risk Assessment.
- Historical Flood Map.
- Location map with 40m radius location.
- Clarification Statement from applicants.

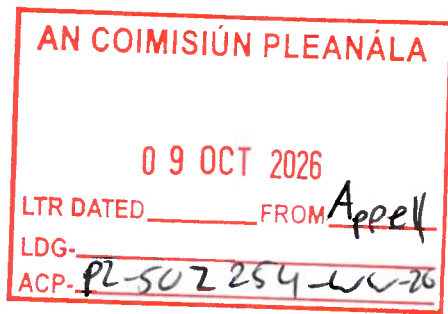
Thank you for taking the time to assess this appeal and I look forward to your final appraisal.

Yours sincerely,



.....
Eugene Copeland

Date: 7th October 2026



An Coimisiun Pleanala
64 Marlborough Street
Dublin 1

7th October 2026

Re: Planning Application 26/147

St Michael's Terrace, Arklow, Co Wicklow.

Dear Sir or Madam,

Please see outlined below some additional information for consideration.

Our flood risk assessment is very comprehensive and professionally done by a leading company specialising in this work. It clearly proves that there is no flood risk to 19 St Micheal's Terrace or the surrounding areas.

While the site is on the perimeter of a historical flood area, the site specific flood survey proves and shows:

1. This site will not flood.
2. Surrounding area will not be affected by this development.
3. That this development fully complies with both the Arklow and Wicklow County Councils flood zone regulations.

Please see enclosed, further explanation by Core LTD.

Prepared by:

Mr Pat O Sullivan B.Sc.(Hons), M.Sc., MAIG Environmental Geoscientist, CORE Ltd.

The site and proposed 6 apartments are fully compliant with planning and building regulations.

- A. It does not overlook any neighbours by its layout and design, as can be seen on the architects' drawings.
- B. It has all the requirements e.g. common area, private areas to apartments, bin storage, bicycle storage etc.

There are objections by some of the neighbours. These objections are not factual.

They state various half-truths and misleading comments in my opinion.

Most of the neighbours are in fact fully in favour of this development and stated to me;

- A. A need of housing for locals
- B. This would greatly improve the area
- C. It would make the right of way much safer to use (eg. lit up at night etc)

We do not agree with any of the statements made by objectors. The facts are I have owned this property for some 25 years and I have found that this site has never flooded, house insurance has always been available for the area.

We have spoken to most of the neighbours and they are all in favour of this development. One such neighbour living on St Michael's Terrace came to me and said that she and many others are both surprised and disappointed by the refusal. She has lived on the Terrace for 60 years and flooding has never taken place during her lifetime.

Interestingly, most of the objections are from people who are new to the area.

Yours faithfully,

Liam & Trevor Mellon.



Comhairle Chontaic Chill Mhantain, Aras an Chontae, Cill Mhantain
Wicklow County Council, County Buildings Wicklow.
Phone: 0404-20148
Fax : 0404-69462
Email: plandev@wicklowcoco.ie
Opening Hours: 9.00am – 3.30pm Monday to Friday excluding Public
Holidays

PLANNING APPLICATION FORM

BEFORE FILLING OUT THIS FORM PLEASE NOTE THE FOLLOWING

Failure to complete this form or attach the necessary documentation, or the submission of incorrect information or omission of required information will lead to the invalidation of your application. Therefore please ensure that each section of this application form is fully completed and signed, entering n/a (not applicable) where appropriate, and that all necessary documentation is attached to the application form.

ADDITIONAL INFORMATION

It should be noted that each planning authority has its own development plan, which sets out local development policies and objectives for its own area. The authority may therefore need supplementary information (i.e. other than that required in this form) in order to determine whether the application conforms with the development plan and may request this on a supplementary application form.

Please see the Supplementary Application Form which identifies specific informational requirements which are considered necessary for the assessment of Rural Housing : Level 10 and Single Housing in Level 6-9 settlements and clusters.

Failure to supply the supplementary information will not invalidate your planning application but may delay the decision-making process or lead to a refusal of permission. Therefore applicants should contact the relevant planning authority to determine what local policies and objectives would apply to the development proposed and whether additional information is required.

The Wicklow County Development Plan 2016 -2022, and Town/ Local Area Plans are available to view at <https://www.wicklow.ie/Living/Services/Planning/Development-Plans-Strategies>.

A Preplanning Guide for one off-rural housing is available online at <https://www.wicklow.ie/Living/Services/Planning/Planning-Applications/Pre-planning/Pre-Planning-Guides>.

OTHER STATUTORY CODES

An applicant will not be entitled solely by reason of a planning permission to carry out the development. The applicant may need other consents, depending on the type of development. For example, all new buildings, extensions and alterations to, and certain changes of use of existing buildings must comply with building regulations, which set out basic design and construction requirements. Also any works causing the deterioration or destruction of the breeding and resting places of bats, otters, natterjack toads, Kerry slugs and certain marine animals constitute a criminal offence unless covered by a derogation licence issued by the Minister for Culture, Heritage and the Gaeltacht (pursuant to Article 16 of the Habitats Directive).

DATA PROTECTION

It is the responsibility of persons or entities wishing to use any personal data on a planning application form for direct marketing purposes to be satisfied that they may do so legitimately under the requirements of the Data Protection Acts 1988 to 2018. The Office of the Data Protection Commissioner states that the sending of marketing material to individuals without consent may result in action by the Data Protection Commissioner against the sender including prosecution.

Planning applications may contain personal data/sensitive personal data. Wicklow County Council has put in place procedures to ensure compliance with Data Protection Legislation. If applicants wish elected representatives to make representations on their behalf and access information to their planning application they must expressly give their consent to do so by completing a data protection consent form in the attached planning pack

CONTACT DETAILS – NOT TO BE PUBLISHED.

24. Applicant Address/ Contact Details :

Address	TREND & LIAH NOLAN SUNNYMEAD BALYDOFF SLOTH DUBLIN 6
Email Address	
Telephone number (optional)	086 605 7761

25. Agents (if any) Address/ Contact Details

Address	ALPHAPLAN DESIGN Suite 14 Block 1, Broomhall Business Park Rathnew, Co. Wicklow
Email Address	Tel: 086 2461269 & 0404 64123 Email: eugene@alphaplandesign.com Website: www.alphaplandesign.com
Telephone number (optional)	
Fax No. (if any)	

Should all correspondence be sent to the agent's address (where applicable)? Please tick appropriate box.
(Please note that if the answer is 'No', all correspondence will be sent to the Applicant's address)

Yes [☒] No [☐]

A contact address must be given, whether that of the Applicant or that of the Agent.

1. Name of Relevant Planning Authority:

WICKLOW COUNTY COUNCIL

2. Location of Proposed Development:

Postal Address or Townland or Location (as may best identify the land or structure in question)	19 St MICHAELS TERRACE D21 KLOW Co Wicklow
Ordnance Survey Map Ref No. (and the Grid Reference where available) ¹	44 28 17

3. Type of planning permission (please tick appropriate box):

- ☒ Permission
- ☐ Permission for retention
- ☐ Outline Permission
- ☐ Permission consequent on Grant of Outline Permission

4. Where planning permission is consequent on grant of outline permission:

Outline Permission Register Reference Number: _____

Date of Grant of Outline Permission: ____/____/____

5. Applicant²:

Name(s)	TRUCAR & LIAM MALLON
Address MUST be supplied at the end of this form. (Question: 27)	

6. Where Applicant is a Company (registered under the Companies Acts 1963 to 1999):

<i>Name(s) of company director(s)</i>	n/a
<i>Registered Address (of company)</i>	
<i>Company Registration Number.</i>	

7. Person/Agent acting on behalf of the Applicant (if any):

<i>Name</i>	Eugene Copeland
	Address MUST be supplied at the end of this form. (Question: 25)

8. Person responsible for preparation of Drawings and Plans³:

<i>Name</i>	Eugene Copeland
<i>Firm/Company</i>	Alphaplan Design

9. Description of Proposed Development:

<i>Brief description of nature and extent of development⁴</i>	Proposed demolition of existing shed on site and proposed two storey apartment building consisting of 6 apartments of 5 x two bedroom units and 1 x one bedroom unit with connection to services, boundaries, extension of public footpath, bin and bicycle storage, courtyard, attenuation works, and associated works
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10. Legal Interest of Applicant in the Land or Structure:

Please tick appropriate box to show applicant's legal interest in the land or structure	A. Owner	B. Occupier
	C. Other	
If you are not the legal owner, please state the name and address of the owner and supply a letter from the owner of consent to make the application as listed in the accompanying documentation.		

11. Site Area:

Area of site to which the application relates in hectares	0.044 ha
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12. Where the application relates to a building or buildings:

Gross floor space ^s of any existing building(s) in m ²	120
Gross floor space of proposed works in m ²	4142 sqm
Gross floor space of work to be retained in m ² (if appropriate)	—
Gross floor space of any demolition in m ² (if appropriate)	120 as above

13. In the case of mixed development (e.g. residential, commercial, industrial, etc), please provide breakdown of the different classes of development and breakdown of the gross floor area of each class of development:

Class of Development	Gross floor area in m ²
1	442

14. In the case of residential development please provide breakdown of residential mix:

Number of	Studio	1 Bed	2 Bed	3 Bed	4 Bed	4+ Bed	Total
Houses							
Apartments		1	5				6
Number of car-parking spaces to be provided							Total: —

15. Where the application refers to a material change of use of any land or structure or the retention of such a material change of use:

Existing use ⁶ (or previous use where retention permission is sought)	PART OF PROPERTY AT 19 ST MICHAELS TERRACE - ZONED R2
Proposed use (or use it is proposed to retain)	6 No. APARTMENTS
Nature and extent of any such proposed use (or use it is proposed to retain)	AS ABOVE - RESIDENTIAL

16. Social and Affordable Housing

Please tick appropriate box	Yes	No
Is the application an application for permission for development to which Part V of the Planning and Development Act 2000 applies?	✓	X
If the answer to the above question is 'yes' and the development is not exempt (see below), you must provide, as part of your application, details as to how you propose to comply with section 96 of Part V of the Act including, for example, (i) details of such part or parts of the land which is subject to the application for permission or is or are specified by the Part V agreement, or houses situated on such aforementioned land or elsewhere in the planning authority's functional area proposed to be transferred to the planning authority, or details of houses situated on such aforementioned land or elsewhere in the planning authority's functional area proposed to be leased to the planning authority, or details of any combination of the foregoing, and (ii) details of the calculations and methodology for calculating values of land, site costs, normal construction and development costs and profit on those costs and other related costs such as an appropriate share of any common development works as required to comply with the provisions in Part V of the Act. If the answer to the above question is 'yes' but you consider the development to be exempt by virtue of section 97 of the Planning and Development Act 2008, a copy of the Certificate of Exemption under section 97 must be submitted (or, where an application for a certificate of exemption has been made but has not yet been decided, a copy of the application should be submitted). If the answer to the above question is 'no' by virtue of section 96(13) of the Planning and Development Act 2009, details indicating the basis on which section 96(13) is considered to apply to the development should be submitted.	Part V Agreement Enclosed	

17. Development Details

<i>Please tick appropriate box</i>	Yes	No
<i>Does the proposed development consist of work to a protected structure and/or its curtilage or proposed protected structure and/or its curtilage?</i>		☒
<i>Does the proposed development consist of work to the exterior of a structure which is located within an architectural conservation area (ACA)?</i>		☒
<i>Does the application relate to development which affects or is close to a monument or place recorded under section 12 of the National Monuments (Amendment) Act, 1994¹⁰</i>		☒
<i>Does the proposed development require the preparation of an Environmental Impact Assessment Report¹¹?</i>		☒
<i>Does the application relate to work within or close to a European Site (under S.I. No. 94 of 1997) or a Natural Heritage Area¹²?</i>		☒
<i>Does the application relate to a development which comprises or is for the purposes of an activity requiring an integrated pollution prevention and control licence?</i>		☒
<i>Does the application relate to a development which comprises or is for the purposes of an activity requiring a waste licence?</i>		☒
<i>Do the Major Accident Regulations apply to the proposed development?</i>		☒
<i>Does the application relate to a development in a Strategic Development Zone?</i>		☒
<i>Does the proposed development involve the demolition of any structure?</i>		☒

18. Site History

Details regarding site history (if known)

Has the site in question ever, to your knowledge, been flooded?

Yes ☐ No ☒

If yes, please give details e.g. year, extent.

Are you aware of previous uses of the site e.g. dumping or quarrying?

Yes ☐ No ☒

If yes, please give details.

Are you aware of any valid planning applications previously made in respect of this land/structure?

Yes ☒ No ☐

If yes, please state planning reference number(s) and the date(s) of receipt of the planning application(s) by the planning authority if known:

Reference No.: 20152 Date: 2020

Reference No.: _____ Date: _____

Reference No.: _____ Date: _____

If a valid planning application has been made in respect of this land or structure in the 6 months prior to the submission of this application, then the site notice must be on a yellow background in accordance with Article 19(4) of the Planning and Development Regulations 2001 as amended.

Is the site of the proposal subject to a current appeal to An Bord Pleanála in respect of a similar development¹³?

Yes ☐ No ☒

An Bord Pleanála Reference No.: _____

19. Pre-application Consultation

Has a pre-application consultation taken place in relation to the proposed development ¹⁴?
Yes ☐ No ☒
If yes, please give details:
Reference No. (if any): _____
Date(s) of consultation: ____/____/____
Persons involved: _____

20. Services (See supplementary information – Explanatory notes - page 5 and 6)

Proposed Source of Water Supply
Public Mains ☒ Group Water Scheme ☐ Private Well ☐
Existing connection ☐ New connection ☒
Other (please specify): _____
Name of Group Water Scheme (where applicable) _____
Proposed Wastewater Management/Treatment
Public Sewer ☒ Conventional septic tank system ☐
Existing ☒ New ☐
Other on-site treatment system ☐ Please specify _____
Proposed Surface Water Disposal
Public Sewer/Drain ☒ Soakpit ☐
Watercourse ☐ Other ☐ Please specify _____

21. Details of Public Notice

Approved newspaper ¹⁵ in which notice was published	Wicklow People
Date of publication	22 nd Jan 2022
Date on which site notice was erected	27 th Jan 2022

N.B. The notice must be placed in one of the following papers:- The Daily Mail, The Echo (South Wicklow only), The Evening Herald, The Examiner, The Irish Independent, The Irish Times, The Mirror, The Star, The Wicklow People, The Wicklow Times.

22. Application Fee

Fee Payable	€470.00
Basis of Calculation	Class 4 €390 Demolition €80

Fees are as stated in the Planning & Development Regulations 2001. Below is a partial guide of the various fee classes and amounts for applications for PERMISSION.

