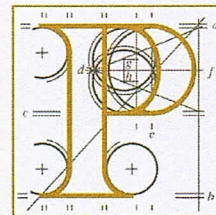


**Our Case Number:** ABP-319723-24

**Your Reference:** John Roche



An  
Bord  
Pleanála

O'Leary Consulting Engineers  
Rathview  
Rathmore  
Broadway  
Co. Wexford  
Y35E093

**Date:** 13 September 2024

**Re:** Request to enter into pre-application consultation pursuant to section 177E(1A) of the Planning and Development Act 2000 (as amended)

Clonmines, Wellingtonbridge, Co. Wexford

Dear Sir / Madam,

I have been asked by An Bord Pleanála to refer further to the above-mentioned pre-application consultation request.

Please find enclosed a copy of the written record of the first meeting of the 20th August 2024.

Your comments should be submitted on or before 17 days, if you do not wish to comment can you confirm same within 17 days.

If you have any queries in relation to the matter, please contact the undersigned officer of the Board.

Please quote the above-mentioned An Bord Pleanála reference number in any correspondence or telephone contact with the Board.

Yours faithfully,

  
Ronan Megannety  
Executive Officer

SI Record  
**By Registered post**

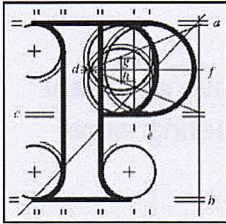
Teil	Tel	(01) 858 8100
Glaao Áitiúil	LoCall	1800 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	www.pleanala.ie
Ríomhphost	Email	bord@pleanala.ie

64 Sráid Maoilbhríde	64 Marlborough Street
Baile Átha Cliath 1	Dublin 1
D01 V902	D01 V902









An  
Bord  
Pleanála

## Record of Meeting

ABP-319723-24

1<sup>st</sup> meeting

<b>Case Reference / Description</b>	ABP-319723-24 Request to enter into pre-application consultation pursuant to section 177E (1A) of the Planning and Development Act 2000, as amended		
<b>Case Type</b>	Pre-application Consultation		
<b>1st / 2nd / 3<sup>rd</sup> Meeting</b>	1 <sup>st</sup> Meeting		
<b>Date</b>	20/08/2024	<b>Start Time</b>	11:03am (approx.)
<b>Location</b>	Virtually by Microsoft Teams	<b>End Time</b>	11:37am (approx.)

### Representing An Bord Pleanála

Karen Hamilton – Assistant Director of Planning (Chair)

Catherine Dillon – Senior Planning Inspector

Ronan Megannety – Executive Officer

### Representing the Prospective Applicant

John Roche - Applicant

Terry O'Leary- O'Leary Consulting Engineers – Applicants Agent

Verona Murphy TD (Local Representative)



## **Introduction:**

The representatives of An Bord Pleanála (ABP) welcomed the prospective applicant and introductions were made. The procedural matters relating to the meeting were outlined as follows:

- The Board will keep a record of this meeting and any other meetings, if held. The record of the meeting will not be amended by the Board once finalised, but the prospective applicant may submit comments on the record which will form part of the case file.
- A further meeting or meetings may be held in respect of the proposed development.
- The holding of consultations does not prejudice the Board in any way and cannot be relied upon in the formal planning process or in any legal proceedings.

The ABP representatives acknowledged the request on the 14<sup>th</sup> of May 2024 from O'Leary Consulting Engineers on behalf of John Roche, to enter into pre-application consultations under section 177E(1A) of the Planning and Development Act, 2000, as amended.

A broad agenda had previously been circulated as follows:

### **Agenda**

- Introductions
- Description of development and relevant background - clarity regarding scope of application
- Procedural Advice / Queries arising with regards with regard to any subsequent application for Substitute Consent.