Class 1	Dwellings	€65 per dwelling
Class 2	Domestic extension/other improvement	€34 each
Class 3	Agricultural structures	€80 (min) €300 (max) See Regulations
Class 4	Other Buildings (office/ commercial/ industrial/ holiday homes)	€3.60 per m2 – min €80 per building
Class 5a	Intensive agriculture	€5 per hectare
Class 5b	Initial afforestation	€5 per hectare
Class 5c	Replacement of broadleaf forest with conifers	€5 per hectare – min €80
Class 5d	Peat extraction	€5 per hectare
Class 6	Use of land for mining or deposit of waste	€50 per 0.1 hectare – min €500
Class 7	Use of land for campsite/parking/storage	€50 per 0.1 hectare – min €80
Class 8	Plant/machinery/tanks/other storage structure	€50 per 0.1 hectare – min €200
Class 9	Advertising structures	€20 per m2 – min €80
Class 10	Overhead electricity and telecom lines	€50 per 1000m – min €80
Class 11	Golf or pitch and putt course	€50 per hectare
Class 12	Burial ground	€50 per hectare – min €200
Class 13	Any other developments	€10 per 0.1 hectare - min €80

The maximum fee for PERMISSION is €38,000

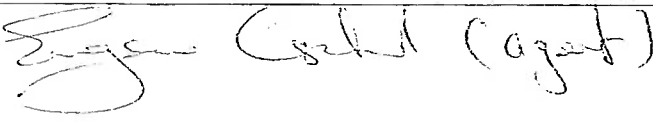
Applications for OUTLINE PERMISSION are 75% of the above amounts

Applications for PERMISSION CONSEQUENT ON OUTLINE are 25% of the above amounts.

Applications for RETENTION are 300% of the above amounts, except in the case of houses larger than 78m2 or extensions larger than 41m2 when the fee is €2.50 per m2 (min fee of €195). The maximum fee for RETENTION is €125,000.

The minimum fee for any application is €34

23. Declaration.

I hereby declare that, to the best of my knowledge and belief, the information given in this form is correct and accurate and fully compliant with the Planning & Development Act 2000, as amended, and the Regulations made thereunder:	
Signed (Applicant or Agent as appropriate)	
Date	27 th July 2026

Schedule of Drawings

Title	Drawing Size	Drawing No.	Scale
Site Identification Map			
Site Layout plan			
	See Drawing Schedule & all Supporting Documents		

CONTACT DETAILS – NOT TO BE PUBLISHED.

24. Applicant Address/ Contact Details :

Address	TREND & LIAH NELSON SUNNYMEADE BALYMOORE SOUTH DUBLIN 6
Email Address	
Telephone number (optional)	086 605 7761

25. Agents (If any) Address/ Contact Details

Address	ALPHAPLAN DESIGN Suite 14 Block 1, Broomhall Business Park Rathnew, Co. Wicklow
Email Address	Tel: 086 2461269 & 0404 64123
Telephone number (optional)	Email: eugene@alphaplandesign.com Website: www.alphaplandesign.com
Fax No. (if any)	

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(Please note that if the answer is 'No', all correspondence will be sent to the Applicant's address)

Yes [☒] No [☐]

A contact address must be given, whether that of the Applicant or that of the Agent.



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Re : Proposed demolition of existing shed on site and proposed two storey apartment building consisting of six apartments of 5 x two bedroom, and 1 x one bedroom units with connection to services, boundaries, extension of existing public footpath, bin and bicycle storage, courtyard, attenuation works, and associated works on site at 19 St. Michaels Terrace, Arklow, Co Wicklow.

Applicants T. and L. Mellon.

METHOD AND DESIGN STATEMENT

Dear Sir / Madam,

Enclosed please find completed planning application for the development of the apartment building as described in the above heading at this site in an area zoned RE (Existing Residential) in the draft Arklow Local Planning Framework 2025-2031. The site is currently vacant having been used as a domestic storage yard with a shed and ancillary to the property at no. 19 St. Michaels Terrace. It is currently in need of developing and this location is at the end of a terrace of dwellings supports its use as this proposal suggests. A previous planning application for a larger development of 8 apartments under planning ref no. 26/ 52 was recently refused. This application has addressed the concerns of the planning dept. which lead to the reasons for refusal and it is felt that as a result, this reduced and re-designed development can proceed with standard planning conditions attached.

The previous planning application had two reasons for refusal. The first reason was that the proposed development was contrary to Objective FL4 of the Arklow and Environs Local Area Plan 2018 and CPO 14.09 of the Wicklow County Development Plan. This was determined due to the absence of a Site Specific Flood Risk Assessment with the application. However, this application contains a concise Site Specific Flood Risk Assessment as prepared by Core Ltd., Environmental Geoscientists, which concludes that the development is in a safe area from flooding. It is important to consider this report in full when assessing

this application. It is considered that reason no. 1 for the previous refusal has now been addressed and this reason can be removed from any future assessment.

The second reason for refusal concerned the design of the building with overlooking, height/bulk and close proximity to site boundaries, and potential impact on possible future developments of adjoining sites to the south and east, and overdevelopment of the site, concluding that the proposed development would seriously injure the amenities of property in the vicinity, set an undesirable precedent for similar type development and would be contrary to the proper planning and development of the area. However, the current application has addressed these concerns and reason for refusal in that the building bulk and height has been reduced. The proposed development has been reduced to just six apartments, the design has reduced balcony space to the south to just a single balcony and removed any potential for overlooking to the west. The single balcony at first floor level overlooks the laneway which it is proposed to be widened as an improvement to pedestrian public access. This application cannot be responsible for any potential future development on adjacent sites in this area suffice to state that this proposal has ensured sufficient distances are maintained from the property boundaries and thereby ensuring sufficient distance is maintained for any potential future development of properties in this area. It is the role of the designer to ensure any design is sufficient to serve the site and take cognisance of the surrounding properties. This application has taken all issues into account that prompted a refusal previously. Scale of the building has been reduced which allows for a services and courtyard area for use by the residents. The roof design and building height has been reduced, and the building set back from the rear boundary wall between the site and no. 20 St Micheals Terrace thereby alleviating any overshadowing. The building has been set back from the eastern boundary to create further distance from the back lane which is a public thoroughfare. The roof gables conform to the existing roof gables at numbers 19 and 20 St. Michaels Terrace as can be seen in the contiguous street elevation drawings attached to this planning application. The finishes to the building will match the existing dwellings at St. Michaels Terrace. It is worth noting that many precedents have been set in Arklow with infill developments quite prominent in the Town area. Arklow historically was a town where pockets of undeveloped land appeared over the years and these were either developed as residential or commercial with many workshops, town houses and apartments developed up laneways and on open- ground sites. This development is within a residential area and **with a plot ratio of 1.0** is well within the permitted plot ratios for apartment developments in urban areas. The development is located over 16m from the Scouts Den property where there is a commercial yard between the public path to the south of this proposal and the den property. There is also a mature belt of mature evergreen trees along the boundary of the scouts den property which totally screens the den from the surrounding area. Enclosed photograph of the screen tree belt as exists to the present day. This development is similar distanced from any housing development for a local community development such as schools, community centres or playgrounds. The

development is minutes walk from the South Beach, Harbour area and the Rock Walk which is a local amenity recently developed as a public facility. The maritime park is less than a minute from this property.

LOCAL AREA CONTEXT:

Arklow Town is identified as a Level 3 'Self-Sustaining Growth Town' settlement in the Wicklow County Development Plan 2022-2028. Arklow Town is a home to a growing community of 13,399 people (CSO, 2022), it is a key hub of economic activity, shopping, education, recreation and administration for the east of the County. Arklow Town is part of Arklow Municipal District, with the administrative head office of the district based in its Town Hall.

Arklow Town is targeted for a high level of growth and investment with a range of state agencies working on ensuring that adequate infrastructure is or will be in place to support this growth. The settlement also has the capacity to be a driver of growth and investment for the region. The settlement is a large economically active service town, with a busy shipping port, with high quality transport links (including motorway and rail), servicing the needs of the residents of the settlement as well as a large hinterland, while enjoying abundant natural amenities and space to grow. As a level 3 town, Arklow is targeted for significant population growth of 25-30% with a target of approximately 790-1221 new homes by 2028/2031. The recently commissioned waste water treatment works will enable the growth of this town to happen and flourish.

APPLICANT OVERVIEW:

The applicant's are directors of a construction company and have been building residential and commercial developments in this area for the past 30 years and have developed as a local and trusted home builder in the Arklow area with the business continuing to thrive to the present day. It is intended that their construction company will construct this development. The applicants are the owners of the site and the house at no. 19 St. Michaels Terrace.

Site layout plan drawing no.LTM-26-021 indicates the general layout for this new proposal. This drawing indicates the overall development including the proposal for the widening of the existing public path and the extension of same to the west of the site. The path is a pedestrian link from the area known as the Fisheries to the Docks and South Beach area. This new development is accessed from the pedestrian path which is to be widened to accommodate the extra pedestrian footfall. The development has been designed in accordance with the guidelines as set out in the Urban Design Manual – A Best Practice Guide – as issued by the Dept of Environment Heritage and Local Government, Sustainable Urban Housing: Design Standards for New Apartments- Guidelines for Planning Authorities, Wicklow County Development Plan 2022-2028 and The Arklow Draft Development Plan 2025-2031. The proposed development fulfils the following criteria thus:

(a) **CONTEXT:**

The proposed development has taken into consideration the surrounding developments in this area and is in harmony with same, with overlooking treated sensitively with adequate screening and no upper floor windows to the north elevation. Boundaries have been designed to be sensitive while practical to the occupants of the apartments. The site is located in an existing mainly residential area with a mix of commercial, industrial, sporting and leisure facilities in the immediate area. The proposed development is located in an area where ease of access to all nearby town services are available.

(b) **CONNECTIONS:**

The location of the development is 5 minutes- walk from the town centre and located on a level site where ease of access to the town centre is available. The site is 5 minutes- walk to the south beach, 2 minutes from the dock / harbour area and public amenities associated with the beach area. Public transport is within 15 minutes- walk from the site with the local mainline train station and Bus Eireann/ Wexford Bus service as well as the Local Link local bus service. Shops are as close as 3 minutes- walk away and the local schools, churches and supermarkets are 15 minutes- walk from the site. There are many sports clubs and facilities in the town and these are all located between 1 minute and 15 minutes- walk from the site. All amenities are available through public walkways and roads.

(c) **ZONING:**

The lands are zoned **RE (Existing residential)** with high density development permitted in this area. The site is part of an existing high density residential area located at the end of a row of terraced dwellings where a large site was allocated to no. 19 St. Michaels Terrace and this large site allows for residential development. The site area is 512 sq.m. and the building is 618sq m over two levels giving a plot ratio of 1.20.

(c) **INCLUSIVITY:**

The building has been designed to present positive aspects to passersby and residents of this area alike. The proposed apartments will integrate with the local area of the town in that the residents have access to all the services and amenities of the town. The proposed development connects positively with the existing area, enjoys ease of access and security within the development. A lockable shared waste bin and secure bicycle storage compound is proposed where units with no direct access to the outdoor private spaces can store their bins and bicycles securely.

(d) **VARIETY:**

The proposed is for 6 apartments with 1 x one -bedroom (2 person) units, 4 x two - bedroom (3 person) units and 1 x two- bedroom (four person) units. All units have been designed with private patio balcony spaces in accordance with *Sustainable Urban Housing Design Standards for new apartments* as issued by Dept of Housing, Local Government and Heritage, and in excess of the minimum floor area requirements for apartment living

(e) **EFFICIENCY/ ENVIROMENT:**

This proposal seeks to construct the apartments to the highest and latest standards with A2 minimum BER ratings. The use of the highest standards of construction materials and insulation to be used. The use of air to water heating systems reduces the carbon footprint of these units to a minimum and accords with the latest environmental directives for apartment building. All units will be fitted with rainwater harvesting for re-use of grey water within the apartments.

(f) **LAYOUT:** The proposal takes advantage of the site and its location in this mainly residential area close to the town centre. The proposed development is accessed from the existing public path which links St. Michaels Terrace to the Dock and sea front / beach area and the Rock Walk. The existing path is to be widened as shown on the plans for ease of access to the units proposed. The central urban location of the proposed apartments allows for pedestrian and cycling tenants, where public transport is readily available close by and therefore no car parking is proposed with this development. There is public car parking spaces available in the surrounding area and around the docks area within 1-3 minutes -walk should it be required. There are many public open spaces nearby and the South Beach is located less than 400m from the site to the south west.

(g) **PUBLIC REALM:**

The public open spaces at south beach and the docks are within easy access along a level contour and within minutes- walk. As stated with this report, all shops, services and amenities including medical, civil and legal services are within a short walking distance from the site. All pedestrian paths and public roads are linked to the town centre and surrounding areas to provide interaction with the other neighbourhoods in the area.

(h) **PRIVACY AND AMENITY:**

All unit have private open space areas in the form of patios or balconies to standard in accordance with the Wicklow County Development Plan 2022 - 2028. All units are own-door with central common access from the ground floor to the units at the upper floor level. A communal courtyard is proposed wit bench seating and bins and bicycle storage off the courtyard.

(i) **SOCIAL / AFFORDABLE:**

Agreement has been reached with Wicklow County Council Housing Executive for provision of 1 social and affordable unit as indicated on the enclosed correspondence issued by Wicklow County Council Housing Executive dated 20th July 2026. The unit numbers are indicated thereon as agreed subject to contract / contract denied as standard. Details of the construction costs as required to comply with the provisions of Part V of the Planning and Development Act are enclosed herein.

(j) **CHILDCARE:**

There are no childcare requirement attached to this development of 6 units.

(k) PHASING:

It is proposed to construct the development in a single phase over a period of 12 months from commencement to completion.

(l) DESIGN REFERENCES:

1. Planning and design Standards for Apartments- Guidelines for Planning Authorities
2. Sustainable Residential Development and Compact Settlements – Guidelines for Planning Authorities.
3. Sustainable Urban Housing: Design Standards for Apartments- Guidelines for Planning Authorities
4. Development and Design Standards- Wicklow County Development Plan 2022-2028.
- 5.

It should be noted that while there were objections to the previous planning application on this site, there were many local people who supported the development of the site as it has lain vacant for many years and a development on this site would help to enhance the area rather than leave it idle at such a strategic location within the town. Enclosed photographs of the existing site, and some of the tall buildings in the immediate area of the proposed development for clarification.

Now that the previous reason for refusal have been successfully addressed, I trust the above information will be taken into consideration when assessing this application and look forward to the grant of this permission.

Yours sincerely,



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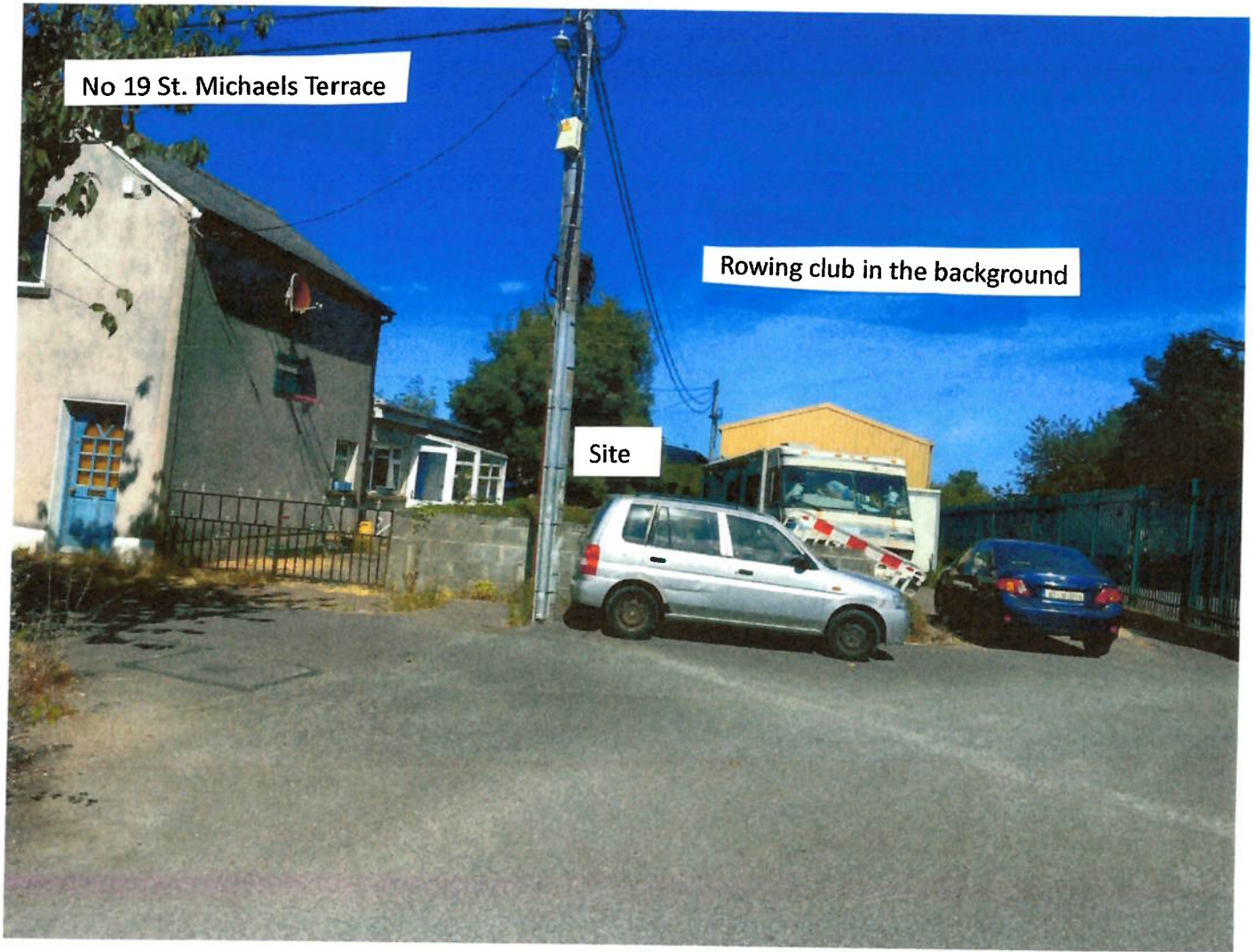
EUGENE COPELAND

24th July 26

No 19 St. Michaels Terrace

Rowing club in the background

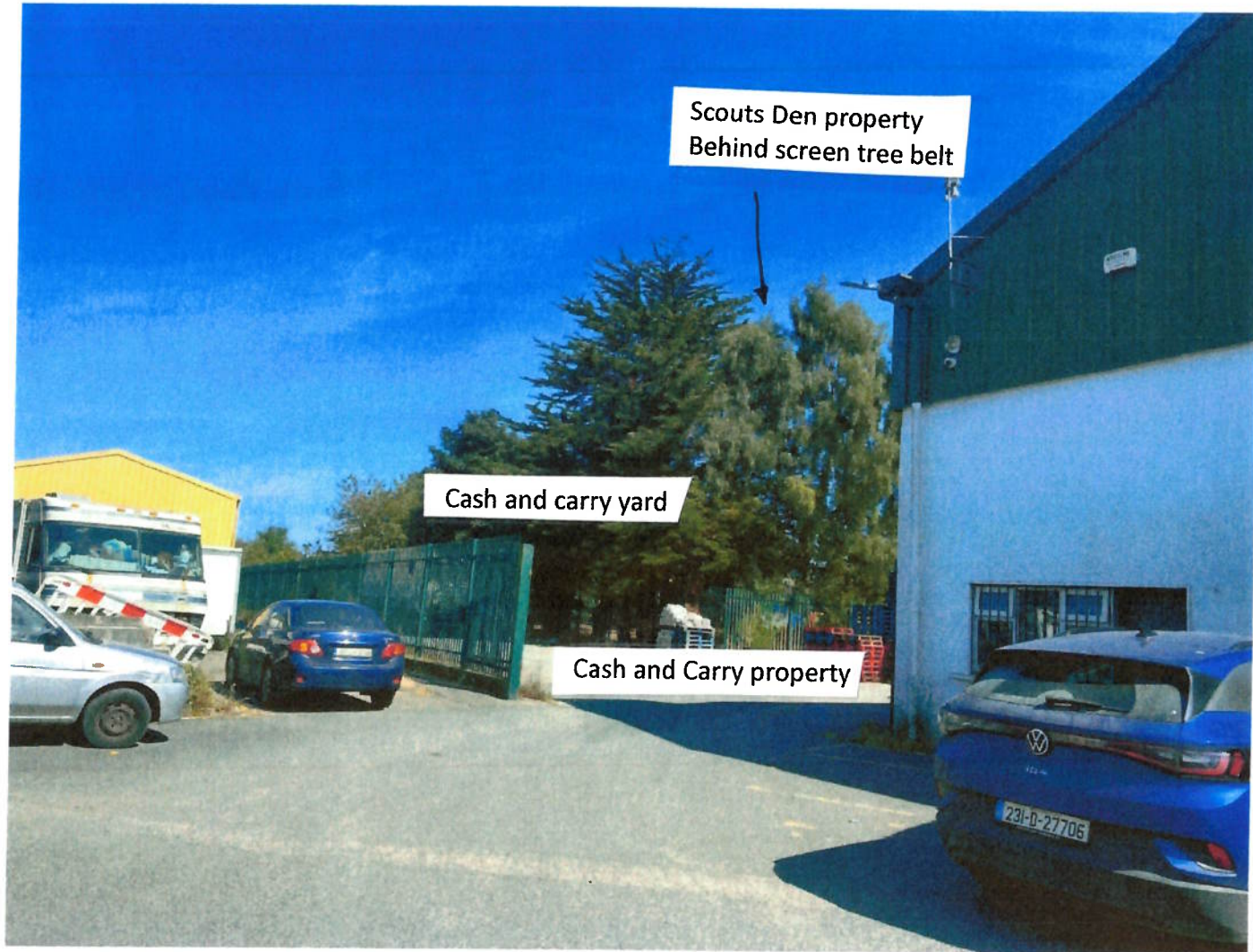
Site

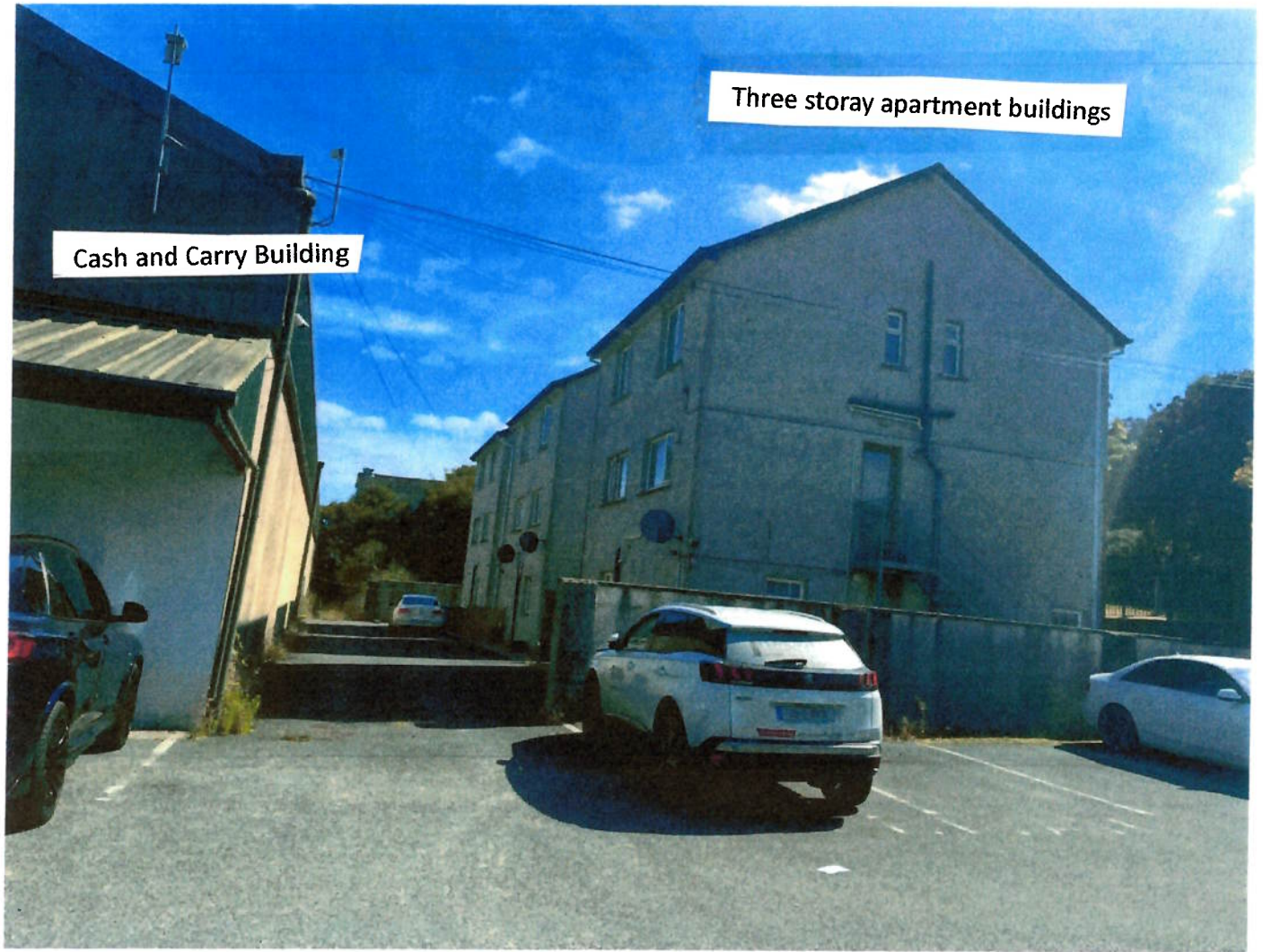


Scouts Den property
Behind screen tree belt

Cash and carry yard

Cash and Carry property





Cash and Carry Building

Three storay apartment buildings





6/10/2026

Re: 19 St. Michaels Terrace, Arklow, Co. Wicklow
Wicklow County Council Planning Register Ref. 26/147
Site-Specific Flood Risk Assessment

Dear Sir/Madam,

CORE Ltd. has been appointed to prepare a Site-Specific Flood Risk Assessment (SSFRA) in respect of the proposed residential development at St. Michael's Terrace, Arklow, Co. Wicklow. The SSFRA is submitted as additional site-specific technical information in support of the request for review by An Bord Pleanála and is intended to assist the Board in its consideration of the flood-risk and surface water drainage matters arising in respect of the proposed development.

The assessment considers the potential for fluvial, coastal, surface water and groundwater flooding, having regard to available Office of Public Works flood information, National Coastal Flood Hazard Mapping, historical flood records, relevant flood mapping and the particular physical and topographical characteristics of the application site.

Importantly, the assessment is supported by a site-specific ground investigation and infiltration testing, undertaken to establish the actual subsurface, groundwater and infiltration conditions present at the site and to inform the proposed surface water drainage strategy.

Particular consideration has been given to the site's relationship with the Avoca River and estuary, present-day and future climate-change flood scenarios, recorded historical flood events within Arklow, existing surface water conditions and the feasibility of incorporating Sustainable Urban Drainage Systems (SuDS) as part of the proposed development.

Having regard to the site-specific investigations undertaken and the information available, the SSFRA concludes that the proposed development can be accommodated without giving rise to an unacceptable flood risk, either to the proposed development or surrounding properties, subject to the implementation of the drainage and SuDS measures identified within the assessment and their appropriate development at detailed design stage.

The enclosed SSFRA should therefore be considered as a site-specific technical assessment supplementing the planning documentation and providing further evidence in relation to the flood-risk and surface water drainage considerations associated with the site.

CORE Ltd. respectfully requests that An Bord Pleanála have regard to the findings and conclusions of the enclosed Site-Specific Flood Risk Assessment in its review of the proposed development at St. Michael's Terrace, Arklow.

CORE Ltd. remains available to provide any further clarification or technical information that may reasonably be required in relation to the assessment.

Yours faithfully,





Comhairle Contae Chill Mhantáin Wicklow County Council

Forbairt Pleanála agus Comhshaol Planning Development and Environment

Áras An Chontae / County Buildings
Cill Mhantáin / Wicklow
Guthán / Tel: (0404) 20148
Faics / Fax: (0404) 69462
Rphost / Email: plandev@wicklowcoco
Suíomh / Website: www.wicklow.ie

PRR No: 26/147

28/07/2026

T & L Mellon
C/O Alphaplan Design
Suite 14, Block 1
Broomhall Business Park
Rathnew
Co. Wicklow

**Re: Planning and Development Acts 2000 (As Amended)
Planning Register Reference No: 26/147**

A Chara,

It is desired to acknowledge receipt of your application for PERMISSION for Proposed demolition of existing shed on site & proposed two-storey apartment building consisting of 6 apartments of 5 x two-bedroom units and 1x one-bedroom unit with connection to services, boundaries, extension of public footpath, bin and bicycle storage, courtyard, attenuation works and associated works at 19 St. Michaels Terrace, Arklow, Co. Wicklow, which was received on 27/07/2026 and to state that it is receiving attention.

It is drawn to your attention that the site notice must be maintained in position for a period of five weeks from the date of receipt of the application by the planning authority and shall be renewed or replaced if it becomes defaced or illegible within that period. This application may be declared invalid if the planning authority considers that the requirements of articles 17[1][b], 19 & 20 of the Planning and Development Regulations have not been met.

Please be advised that the assessment of this application will include inspection of the site by officers of the Local Authority and may also include inspection by officers of other statutory bodies. It is your responsibility to ensure that access is made available to any inspection officer and that the property is safe for inspection. In this regard, you are required to ensure there are no hazards on the property such as

- unsafe ground, excavations, trenches/holes (Any trial hole must be suitably safe for inspection)
- Loose dogs or other dangerous animals
- Items of a noxious or dangerous nature such as chemicals or machinery
- Electrified fences in operation

Mise le meas,

**SENIOR EXECUTIVE OFFICER
PLANNING, ECONOMIC AND RURAL DEVELOPMENT**

*To an tseirbhísí agus na h-ábairt a bhaineann le h-ádhúlacht
To the Director of Services, Planning Development and Environment*

Ba chóir gach comhfhreagras a sheoladh chuig an Stúirthóir Seirbhíse, Forbairt Pleanála agus Comhshaol
All correspondence should be addressed to the Director of Services, Planning Development & Environment.