#### **1. Description of development and relevant background.**

### **Prospective Applicant Comments**

- Planning history noted. The applicant had applied for planning permission to Wexford County Council in 2022 for works on the site which included development of lands to be used for a camper, caravan & campsite and for the change of use of 2 agricultural buildings; Shed A to be changed to a communal use building which includes toilet facilities and Shed B to be changed into a covered area for seating and refreshments. The application was subsequently invalidated by Wexford County Council due to authorised



works completed at the subject property. Enforcement proceedings has been served by Wexford County Council on foot of the unauthorised works at the property.

- Wexford County Council noted having regard to the nature of the development which will be required to seek retention being located within the catchment of a designated Shellfish Protected Waters and within Bannow Bay SPA and Bannow Bay SAC, such works require the submission of a remedial Natura Impact Statement (NIS).
- An application for Substitute Consent was lodged to An Bord Pleanála in November 2023 (ABP-318529-23) but was deemed invalid due to providing no evidence that it was made as a consequence of either section 177B or 177D of the preconditions for its validity under Section 177E the Planning and Development Acts 2000 to 2023.
- A further application for Substitute Consent was lodged to An Bord Pleanála in January 2024 (ABP-318820-24) but was deemed invalid due to the notices not complying with the requirements of 177E(2)(f) as prescribed under section 177N (2)(c) of the Act.

#### **ABP Comments**

- ABP sought clarity regarding the site history and current operations on going within the site.
- Noted that the remedial NIS must include all structures on the property and for the applicant to examine the entire application. ABP representatives queried about the slipway and walkway located on the property being included in the remedial NIS. Applicant advised that both the slipway and walkway are included but were not previously after instruction from Wexford County Council.
- ABP representatives noted that the Substitute Consent lodged to An Bord Pleanála in January 2024 (ABP-318820-24) was invalidated due to the notices stating 5 weeks instead of 8 weeks. ABP also noted that when ABP-318820-24 was lodged was during same time period when new Planning Regulations and procedures had been repealed in this regard.

#### **2. Procedural Advice / Queries arising regarding to any subsequent application for Substitute Consent.**

#### **Prospective Applicant Comments**

- Agent understood that the notices must state 8 weeks for any subsequent application for substitute consent.



- The agent highlighted that the slipway on the property is a public right of way and that other organisations make use of the slipway.
- The Local Representative raised concerns about illegal camper, caravan & campsite sites, within the county and that improvements to the Wexford County Development Plan need to be made in this regard.
- Agent queried is the applicant required to inform Wexford County Council of the meeting and the minutes.

### **ABP Comments**

ABP representative advised the applicant they should ensure any application for substitute consent could address a range of issues such as those detailed below:

- The need for a remedial EIAR having regard to the requirements in Schedule 5 Part 2, Class 12 (d) of the Planning & Development Regs 2001 as amended.
- Information contained in any Remedial NIS and the impact of the development on the designated Shellfish Protected Waters and Bannow Bay SPA and Bannow Bay SAC in the NIS.
- Details & dates for works including removal/replanting of landscaping.
- All activities carried out at the site with/without planning permission.
- Traffic generated by the development.
- Site suitability Assessment for wastewater treatment plant.
- Management of waste on site.
- Whether the slipway is to be included within the development.
- Any infilling or ground works.
- ABP reminded the purpose of the meeting was to offer procedural advice only and no merits could be discussed.
- ABP advised the Local Representative that they could include their concerns or support in a letter with any subsequent application for substitute consent. Third party participation was not within the remit of the pre application process.



- It is the Applicant discretion if they wish to inform Wexford County Council of the meeting and the minutes.
- ABP stated that neither the Chair nor the Inspector would be dealing with the subsequent substitute consent application.

**Conclusion:**

At the conclusion of the meeting, it was advised that the record of the meeting would issue to the prospective applicant in due course. If no comments are received, the Board will close the file and await application. If the prospective applicant is of the opinion that another meeting is required, the Board may be of a mind to arrange that, the decision on whether further meetings are necessary will be made later.

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**Karen Hamilton**

**Assistant Director of Planning**