Comhairle Contae Chill Mhantáin Wicklow County Council

Tithíocht - Housing

Áras An Chontae / County Buildings
Cill Mhantáin / Wicklow
Guthán / Tel: (0404) 20120
Faics / Fax: (0404) 67792
Suíomh / Website: www.wicklow.ie

Eugene Copeland,
Alphaplan Design,
Suite 14, Block 1,
Broomhall Business Park,
Rathnew,
Co. Wicklow,
A67 C634

20th July 2026

**RE: PROPOSED PLANNING APPLICATION FOR DEVELOPMENT OF 6 APARTMENTS AT
19 ST. MICHAEL'S TERRACE, ARKLOW, CO. WICKLOW
APPLICANT LIAM & TREVOR MELLON,
AGENT ALPHAPLAN DESIGN.**

SUBJECT TO CONTRACT AND CONTRACT DENIED

Dear Mr. Copeland,

I refer to the above proposed Planning Application by Alphaplan Design on behalf of your clients, Liam and Trevor Mellon, for 6 apartments at development address 19. St. Michael's Terrace, Arklow, Co. Wicklow and your submission received on 17th July 2026 to the Council in relation to the manner in which the Developer proposes to fulfill their obligations under Part V of the Planning and Development Acts as amended.

Subject to Contract and to further detailed agreement upon the grant of a Planning Permission for the above development, I can confirm that Wicklow County Council is agreeable in principle, only that your clients' Part V obligations may be satisfied by the provision of 1 unit as follows:

1 x 1 bed 2-person apartment on the first-floor no. 6.

This is as included in your submission received on 17th July 2026 and outlined in proposed site layout plan no. LTM-26-11 and Drawing nos. LTM-26-12.

The unit proposed is significantly oversized at a gross floor area of 70sqm and a net floor area of 65sqm against a target of 45sqm and is not acceptable. Please note that in order for the Council to receive funding the units should meet the Quality Housing for Sustainable Communities Guidelines. It appears that other proposed apartments within the development may be more suitable and Wicklow County Council's preference is for ground floor, own door, apartments.

It should be noted that this letter is preliminary only and that the final provision in compliance with you/your clients Part V obligations and the costings relating thereto which



are yet to be agreed can only be agreed on the issue of a Final Grant of Planning Permission whether by Wicklow County Council or by An Bord Pleanala on appeal.

It should be noted that where developments proposed are for apartments, without own door access, communal stairs or communal halls, shared access passages under or behind units and communal bin storage, large areas of external paving and timber decking, dormer windows, valleys or parapets, timber cladding, wooden windows and doors, flat roofs and small sections of flat roofs over doors or windows or balconies, social leasing to Approved Housing Bodies may be more appropriate to fulfill Part V requirements. Developers should notify the housing authority where they are engaging with an approved housing body, in this regard.

Please also note that if the development is proposed to be carried out in phases, a Final Agreement will have to be reached prior to the commencement of development on foot of such Planning Permission as to the phasing of the development and the phasing of the satisfying of your/your clients Part V obligations under the said Planning Permission when granted.

When applying for this permission, the Directors of the company should indicate their assent to the proposals that you have negotiated on their behalf.

Article 22 (2)(e) of the Planning and Development Regulations has been amended and now imposes specific requirements in relation to the details which need to be submitted as part of the planning application as to how the applicant proposes to comply with a Part V condition.

Where an applicant fails to submit the required minimum details for a Part V proposal, failure to submit proposals in full may result in the planning authority invalidating an application on the grounds of non-compliance with article 22(2)(e). Your planning application should include

1. How you propose to discharge his/her Part V obligation as regards a section of a preferred option from the options available under the legislation.
2. Details in relation to the units or land to be provided and
3. Financial aspects – it is noted that indicative costs have not been submitted and should also be submitted with your planning applications.

Please note that any Contract for Sale and or Building Agreement resulting from the Part V or Turnkey process will have to be notified to Revenue and assessed for Relevant Contract Tax (RCT) and VAT compliance.

Yours sincerely,



David Porter
Administrative Officer
Housing, Capital Projects
Wicklow County Council

ALPHAPLAN DESIGN

HOME DESIGN AND PLANNING SERVICES

Suite 14, Block 1, Broomhall Business Park, Rathnew, Co. Wicklow A67 C634

Tel: (0404) 64123 (086) 2461269 E Mail: eugene@alphaplandesign.com

Website: www.alphaplandesign.com

Company Reg. No. 158820. Reg. Vat. No. IE3212037H

RE: Part V preliminary agreement proposal - Proposed 6 apartments at 19 St. Michaels Terrace, Arklow, Co. Wicklow.

Applicants: Liam and Trevor Mellon

Part V – Two bedroom apartment construction cost:

Site cost	€20,000.00
Demolition	€3,000.00
Preliminaries	€10,000.00
Site clearance and pre works	€7,000.00
Services, drainage	€10,000.00
Superstructure	€60,000.00
Roof and glazing	€30,000.00
Plastering	€15,000.00
Wiring and plumbing	€30,000.00
Insulation	€5,000.00
Balcony	€5,00.00
Sanitary and Tiling	€5,000.00
Fit out	€10,000.00
Bin / Bike store	€5,000.00
Paving / landscaping	€5,000.00
Painting / decorating	€5,000.00
Total:	€225,000.00
Vat at 13.5%	€30,375.00
Total cost	€255,405.00



.....
Eugene Copeland

Date: 20th July 2026



Comhairle Contae Chill Mhantáin Wicklow County Council

Pleanáil, Forbairt Eacnamaíochta agus Tuaithe
Planning, Economic and Rural Development

Áras An Chontae / County Buildings
Cill Mhantáin / Wicklow
Guthán / Tel: (0404) 20148
Faics / Fax: (0404) 69462
Rphost / Email: plandev@wicklowcoco.i
Suíomh / Website: www.wicklow.ie

PLANNING & DEVELOPMENT ACTS 2000 (as amended)

NOTIFICATION OF DECISION TO REFUSE

T & L Mellon
C/O Alphaplan Design
Suite 14, Block 1
Broomhall Business Park
Rathnew
Co. Wicklow

Planning Register Number: 26/147

Valid Application Received: 27/07/2026

Further Information Received Date:

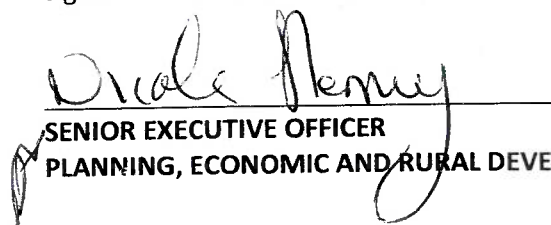
In pursuance of the powers conferred upon them by the above-mentioned Acts, Wicklow County Council has by Order dated 17/09/2026 decided to REFUSE TO GRANT PERMISSION for development of land, namely: -

Proposed demolition of existing shed on site & proposed two-storey apartment building consisting of 6 apartments of 5 x two-bedroom units and 1x one-bedroom unit with connection to services, boundaries, extension of public footpath, bin and bicycle storage, courtyard, attenuation works and associated works at 19 St. Michaels Terrace, Arklow, Co. Wicklow,

For the 2 reasons set out in the Schedule hereto.

An appeal against this decision may be made to An Coimisiún Pleanála within the prescribed period - see footnote.

Signed on behalf of Wicklow County Council


SENIOR EXECUTIVE OFFICER
PLANNING, ECONOMIC AND RURAL DEVELOPMENT

Date: 17/09/2026

*Tá na sonraigh seo ar fáil i bhformáid eile ar líne
This document is available in alternative formats on request*

Ba chóir gach comhfhreagras a sheoladh chun an Stiúrthóir Seirbhísi, Pleanáil, Forbairt Eacnamaíochta agus Tuaithe
All correspondence should be addressed to the Director of Services, Planning, Economic and Rural Development.



PLANNING & DEVELOPMENT ACT 2000 (as amended)

Reference Number in Register: 26/147

SCHEDULE

1. Having regard to:

- a) The location of the proposed residential development in a Flood Zone A,
- b) The failure of the applicant to fully demonstrate that the proposal will not give rise to a flood risk at this location or increase the flood risk to adjoining properties and;
- c) The SFRA which accompanies the Arklow Local Planning Framework 2026 and the SFRA for the 2022-2028 County Development Plan, noting this site fails the plan making justification test, and the need to apply a Justification Test for infill housing at this location;

It is considered that the proposal would be contrary to Objective ARK 90 of the Arklow Local Planning Framework 2026 and CPO 14.09 of the 2022-2028 Wicklow County Development Plan which state that 'Developments that are an 'inappropriate' use for a flood zone area, as set out in Table 3.2 of the Guidelines, will not be permitted, except where a proposal complies with the justification Test for Development Management', as set out in Box 5.1 of the Planning System and Flood Risk Management, Guidelines for Local Authorities 2009", would be prejudicial to public health, would be contrary to the zoning objectives for the site which seeks 'to protect, provide and improve residential amenities of existing residential areas' and would set an undesirable precedent for similar type proposals in the area. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

2. Having regard to:

- a) The layout and design of the proposed apartment block which is materially at odds with the prevailing residential pattern of development in this area;
- b) The scale, massing and design of the proposed apartment block, resulting in a development that would be visually intrusive when viewed from adjoining residential properties in particular No.s 19 and 20 Saint Michaels Terrace,
- c) The proposal for a six-unit apartment block without any communal open space provision and
- d) The proximity of first floor balconies and windows to the southern and eastern boundaries which could impact on the future development potential of the adjoining sites and;

It is considered that the proposed development would result in the overdevelopment of the site and a substandard and haphazard form of residential development which would be contrary to Objectives CPO 6.3, CPO 6.4, CPO 6.5 and CPO 6.16 of the 2022-2028 County Development Plan which seek the highest possible standard of living for future occupants and the highest quality of layout and design for new residential developments, while protecting existing residential amenity and be contrary to the zoning objective of the site, RE Existing Residential which is "To protect, provide and improve residential amenities of existing residential areas". The proposed development would injure the amenities of property in the vicinity, set an undesirable precedent for similar type development and would be contrary to the proper planning and sustainable development of the area.



COMHAIRLE CONTAE CHILL Mhantáin Wicklow County Council

Pleanáil, Forbairt Eacnamaíochta agus Tuaithe
Planning, Economic and Rural Development

Áras An Chontae / County Buildings
Cill Mhantáin / Wicklow
Guthán / Tel: (0404) 20148
Faics / Fax: (0404) 69462
Rphost / Email: plandev@wicklowcoco.ie
Suíomh / Website: www.wicklow.ie

PLANNING & DEVELOPMENT ACTS 2000 (as amended)

NOTIFICATION OF DECISION TO REFUSE

Trevor and Liam Mellon
C/O Alphaplan Design
Suite 14, Block 1
Broomhall Business Park
Rathnew
Co. Wicklow

Planning Register Number: 26/52

Valid Application Received: 09/03/2026

Further Information Received Date:

In pursuance of the powers conferred upon them by the above-mentioned Acts, Wicklow County Council has by Order dated 28/04/2026 decided to REFUSE TO GRANT PERMISSION for development of land, namely:-

demolition of existing shed on site and proposed two storey apartment building consisting of eight apartments of 6 x two bedroom, and 2 x one bedroom units with connection to services, boundaries, extension of existing public footpath, walled compound for bin and bicycle storage, and associated works on site at 19 St. Michaels Terrace, Arklow, Co. Wicklow,

For the 2 reasons set out in the Schedule hereto.

An appeal against this decision may be made to An Coimisiún Pleanála within the prescribed period - see footnote.

Signed on behalf of Wicklow County Council


SENIOR EXECUTIVE OFFICER
PLANNING, ECONOMIC AND RURAL DEVELOPMENT

Date:- 28/04/2026



PLANNING & DEVELOPMENT ACT 2000 (as amended)
Reference Number in Register: 26/52

SCHEDULE

1. Having regard to:

- a) The location of the proposed residential development in a Flood Zone A,
- b) The absence of a Site Specific Flood Risk Assessment of the proposal,
- c) The failure of the applicant to fully demonstrate that the proposal will not give rise to a flood risk at this location or increase the flood risk to adjoining properties and;
- d) The SFRA which accompanies the 2018 Arklow and Environs Local Area Plan and the SFRA for the 2022-2028 County Development Plan, noting this site fails the plan making justification test, and the need to apply a Justification Test for infill housing at this location;

It is considered that the proposal would be contrary to Objective FL4 of the Arklow and Environs Local Area Plan 2018 and CPO 14.09 of the 2022-2028 Wicklow County Development Plan which state that 'Developments that are an 'inappropriate' use for a flood zone area, as set out in Table 3.2 of the Guidelines, will not be permitted, except where a proposal complies with the justification Test for Development Management', as set out in Box 5.1 of the Planning System and Flood Risk Management, Guidelines for Local Authorities 2009", would be prejudicial to public health, would be contrary to the zoning objectives for the site which seeks 'to protect, provide and improve residential amenities of existing residential areas' and would set an undesirable precedent for similar type proposals in the area. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

2. Having regard to:

- a) The layout and design of the proposed apartment block which is materially at odds with the prevailing residential pattern of development in this area;
- b) The scale, massing and design of the proposed apartment block, resulting in a development that would be visually intrusive and overbearing when viewed from adjoining residential properties in particular No.s 19 and 20 Saint Michaels Terrace,
- c) The proposed west facing first floor windows and a balcony, while comprising of obscured glazing, due to their close proximity to the rear boundary of No. 19 would result in perceived overlooking and have an undue impact on the privacy and amenity of this property;

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- d) the proposal for an eight-unit apartment block without any communal open space provision and;
- e) The proximity of first floor balconies and windows to the southern and eastern boundaries which could impact on the future development potential of the adjoining sites,

The proposed development would result in the overdevelopment of the site and a substandard and haphazard form of residential development which would be contrary to Objectives CPO6.3, CPO 6.4, CPO 6.5 and CPO 6.16 of the 2022-2028 County Development Plan which seek the highest possible standard of living for future occupants and the highest quality of layout and design for new residential developments, while protecting existing residential amenity and be contrary to the zoning objective of the site, RE Existing Residential which is *"To protect, provide and improve residential amenities of existing residential areas"*. The proposed development would seriously injure the amenities of property in the vicinity, set an undesirable precedent for similar type development and would be contrary to the proper planning and sustainable development of the area.



SITE SPECIFIC FLOOD RISK ASSESSMENT

Saint Michael's Terrace, Arklow

Prepared By:

Pat O'Sullivan B.Sc. (Hons), M.Sc., MAIG
Environmental Geoscientist, CORE Ltd.



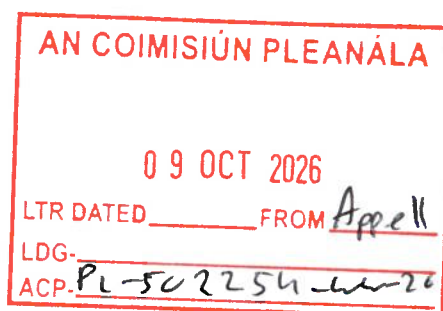
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EXECUTIVE SUMMARY

This Site-Specific Flood Risk Assessment (SSFRA) has been prepared in support of the proposed residential development at St Michael's Terrace, Arklow, County Wicklow. The assessment considers potential flood risk from fluvial, coastal, surface water and groundwater sources.

The assessment has been undertaken having regard to the Planning System and Flood Risk Management Guidelines for Planning Authorities (2009), Office of Public Works (OPW) Catchment Flood Risk Assessment and Management (CFRAM) mapping, National Coastal Flood Hazard Mapping (2021), historical flood records and site-specific ground investigations undertaken within the application site.

Review of the available flood mapping indicates that the principal fluvial and coastal flood hazards within Arklow remain concentrated along the Avoca River corridor, harbour lands and estuarine margins. Although the National Coastal Flood Hazard Mapping identifies the application site as lying adjacent to the outer margin of the strategic future climate change flood envelope, the mapping does not identify a continuous hydraulic pathway between the estuary and the site. The site is located approximately 300 metres inland and is separated from tidal waters by established residential, commercial and industrial development together with roads, boundary walls and associated infrastructure.

The site investigation confirmed the presence of approximately 0.5 m of topsoil overlying dense, free-draining silty fine to medium sands extending beyond the base of the excavation. No groundwater was encountered to a depth of approximately 1.5 m below existing ground level and no evidence of gleying, peat, alluvial deposits or prolonged saturation was observed. BRE365 infiltration testing confirmed that the underlying sandy subsoil possesses suitable infiltration characteristics capable of supporting Sustainable Urban Drainage Systems (SuDS).

The proposed development incorporates a range of SuDS measures including rainwater harvesting, permeable paving, rain gardens and infiltration features designed in accordance with the SuDS management train. These measures will intercept rainfall at source, reduce peak runoff rates, promote infiltration, provide attenuation storage and improve water quality while ensuring that post-development runoff does not exceed existing greenfield runoff characteristics.

Having regard to the strategic flood mapping, historical flood records, detailed site investigation, BRE365 infiltration testing and the proposed drainage strategy, it is concluded that the proposed development will not be subject to unacceptable flood risk, will not increase flood risk elsewhere and will provide a measurable improvement in surface water management compared with the existing site while ensuring that post-development runoff does not increase flood risk either on-site or elsewhere. The proposed development is therefore considered to accord with national flood risk management policy and the objectives of the Wicklow County Development Plan.

1.0 INTRODUCTION

This Site Specific Flood Risk Assessment has been prepared to accompany a planning application for residential development at St Michael's Terrace, Arklow.

This assessment has been undertaken to establish whether flood risk represents a constraint to the proposed development and whether the proposed drainage strategy is capable of managing runoff without increasing flood risk elsewhere.

This assessment has been prepared in response to the Further Information request issued by Wicklow County Council, which sought a Site Specific Flood Risk Assessment demonstrating that the proposed development would not increase flood risk on the site or adjoining lands and that appropriate measures are proposed for the management of surface water runoff.

2.0 SITE DESCRIPTION

The application site forms part of the established urban fabric of Arklow and does not occupy an active river corridor, estuarine floodplain or undeveloped coastal margin. Existing drainage patterns have been substantially modified through historic urban development and the site is hydraulically separated from the principal fluvial and tidal flood mechanisms affecting the Avoca River and estuary. Existing surface water runoff is currently managed through a combination of infiltration into the underlying permeable soils, overland flow across hardstanding and discharge to the local drainage network.

The proposed redevelopment presents an opportunity to significantly improve the existing drainage regime through the incorporation of Sustainable Urban Drainage Systems (SuDS), including source control, infiltration and attenuation measures that replicate natural hydrological processes. Consequently, redevelopment will provide a betterment in surface water management while ensuring that post-development runoff is appropriately controlled and does not increase flood risk either within the site or on adjoining lands.

3.0 POLICY AND LEGISLATIVE CONTEXT

This Site-Specific Flood Risk Assessment has been prepared having regard to the Planning System and Flood Risk Management Guidelines for Planning Authorities (DoEHLG/OPW, 2009), together with the accompanying Technical Appendices. The Guidelines establish the national framework for integrating flood risk management into the planning process and seek to ensure that new development avoids areas of unacceptable flood risk wherever practicable, while ensuring that development does not increase flood risk elsewhere.

A fundamental principle of the Guidelines is the application of the Sequential Approach, whereby development should be directed towards lands at lower probability of flooding in preference to higher-risk areas. The proposed development comprises infill redevelopment within the established urban area of Arklow and therefore represents the type of development anticipated by the Guidelines where flood risk can be demonstrated to be acceptable through site-specific assessment. Where development is proposed

within an established urban area, site-specific investigations are required to demonstrate that flood risk can be appropriately assessed and managed. Where necessary, the Guidelines also provide for the application of the Justification Test to facilitate appropriate development within existing settlements.

This assessment has also considered the strategic flood mapping and hydraulic modelling prepared by the Office of Public Works (OPW) under the Catchment Flood Risk Assessment and Management (CFRAM) Programme together with the National Coastal Flood Hazard Mapping (2021), including both the Present-Day and Mid-Range Future climate change scenarios. These datasets provide the strategic context for assessing fluvial and coastal flood risk but are supplemented within this report by detailed site-specific investigations.

At a local level, the assessment has been undertaken having regard to the objectives of the Wicklow County Development Plan and the Arklow Local Area Plan, both of which require development proposals to appropriately consider flood risk, incorporate Sustainable Urban Drainage Systems (SuDS) wherever practicable, and avoid increasing flood risk on adjoining lands.

The principal objective of this assessment is to determine whether the proposed development can be safely accommodated without increasing flood risk to the site itself or elsewhere. The conclusions presented within this report are based upon strategic flood mapping, historical flood information, site-specific ground investigation, BRE365 infiltration testing and the proposed Sustainable Urban Drainage Strategy.

4.0 FLOOD RISK ASSESSMENT

4.1 Arklow Flood Risk Context

Arklow was identified as an Area for Further Assessment (AFA) under the Office of Public Works Catchment Flood Risk Assessment and Management (CFRAM) Programme due to known flood risks associated with the Avoca River, Arklow Harbour and adjoining low-lying coastal lands. The designation reflects flood risk at a settlement-wide scale and does not imply that all lands within the town are vulnerable to flooding. This strategic assessment is supported by a site-specific ground investigation confirming well-drained sandy subsoils with no groundwater encountered to 1.5 m depth.

Detailed hydraulic modelling undertaken as part of the CFRAM Programme identified the principal fluvial and tidal flood pathways affecting Arklow and forms the basis of the OPW Flood Risk Management Plan. The modelling demonstrates that the primary flood hazards remain concentrated along the Avoca River corridor, harbour lands and estuarine margins, where the lowest ground levels occur. The application site occupies an established inland urban location that is physically separated from these principal flood mechanisms.

The following assessment therefore examines the strategic flood mapping together with historical flood information, site-specific ground investigation and BRE365 infiltration testing to establish the actual flood risk affecting the application site, rather than relying solely upon settlement-scale flood mapping.

4.2 OPW Community Flood Mapping

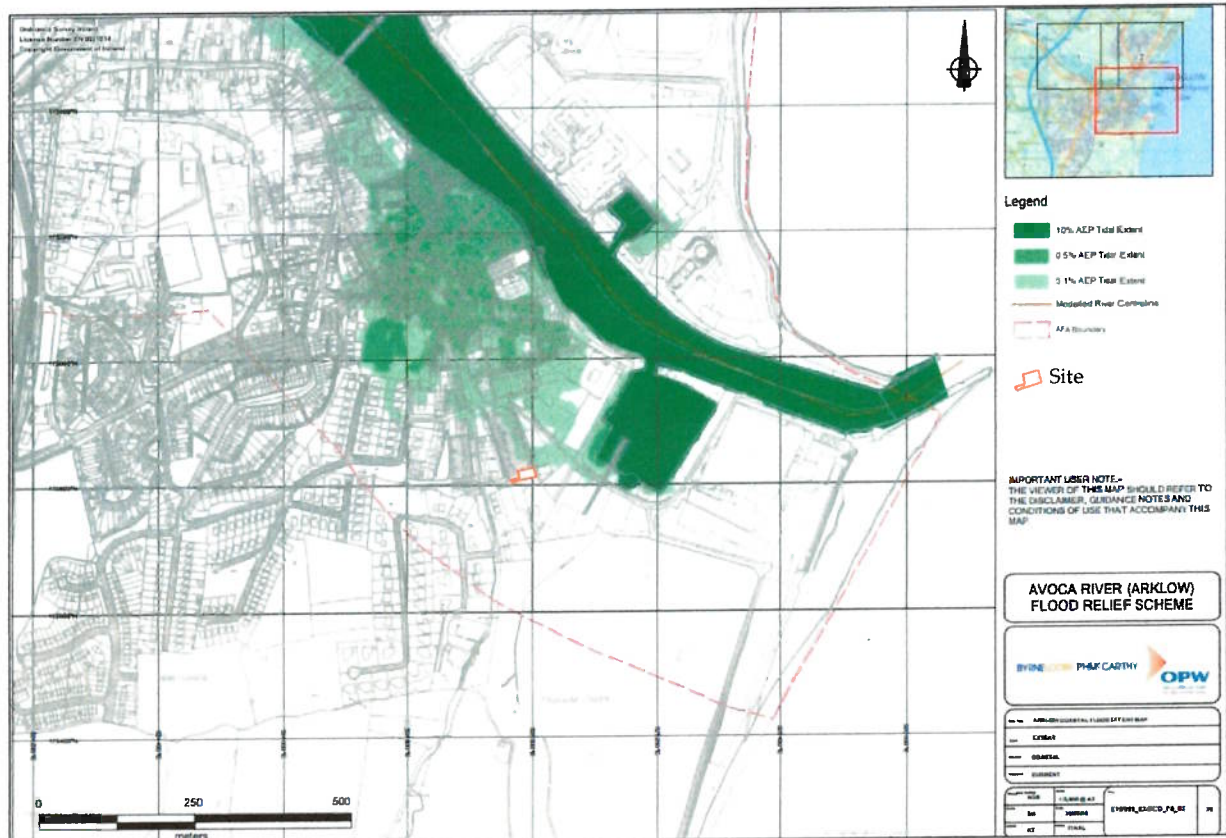


Figure 4.1: OPW Community-Scale Coastal Flood Extents (Present Day)

Figure 4.1 illustrates the Office of Public Works (OPW) Community-Scale Coastal Flood Extents for present-day conditions. The mapping identifies the predicted extent of tidal flooding associated with a range of Annual Exceedance Probability (AEP) events and provides the strategic basis for assessing coastal flood risk within Arklow under current conditions.

The application site is situated immediately west of the mapped 0.1% AEP tidal flood extent. This flood extent represents an extreme event with an annual probability of occurrence or exceedance of 0.1% (approximately a 1 in 1,000-year event) and therefore reflects a highly precautionary assessment of exceptionally rare tidal conditions rather than a flood event expected to occur during the normal lifetime of most developments.

The OPW hydraulic modelling demonstrates that the greatest coastal flood hazard remains concentrated within the harbour basin, marina, South Quays and the immediate margins of the Avoca Estuary, where low ground levels and direct hydraulic connectivity with tidal waters permit inundation during extreme tidal events. In contrast, the application site occupies an inland urban location approximately 300 m west of the estuary and is separated from the tidal floodplain by established residential development, commercial premises, roads, boundary walls and associated infrastructure.

Although the application site lies close to the outer margin of the mapped 0.1% AEP flood extent, the OPW mapping does not identify a continuous hydraulic pathway by which tidal floodwaters could

propagate from the estuary to the site. Rather, the mapped flood hazard remains focused on the low-lying harbour and estuarine areas, with the site located beyond the principal tidal flood mechanisms affecting Arklow. The significance of the site's position relative to the mapped flood envelope is considered further in the following sections through detailed review of the National Coastal Flood Hazard Mapping, historical flood records and the findings of the site-specific ground investigation.

4.3 Fluvial Flood Assessment

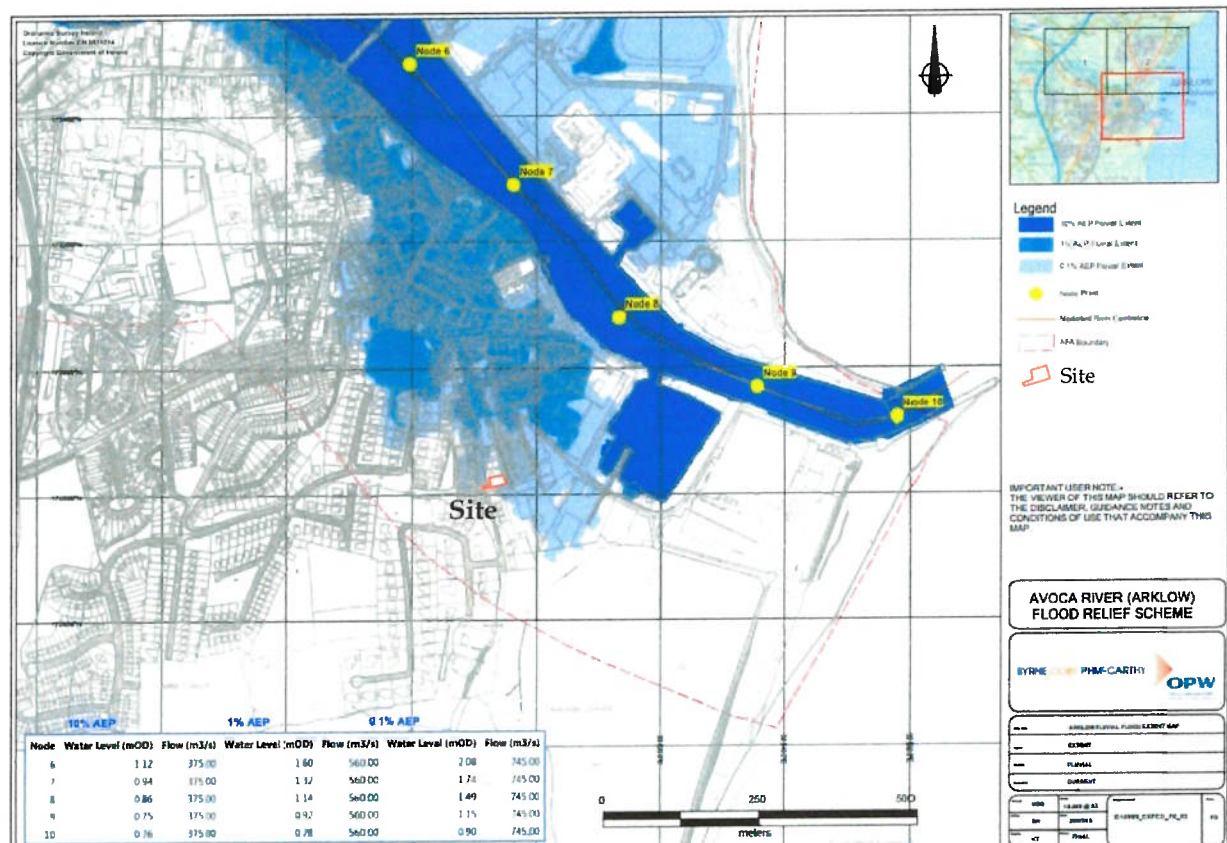


Figure 4.2 Current Fluvial Flood Extent Map

Figure 4.2 illustrates the Office of Public Works (OPW) hydraulic modelling for fluvial flooding associated with the Avoca River. The modelling identifies the predicted extent and direction of floodwaters during significant river flood events and provides an indication of the principal overland flow routes within the wider Arklow area.

The hydraulic modelling demonstrates that, during extreme fluvial events, floodwaters remain largely confined to the Avoca River corridor, adjoining floodplain and the low-lying harbour lands before naturally discharging towards the estuary. The predicted flood flow paths follow the lowest available ground and are concentrated along the river channel and adjoining floodplain, with no indication that floodwaters extend through the established urban area in which the application site is located.

The application site is situated approximately 300 m west of the Avoca River and is physically separated from the principal fluvial floodplain by established residential, commercial and industrial development

together with roads, boundary walls and associated infrastructure. This urban environment substantially interrupts any potential overland flow route between the river and the site and provides no continuous hydraulic connection to the principal fluvial flood mechanisms identified by the OPW modelling.

The hydraulic assessment therefore indicates that fluvial flooding at the application site is unlikely to arise directly from the Avoca River. Instead, the mapped flood hazard remains focused within the natural river corridor and adjacent low-lying lands, consistent with the historical pattern of flooding recorded within Arklow. The relationship between the application site and the broader strategic flood envelopes is examined further through the National Coastal Flood Hazard Mapping and the findings of the site-specific ground investigation presented in the following sections.

4.4 National Coastal Flood Mapping (Present Day)

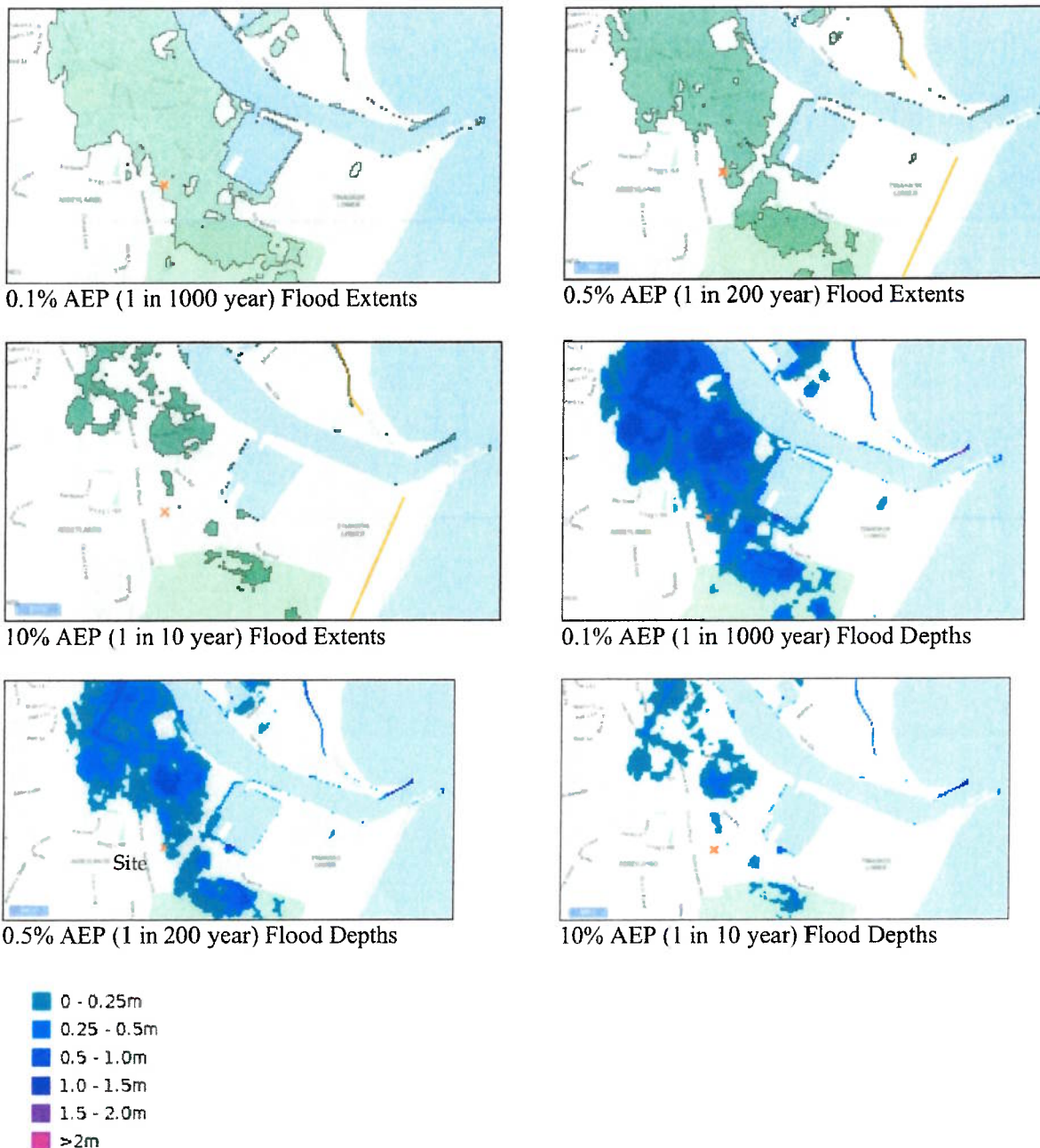


Figure 4.3 National Coastal Flood Mapping 2021 to present day

Having considered the present-day fluvial flood mechanisms affecting the Avoca River, the assessment next examines the National Coastal Flood Hazard Mapping (2021) for present-day conditions. This mapping forms part of the national strategic flood risk dataset prepared to support spatial planning and identifies the predicted extent of tidal flooding associated with a range of Annual Exceedance Probability (AEP) events.

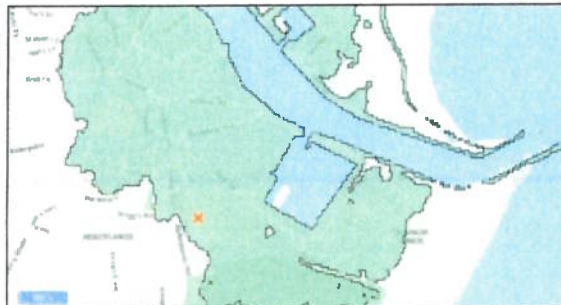
An Annual Exceedance Probability (AEP) expresses the likelihood that a flood of a specified magnitude will occur or be exceeded in any given year. The mapped 0.1% AEP extent represents an extreme coastal flood event with an annual probability of approximately 0.1%, equivalent to a 1 in 1,000-year event. As such, the mapping represents a precautionary assessment of exceptionally rare tidal conditions rather than flood events expected to occur on a regular basis.

Figure 4.3 identifies the application site, shown by the red cross, on the western extremity of the mapped 0.1% AEP flood envelope. This indicates that the site is located at the limit of the strategic modelled flood extent rather than within the principal areas of predicted tidal inundation. The highest predicted flood hazard remains focused on the harbour basin, Avoca Estuary and adjoining low-lying coastal lands, where direct hydraulic connectivity with tidal waters exists and the greatest flood depths are predicted.

The National Coastal Flood Hazard Mapping is intentionally strategic in nature and is designed to identify areas that may be susceptible to coastal flooding at a regional scale. It does not account for many local topographic features, property boundaries, buildings, walls and other urban infrastructure that influence the behaviour and routing of floodwaters at individual sites. Consequently, the mapping should be interpreted alongside more detailed hydraulic modelling, historical flood records and site-specific investigations when assessing flood risk at the scale of an individual development.

When considered in this context, the mapping indicates that the application site occupies the outer limit of the precautionary strategic flood envelope rather than forming part of the active coastal floodplain. The strategic mapping therefore identifies the need for site-specific assessment but does not, in itself, demonstrate that the application site is subject to direct coastal flooding under present-day conditions. The implications of projected sea-level rise and climate change are considered in the following section.

4.5 National Coastal Flood Mapping (Future)



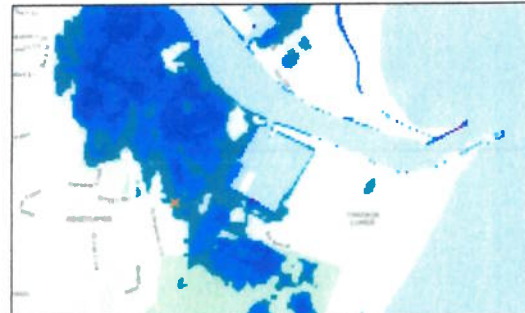
0.1% AEP (1 in 1000 year) Flood Extents



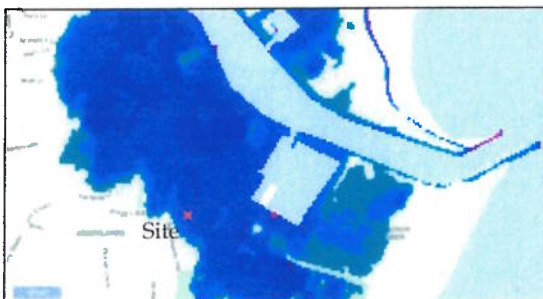
0.5% AEP (1 in 200 year) Flood Extents



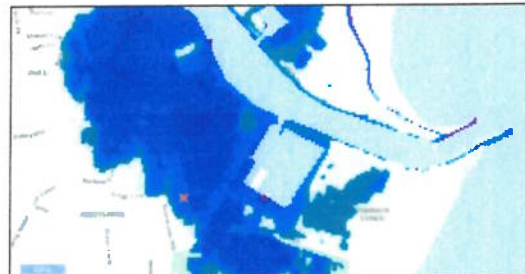
10% AEP (1 in 10 year) Flood Extents



0.1% AEP (1 in 1000 year) Flood Depths



0.5% AEP (1 in 200 year) Flood Depths



10% AEP (1 in 10 year) Flood Depths

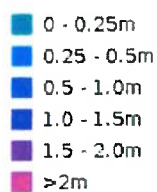


Figure 4.4 National Coastal Flood Hazard Mapping (2021) – Mid-Range Future Scenario

Having considered the present-day coastal flood hazard, the assessment next examines the National Coastal Flood Hazard Mapping (2021) Mid-Range Future Scenario to determine whether projected sea-level rise materially alters the conclusions reached for the application site. This mapping incorporates climate change allowances and projected sea-level rise to illustrate the potential long-term evolution of coastal flood extents and is intended to inform strategic planning decisions over the anticipated lifetime of future development.

Comparison of the Present-Day mapping (Figure 4.3) with the Mid-Range Future Scenario (Figure 4.4) indicates a precautionary increase in the predicted extent of potential coastal flooding within parts of the wider Abbeylands area. The application site, identified by the red cross, remains positioned on the western margin of the expanded strategic flood envelope rather than within the principal areas of predicted tidal inundation associated with the Avoca Estuary, harbour basin and adjoining low-lying coastal lands.

The mapped future flood envelope should not be interpreted as indicating a uniform level of flood hazard across its full extent. The accompanying flood hazard mapping demonstrates that the greatest predicted flood depths remain concentrated within the estuary, harbour and river corridor, with flood depths and associated hazard reducing progressively towards the outer limits of the mapped envelope. The position of the application site at the extreme western margin therefore does not imply that it would experience the flood depths, flow velocities or hydraulic conditions associated with the principal floodplain.

The Mid-Range Future Scenario is intentionally precautionary and is designed to identify areas that may warrant more detailed assessment as climate change progresses. It provides an important strategic planning tool but does not account for the detailed influence of local topography, existing urban development, buildings, roads, walls and other site-specific features that govern the behaviour of floodwaters at an individual property scale. Consequently, the future mapping should be considered alongside the OPW hydraulic modelling, historical flood records and the site-specific investigation undertaken as part of this assessment.

Taken together, these independent sources of evidence indicate that the principal fluvial and coastal flood mechanisms remain concentrated within the Avoca River corridor, harbour lands and estuarine margins. The site investigation confirmed well-drained oxidised sandy subsoils, no groundwater to approximately 1.5 m below existing ground level and no evidence of prolonged saturation or floodplain soil conditions, findings that are not consistent with land subject to frequent tidal inundation or elevated groundwater levels.

The Mid-Range Future Scenario therefore represents a precautionary projection of potential regional flood extents rather than a prediction of flood behaviour at the application site. When interpreted alongside the detailed site-specific assessment presented in this report, the available evidence demonstrates that the proposed development can safely accommodate projected future climate conditions. The incorporation of Sustainable Urban Drainage Systems, including source control, infiltration and attenuation measures, will further improve the management of surface water runoff and enhance the long-term resilience of the development without increasing flood risk either within the site or on adjoining lands.

4.6 Extreme Event Assessment

The 0.1% Annual Exceedance Probability (AEP) event represents an exceptionally rare flood event with an annual probability of occurrence of approximately 1 in 1,000 years. Such events are used within the National Coastal Flood Hazard Mapping to inform strategic planning and to assess the potential implications of residual flood risk under both present-day and future climate scenarios.

The preceding assessment has demonstrated that the application site is located at the outer margin of the strategic flood envelope rather than within the principal fluvial or coastal floodplain. While the Mid-Range Future Scenario provides a precautionary indication of the potential influence of climate change on flood extents, it does not identify the application site as forming part of the primary flood conveyance route or an area of significant predicted flood hazard.

Residual flood risk has therefore been considered in the context of the proposed development. The detailed site investigation confirmed free-draining sandy subsoils, the absence of groundwater and no evidence of prolonged saturation, demonstrating that the site does not exhibit the characteristics typically associated with an active floodplain or persistently high groundwater conditions. In addition, the proposed drainage strategy incorporates Sustainable Urban Drainage Systems (SuDS) that will manage rainfall at source through interception, infiltration and attenuation, thereby increasing the resilience of the development to extreme rainfall events.

On the basis of the available strategic flood mapping, the site-specific investigation and the proposed drainage strategy, the residual flood risk associated with exceptionally rare events is considered to be low. Any residual risk can be appropriately managed through resilient site design, finished floor levels, exceedance flow routing and the long-term maintenance of the proposed drainage infrastructure. The historic flood record is considered in the following section to determine whether past flood events support these conclusions.

4.7 Historic Flood Records

Historic flood records published by the Office of Public Works (OPW) have been reviewed as part of this assessment and are illustrated on Figure 4.5. Unlike predictive flood mapping, which identifies the potential extent of flooding based on hydraulic modelling, historic flood records document actual flood events and therefore provide an important means of verifying the principal flood mechanisms affecting the wider Arklow area.



Figure 4.5 Historic Flood Incidents Mapping.

The recorded flood incidents are predominantly concentrated along the Avoca River corridor, the harbour basin, South Quays and other low-lying lands adjoining the estuary. This spatial distribution closely reflects the fluvial and coastal flood mechanisms identified by the OPW hydraulic modelling and National Coastal Flood Hazard Mapping, providing confidence that the strategic flood mapping is representative of the principal flood processes affecting the town.

The application site is clearly offset from the recorded flood incident locations and lies outside the principal clusters of documented flooding. No recorded flood event has been identified at the subject property, nor is there evidence that floodwaters have historically propagated through the established urban area separating the site from the Avoca Estuary. The available historic evidence therefore indicates that the flood mechanisms responsible for recorded flooding elsewhere within Arklow have not historically affected the application site.

While the absence of recorded flooding cannot, in isolation, demonstrate that flooding cannot occur, it represents an important independent line of evidence when considered alongside the strategic flood mapping, hydraulic modelling and site-specific investigation undertaken as part of this assessment. Collectively, these sources indicate that the application site occupies a location outside the principal historic flood pathways within Arklow and that the likelihood of flooding arising from the recorded fluvial and coastal flood mechanisms is low.

The historic flood record therefore reinforces the conclusions reached throughout this assessment and supports the finding that the proposed development can be accommodated without giving rise to unacceptable flood risk under present-day conditions or when reasonable climate change allowances are taken into account.

5.0 GROUND INVESTIGATION AND BRE365 INFILTRATION ASSESSMENT

The preceding assessment has considered the application site in the context of strategic flood mapping, hydraulic modelling and historic flood records. To verify these findings at the scale of the proposed development, a site-specific ground investigation and infiltration assessment were undertaken to establish the local soil profile, groundwater conditions and the suitability of the underlying strata for Sustainable Urban Drainage Systems (SuDS).

The Geological Survey Ireland (GSI) 1:50,000 Quaternary Sediments Mapping classifies the application site as Urban, while the corresponding Teagasc soils mapping identifies the area as Made Ground. These regional datasets reflect the long-established urban character of the Abbeylands area, where extensive development, hardstanding, roads and utility infrastructure obscure the original ground conditions. Consequently, the published mapping provides only broad geological and soil classifications and cannot reliably characterise the shallow subsurface conditions beneath an individual development site.

In accordance with the recommendations of the Planning System and Flood Risk Management Guidelines and recognised engineering practice, a trial hole was excavated within the application site to directly establish the subsurface conditions. The investigation comprised excavation to a depth of approximately 1.5 m below existing ground level, visual inspection of the exposed soil profile, assessment of groundwater conditions and completion of infiltration testing in accordance with the principles of BRE Digest 365.

The excavation revealed approximately 0.5 m of topsoil, which may have been locally reworked or artificially thickened during previous site development, overlying dense silty fine to medium sand extending beyond the base of the excavation. The exposed sands were consistently yellow-brown to orange-brown in colour with distinct oxidised iron staining, indicating well-drained and freely aerated ground conditions. No groundwater was encountered during excavation and there was no evidence of grey mottling, gleying, peat, alluvial deposits or other indicators of prolonged saturation that would typically be associated with active floodplain soils or persistently elevated groundwater levels.

The observed soil profile is characteristic of free-draining sandy subsoils capable of promoting natural infiltration and is consistent with land that remains unsaturated for prolonged periods. These findings provide site-specific evidence that complements the strategic flood assessment presented in the preceding chapter and support the conclusion that the application site does not exhibit the characteristics normally associated with frequently inundated floodplain environments.

The trial hole was subsequently utilised to undertake BRE365 infiltration testing in order to assess the suitability of the underlying sandy subsoil for infiltration-based surface water management. The results of this testing are presented in the following section and demonstrate that the site possesses favourable conditions for the incorporation of Sustainable Urban Drainage Systems, including infiltration measures designed to manage surface water runoff close to where it falls.

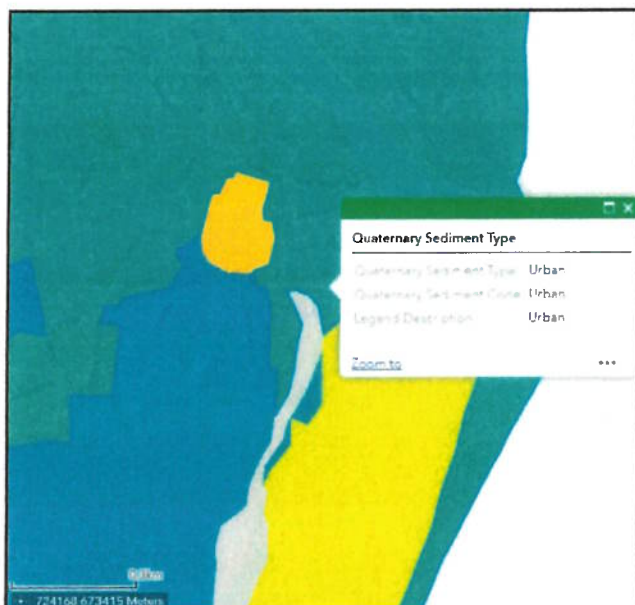


Figure 5.1 Geological Survey Ireland Quaternary Sediment Map

Figure 5.1 illustrates the Geological Survey Ireland (GSI) 1:50,000 Quaternary Sediment Mapping for the Abbeylands area. The application site lies within an area classified as Urban, while the corresponding Teagasc soils mapping identifies the land as Made Ground. These classifications are typical of long-established urban environments where successive phases of development, road construction, hardstanding and utility infrastructure obscure the original near-surface geology. Consequently, the published mapping provides only a broad regional indication of ground conditions and cannot reliably define the shallow soil profile or groundwater characteristics beneath an individual development site.

To establish the actual subsurface conditions, a trial hole was excavated within the application site to a depth of approximately 1.5 m below existing ground level using a grading bucket with a flat cutting edge. The investigation was undertaken to characterise the soil profile, assess groundwater conditions and evaluate the suitability of the underlying strata for infiltration-based surface water management.

The excavation revealed a relatively uniform soil profile comprising approximately 0.5 m of topsoil, which may have been locally thickened during previous site development, overlying dense silty fine to medium sand extending beyond the base of the excavation. The sandy subsoil was generally clean, with only a minor silt fraction, and remained dense and competent throughout the exposed depth. No evidence of imported demolition material, heterogeneous fill or poorly compacted made ground was encountered beneath the upper soil horizon.

The exposed sidewalls displayed predominantly yellow-brown to orange-brown oxidised sands with localised iron staining. These characteristics are typical of well-drained granular soils that have remained freely aerated above the long-term groundwater table for prolonged periods. The consistently oxidised profile, together with the absence of grey reducing conditions, gleying, peat horizons, organic alluvial deposits or mottled soil horizons, indicates that the subsoil has not been subjected to prolonged saturation, elevated groundwater levels or frequent inundation.

No groundwater ingress was encountered during excavation or throughout the subsequent infiltration testing. The trial hole remained dry and stable for the duration of the investigation, providing further evidence that groundwater levels were significantly below the depth of excavation at the time of the assessment. The observed ground conditions are therefore not characteristic of an active floodplain environment or land affected by persistent groundwater emergence.

The ground investigation demonstrates that the application site is underlain by naturally free-draining sandy subsoils possessing favourable infiltration characteristics. These findings provide important site-specific verification of the strategic flood assessment presented in the preceding chapter and support the use of infiltration as the preferred method of managing surface water runoff in accordance with the Sustainable Urban Drainage Systems (SuDS) hierarchy.

Following completion of the ground investigation, the trial hole was utilised to undertake infiltration testing in accordance with the principles of BRE Digest 365 in order to quantify the infiltration performance of the underlying sandy subsoil. The results of this testing are presented in the following section.

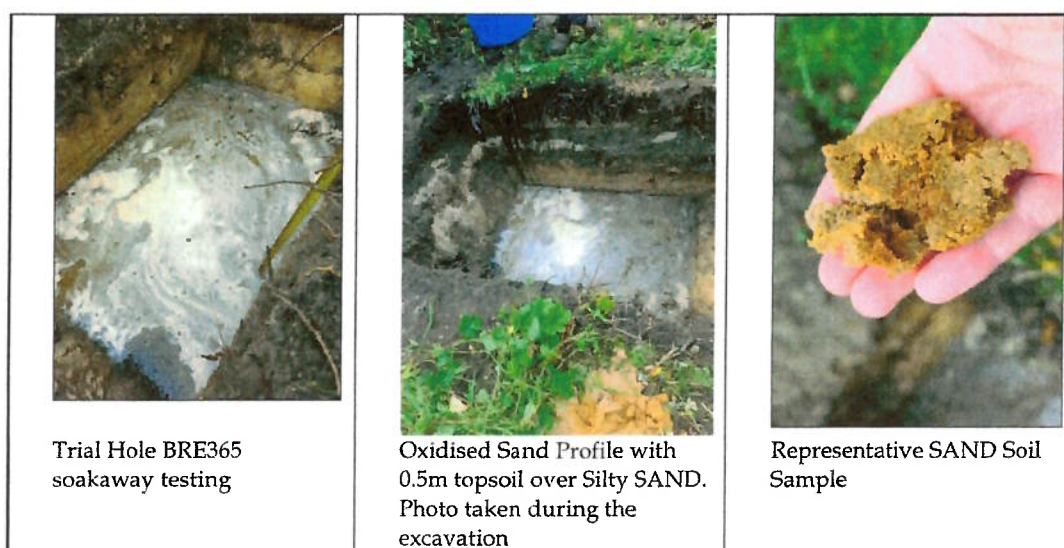


Figure 5.2 Trial Hole Excavated for Ground Investigation and BRE365 Infiltration Testing

Figure 5.2 illustrates the trial hole excavated within the application site for the purposes of ground investigation and subsequent BRE365 infiltration testing. The excavation exposed a relatively uniform profile of dense silty fine to medium sand beneath the upper topsoil horizon, with the sandy subsoil extending beyond the base of the excavation. The exposed sidewalls remained stable throughout the investigation, reflecting the competent nature of the underlying granular soils.

The sandy subsoil was consistently yellow-brown to orange-brown in colour with distinct oxidised iron staining and only minor silt content. No evidence of grey mottling, gleying, peat, organic alluvial deposits or prolonged groundwater influence was observed. These characteristics are indicative of well-drained, freely aerated soils that have remained unsaturated for prolonged periods and are not representative of an active floodplain environment.

The trial hole remained dry throughout the excavation and during the subsequent infiltration testing, with no groundwater ingress observed to the full depth of approximately 1.5 m below existing ground level. The absence of groundwater, together with the oxidised sandy profile, provides further confirmation that the site is underlain by permeable soils capable of accommodating infiltration-based drainage measures.

Following completion of the ground investigation, the trial hole was utilised to undertake infiltration testing in general accordance with the principles of BRE Digest 365. The observed infiltration performance was consistent with the soil profile encountered during excavation and demonstrated that rainfall is capable of infiltrating the underlying sandy strata without prolonged ponding or groundwater emergence.

The calculated infiltration coefficient falls within the range generally considered suitable for infiltration-based Sustainable Urban Drainage Systems (SuDS), including rain gardens, infiltration trenches, permeable paving and shallow soakaway features. The results support the application of the SuDS hierarchy promoted by national

guidance, whereby rainfall is managed at source through interception, infiltration and attenuation before consideration is given to discharge to conventional drainage infrastructure.

Taken together, the ground investigation and BRE365 infiltration testing provide complementary geotechnical and hydrogeological evidence confirming that the application site possesses favourable conditions for infiltration-based surface water management. These findings provide a robust technical basis for the Sustainable Urban Drainage Strategy presented in the following sections and reinforce the conclusion that the proposed development can accommodate surface water runoff without increasing flood risk on the site or adjoining lands.

6.0 SUITABILITY FOR ONSITE SURFACE WATER DISPOSAL

The proposed drainage strategy incorporates rainwater harvesting and permeable paving as primary source control measures within the Sustainable Urban Drainage Systems (SuDS) management train. The BRE365 infiltration assessment was undertaken to determine whether the underlying sandy subsoil could also accommodate infiltration-based drainage measures as part of the overall surface water management strategy.

Table 6.1: BRE365 Infiltration Assessment

BRE365 Assessment Item	Value / Comment
Trial pit dimensions	2.2 m long × 1.2 m wide × 1.5 m deep
Trial pit base area	2.64 m ²
Soil encountered	Dense silty fine to medium SAND
Groundwater encountered	None
Effective test depth	1.5 m
BRE365 assessment interval	75% to 25% effective storage depth
Storage volume assessed	1.98 m ³
Wetted internal surface area at 50% depth	7.74 m ²
Calculated infiltration rate	3.79×10^{-6} m/s
Equivalent infiltration rate	13.7 mm/hour
Equivalent daily infiltration rate	0.327 m/day
BRE365 interpretation	Positive infiltration capacity confirmed
SuDS suitability measures	Rainwater harvesting, permeable paving, rain gardens, infiltration trenches, shallow infiltration gullies
Recommended Design recommendation	Incorporate attenuation storage and exceedance routing within the detailed drainage design

The BRE365 infiltration assessment produced a calculated infiltration rate of approximately 3.79×10^{-6} m/s (equivalent to approximately 13.7 mm/hour or 0.327 m/day), confirming that the underlying sandy subsoil possesses a positive and measurable capacity to infiltrate surface water. The observed infiltration performance is consistent with the free-draining oxidised sandy soils encountered during the ground investigation and demonstrates that rainfall can infiltrate the underlying strata without prolonged ponding or groundwater emergence.

No groundwater was encountered during excavation or throughout the infiltration testing, indicating that the trial pit remained within the unsaturated soil profile for the duration of the assessment. Together with the absence of gleying, peat or prolonged saturation, these findings demonstrate that the site possesses favourable hydrogeological conditions for infiltration-based drainage.

The calculated infiltration coefficient falls within the range generally considered suitable for shallow infiltration systems designed in accordance with the principles of BRE Digest 365. The results therefore support the incorporation of infiltration measures within the proposed drainage strategy, including permeable paving, rain

gardens, shallow infiltration trenches, infiltration gullies and controlled overflow from rainwater harvesting systems, subject to detailed engineering design.

In accordance with the Sustainable Urban Drainage Systems hierarchy, rainfall should be managed as close as practicable to where it falls through source control, interception, infiltration and attenuation before consideration is given to discharge to conventional drainage infrastructure. The BRE365 assessment demonstrates that the application site possesses suitable ground conditions to support this approach and confirms that infiltration can form an integral component of the proposed drainage strategy.

The infiltration assessment therefore provides quantitative verification of the ground investigation findings and demonstrates that surface water generated by the proposed development can be sustainably managed within the site without increasing runoff rates or flood risk to adjoining lands. Appropriate attenuation storage and exceedance routing should be incorporated within the detailed drainage design to safely accommodate rainfall events exceeding the adopted design standard.

7.0 EXISTING SURFACE WATER CONDITIONS

The existing surface water drainage regime reflects the characteristics of a long-established urban site where rainfall is managed through a combination of infiltration into permeable ground, overland flow across hardstanding surfaces and discharge to the existing drainage network. The area surrounding the application site is already substantially developed and does not currently incorporate modern Sustainable Urban Drainage Systems (SuDS) or source control measures.

During the site inspection, evidence of minor localised ponding was identified at a low point along the northern pedestrian pathway immediately adjacent to the application site. The presence of accumulated silt deposits indicates that shallow ponding has occurred intermittently following periods of heavy rainfall. Site observations suggest that this results from surface water flowing along the asphalt pathway before becoming temporarily impounded where runoff is constrained by the raised ground levels, concrete kerbing and boundary treatment associated with the adjoining Scouts Hall property. The observed ponding is therefore considered to be a local surface water drainage issue rather than evidence of fluvial, tidal or groundwater flooding.

The site investigation confirmed that the underlying sandy subsoil remains free-draining and possesses favourable infiltration characteristics. Consequently, the observed ponding is considered to arise from limitations in the existing surface drainage arrangement rather than poor subsoil permeability. This distinction is important, as it demonstrates that improvements to surface water management can be achieved through appropriate drainage design rather than extensive engineering works.

The proposed redevelopment provides an opportunity to enhance the existing drainage regime through the incorporation of Sustainable Urban Drainage Systems. Rainwater harvesting, permeable paving, rain gardens and shallow infiltration features will intercept rainfall close to where it falls, promote infiltration into the underlying sandy subsoil and reduce the volume and peak rate of runoff leaving the site. Consideration may also be given to a shallow infiltration gully or rain garden adjacent to the existing low point to intercept surface runoff from the pathway before ponding occurs, thereby providing a practical nature-based solution to the existing drainage constraint.

Overall, the proposed drainage strategy will provide a measurable betterment over existing conditions by reducing uncontrolled runoff, increasing infiltration, improving water quality and enhancing the long-term resilience of the site to more intense rainfall events associated with climate change. The development will therefore improve the existing surface water management regime while ensuring that flood risk is not increased on the site or adjoining lands.

8.0 PROPOSED SUSTAINABLE DRAINAGE STRATEGY (SuDS)

The proposed development adopts a Sustainable Urban Drainage Systems (SuDS) approach founded on the principles of the SuDS management train, whereby rainfall is managed as close as practicable to where it falls through a combination of source control, interception, infiltration, attenuation and controlled conveyance. The objective is to replicate natural drainage processes by reducing runoff volumes, limiting peak discharge rates, improving water quality and encouraging infiltration into the underlying permeable subsoil before any residual runoff enters the receiving drainage network.

The site-specific ground investigation and BRE365 infiltration assessment have confirmed the presence of free-draining sandy subsoils with favourable infiltration characteristics and no groundwater encountered to a depth of approximately 1.5 m below existing ground level. These findings provide a sound technical basis for incorporating infiltration-based drainage measures within the proposed development in accordance with the SuDS hierarchy promoted by national planning guidance.

Rainwater harvesting is proposed to intercept roof runoff at source, reducing potable water demand while simultaneously decreasing the volume of rainfall entering the drainage system. Permeable paving will replace conventional impermeable paving wherever practicable, allowing rainfall to infiltrate through the pavement structure into the underlying permeable sub-base and naturally free-draining sandy subsoil. Rain gardens and shallow landscaped infiltration features may also be incorporated to provide interception storage, temporary attenuation, infiltration and natural treatment of surface water while contributing positively to biodiversity and urban green infrastructure.

Consideration may also be given to the provision of a shallow infiltration gully or rain garden adjacent to the existing low point along the northern pedestrian pathway where evidence of occasional ponding has been observed. Such a feature would intercept overland runoff before temporary ponding occurs, encourage infiltration into the underlying sandy soils and provide a simple nature-based solution that improves the existing drainage arrangement without increasing runoff to neighbouring lands.

Collectively, these measures will intercept rainfall at source, reduce runoff volumes, attenuate peak flows and promote infiltration in accordance with the natural drainage characteristics of the site. The proposed strategy therefore represents a measurable betterment over the existing surface water regime by reducing uncontrolled runoff, enhancing water quality and increasing resilience to more intense rainfall events associated with climate change.

The proposed SuDS strategy has been developed having regard to the site's favourable infiltration characteristics and will ensure that post-development runoff does not exceed existing site runoff rates. Consequently, the proposed development will not increase flood risk either within the application site or on adjoining lands and will provide an overall improvement in the long-term management of surface water when compared with the existing conditions.

9.0 RESPONSE TO FLOOD RISK ISSUES RAISED

Concerns raised in submissions relating to the proposed development principally relate to the historic floodplain designation of the Abbeylands area, previous flood events within Arklow, the potential influence of tidal flooding and the availability of property insurance. These matters have been considered as part of this Site-Specific Flood Risk Assessment and are addressed below through reference to the available strategic flood mapping, historical records and site-specific investigation.

The strategic flood mapping identifies that parts of the wider Abbeylands area have historically formed part of the floodplain associated with the Avoca River and estuary. It is recognised that, prior to urban development, sediment deposition within this environment would have comprised varying proportions of sand, silt and gravel depending upon local hydraulic conditions. The ground investigation undertaken as part of this assessment encountered predominantly dense, oxidised sandy subsoil beneath the application site, with no evidence of soft alluvial silts, peat, prolonged saturation or elevated groundwater. The presence of sandy deposits is consistent with the site's geological history but does not, in itself, indicate that the land continues to function as an active floodplain under present-day conditions.

Reference has also been made to flooding associated with Hurricane Charlie. This event represented an exceptional rainfall event that affected extensive areas of Arklow through a combination of intense surface water runoff, high river flows and local drainage exceedance. The available historical information does not demonstrate that flooding at the application site resulted directly from fluvial overtopping of the Avoca River or tidal inundation from the estuary. Furthermore, the site investigation identified no physical evidence of prolonged groundwater influence or hydromorphic soil conditions that would typically be expected where frequent flooding occurs.

The site inspection identified evidence of minor localised ponding along the adjoining northern pathway, indicated by accumulated silt deposits at a local low point. This is considered to result from constraints within the existing surface water drainage arrangement, including the asphalt footpath, concrete kerbing and the raised ground levels associated with the adjoining Scouts Hall property, rather than from fluvial or coastal flooding. The proposed development provides an opportunity to improve these existing conditions through the incorporation of rainwater harvesting, permeable paving, rain gardens and shallow infiltration measures that will intercept runoff at source and reduce localised ponding.

Concerns have also been expressed regarding the availability of property insurance. No documentary evidence has been provided to demonstrate that flood insurance cannot be obtained for the subject property. In any event, insurance availability is determined by the commercial underwriting policies of individual insurers and does not constitute a recognised methodology for assessing flood risk within the planning process. The assessment of flood risk is appropriately based upon national planning guidance, strategic flood mapping, hydraulic modelling, historical evidence and site-specific investigation, all of which have been considered in this report.

Having regard to the available evidence, the concerns raised do not alter the conclusions of this Site-Specific Flood Risk Assessment. The strategic mapping, historical flood records, ground investigation, BRE365 infiltration testing and proposed Sustainable Urban Drainage Systems collectively demonstrate that the proposed development can be accommodated without giving rise to unacceptable flood risk and will provide an improvement to the existing management of surface water within the site.

10.0 RIVER BASIN MANAGEMENT MEASURES

Flood risk within Arklow is managed through a combination of catchment-scale river management, statutory drainage maintenance and strategic flood defence infrastructure implemented by the Office of Public Works (OPW) in partnership with Wicklow County Council. These measures form part of an integrated flood risk management strategy for the Avoca River catchment and complement the site-specific drainage measures proposed as part of the current development.

Under the provisions of the Arterial Drainage Act 1945 and the Arterial Drainage (Amendment) Act 1995, the OPW has a continuing statutory responsibility to maintain arterial drainage and flood relief schemes constructed under those Acts. Routine maintenance includes the removal of debris and other obstructions that may impede river conveyance, inspection and maintenance of flood embankments and flood defence structures, management of vegetation where necessary and the repair of hydraulic control structures. These activities are intended to preserve the hydraulic capacity of the river system and maintain the level of flood protection for which the infrastructure was designed.

Wicklow County Council also has statutory responsibility for the maintenance of designated Drainage District Schemes within its functional area. Ongoing maintenance of local watercourses, drainage channels and associated infrastructure assists in ensuring that surface water and fluvial flows continue to be conveyed efficiently during periods of elevated rainfall and river flow.

The Avoca River is the principal watercourse influencing fluvial flood risk within Arklow. Continued maintenance of the river corridor and associated drainage infrastructure assists in preserving channel conveyance capacity, reducing the potential for localised blockages and maintaining the efficient passage of floodwaters through the town. These measures are particularly relevant within the Abbeylands area.

11.0 IMPACT ON ADJOINING PROPERTIES

The principal consideration in assessing the proposed development is whether it would alter existing drainage patterns in a manner that increases flood risk to neighbouring properties or adversely affects the wider surface water drainage regime. Having regard to the findings of this Site-Specific Flood Risk Assessment, it is concluded that the proposed development will not give rise to any increase in flood risk either within the application site or on adjoining lands.

The application site does not occupy an identified fluvial flood flow route and the proposed development will not obstruct overland flow paths, reduce functional floodplain storage or displace floodwaters onto neighbouring properties. The development has been designed to integrate with the existing urban drainage environment while improving the management of surface water generated within the site.

At present, rainfall falling on the site is managed through a combination of natural infiltration into the underlying sandy subsoil and uncontrolled overland flow across existing hard surfaces. Site inspection identified evidence of localised ponding adjacent to the northern boundary, where runoff conveyed along the adjoining asphalt pathway becomes temporarily impounded due to local level differences, concrete kerbing and the raised ground associated with the neighbouring Scouts Hall property. This represents an existing surface water drainage constraint rather than a consequence of inadequate soil permeability or fluvial flooding.

The proposed development provides an opportunity to improve these existing conditions through the implementation of a Sustainable Urban Drainage Systems (SuDS) strategy founded on the principles of source control, infiltration and attenuation. Rainwater harvesting, permeable paving, rain gardens and shallow infiltration features will intercept rainfall close to where it falls, reducing runoff volumes and encouraging infiltration into the underlying free-draining sandy subsoil confirmed during the site investigation and BRE365 assessment. Where appropriate, shallow landscaped infiltration features adjacent to the existing low point may further reduce localised ponding by intercepting runoff before surface water accumulates.

The proposed drainage strategy has been developed to ensure that post-development runoff will not exceed the existing runoff characteristics of the site. Rainfall will be attenuated and infiltrated wherever practicable before any controlled discharge occurs, thereby reducing peak runoff rates, slowing overland flow and improving water quality. Although the site is located within an established urban area, the proposed drainage measures seek to replicate the hydrological response of a more natural catchment by managing rainfall progressively through the SuDS management train.

Consequently, the development will not increase flood risk to adjoining properties or place additional demand on the existing drainage network. On the contrary, the incorporation of infiltration-based Sustainable Urban Drainage Systems will provide a measurable betterment over the existing drainage regime by reducing uncontrolled runoff, addressing the existing localised ponding issue and improving the long-term management of surface water within the site. The proposed development is therefore expected to have a neutral to beneficial effect on neighbouring lands from both a flood risk and surface water drainage perspective.

12.0 CLIMATE CHANGE ADAPTATION

Climate change is expected to increase the frequency and intensity of extreme rainfall events while contributing to progressive sea-level rise over the lifetime of the proposed development. These potential effects have been considered throughout this Site-Specific Flood Risk Assessment by reference to the National Coastal Flood Hazard Mapping Mid-Range Future Scenario and through the adoption of a resilient surface water drainage strategy.

The proposed development incorporates Sustainable Urban Drainage Systems (SuDS) designed to manage rainfall close to where it falls through source control, interception, infiltration and attenuation. The site investigation and BRE365 infiltration assessment confirmed that the underlying free-draining sandy subsoil possesses favourable infiltration characteristics, enabling rainfall to be managed within the site wherever practicable while reducing runoff volumes and peak discharge rates.

The proposed drainage strategy has therefore been developed to increase the resilience of the site to future rainfall events by providing interception storage, controlled attenuation and infiltration before any residual discharge occurs. This approach not only reduces reliance on conventional drainage infrastructure but also provides flexibility to accommodate future changes in rainfall intensity over the lifetime of the development.

The Mid-Range Future climate change mapping has been considered alongside the site-specific ground investigation, historical flood records and the proposed drainage design. Collectively, these demonstrate that the proposed development can be accommodated without increasing flood risk under projected climate change conditions. Any residual exceedance risk associated with rainfall events exceeding the adopted design standard can be appropriately managed through detailed drainage design, exceedance flow routing and finished floor level design, thereby ensuring that the development remains resilient throughout its design life.

13.0 CONCLUSIONS

This Site-Specific Flood Risk Assessment has examined the potential flood risk to the proposed development from fluvial, coastal, surface water and groundwater sources, having regard to the Planning System and Flood Risk Management Guidelines for Planning Authorities (2009), Office of Public Works (OPW) flood mapping, National Coastal Flood Hazard Mapping (2021), historical flood records, site-specific ground investigation and BRE365 infiltration testing.

The strategic flood assessments consistently demonstrate that the principal flood hazards within Arklow remain associated with the Avoca River corridor, harbour lands and estuarine margins. Although strategic flood mapping identifies the application site on the outer margin of the precautionary coastal flood envelope under future climate scenarios, the available hydraulic modelling, historic flood records and site-specific investigations indicate that the site does not form part of the principal fluvial or coastal floodplain affecting the town.

The site-specific investigation has provided important verification of the strategic assessment. The trial hole confirmed well-drained, oxidised sandy subsoils beneath the site with no groundwater encountered to approximately 1.5 m below existing ground level and no evidence of gleying, peat or prolonged saturation. BRE365 infiltration testing further demonstrated that the underlying soils possess favourable infiltration characteristics suitable for infiltration-based Sustainable Urban Drainage Systems (SuDS), providing a robust technical basis for the proposed surface water drainage strategy.

The proposed development incorporates a comprehensive SuDS approach based upon the principles of source control, interception, infiltration and attenuation. Rainwater harvesting, permeable paving, rain gardens and shallow infiltration features will manage rainfall close to where it falls, reduce runoff volumes and peak discharge rates, improve water quality and ensure that post-development runoff does not exceed the existing drainage characteristics of the site. The proposed drainage strategy will therefore provide a measurable betterment over the existing surface water management regime while avoiding any increase in flood risk to adjoining properties or the wider drainage network.

Having considered the strategic flood mapping, historical evidence, hydraulic context, detailed site investigation and the proposed drainage design, it is concluded that the proposed development can be accommodated without giving rise to unacceptable flood risk under either present-day conditions or the projected Mid-Range Future climate change scenario. The development will not obstruct flood flow paths, reduce flood storage, increase runoff or displace floodwaters onto adjoining lands. Instead, it will improve the management of surface water through the incorporation of infiltration-based Sustainable Urban Drainage Systems and climate-resilient drainage design.

Having regard to the available evidence, it is the professional opinion of the author that the proposed development satisfies the requirements of the Planning System and Flood Risk Management Guidelines for Planning Authorities (2009), the flood risk policies of the Wicklow County Development Plan and the principles of sustainable flood risk management. The proposed development will neither be subject to unacceptable flood risk nor increase flood risk elsewhere and may therefore be accommodated without adverse hydrological impact.

Furthermore, the incorporation of Sustainable Urban Drainage Systems and infiltration-based surface water management measures will provide a measurable improvement over the existing drainage regime, reducing runoff rates and volumes while contributing positively to the long-term management of flood risk within the Abbeylands area. Accordingly, there are no flood risk or surface water management reasons why planning permission should not be granted.

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