

James Sweeney

From: info@oleng.ie
Sent: Tuesday 2 December 2025 17:21
To: Appeals2
Cc: 'John Roche'; 'Timothy Cummings'; 'Caroline Roche'
Subject: FW: Response to Submission for ACP-322985-25 / John Roche
Attachments: 1 to 2500 Site Location Map to Confirm Hardcore Fill within Owned Area.pdf; An Coimisiún Pleanála Report.pdf; Hardcore Fill Map on Folio Map - Filed Plan - A3 PDF (Adobe).pdf; Slipway Map - Filed Plan - A3 PDF (Adobe).pdf

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Dear Sirs,

We attach herewith the Applicant's response to Wexford County Council Submission for ACP-322985-25 and associated Land Registry Folio Mapping of Areas.

Regards,

Terry O'Leary

GE Ltd t/a O' Leary Consulting Engineers
Registered Building Surveyors & Chartered Town Planners
086 8536816 / 053 9131866



O'LEARY CONSULTING ENGINEERS
 "RATHNEW", RATHMORE, BROADWAY, CO. WEXFORD
 PHONE: 053-913/866 EMAIL: info@oleary.ie

JOB LOCATION: CLONMINES, WELLINGTONBRIDGE, CO. WEXFORD
 DATE: DECEMBER 2025 SCALE: 1:2500
 CLIENT: JOHN ROCHE DRAWN BY: TOL



cabe
 chartered association of building engineers



ENGINEERS IRELAND

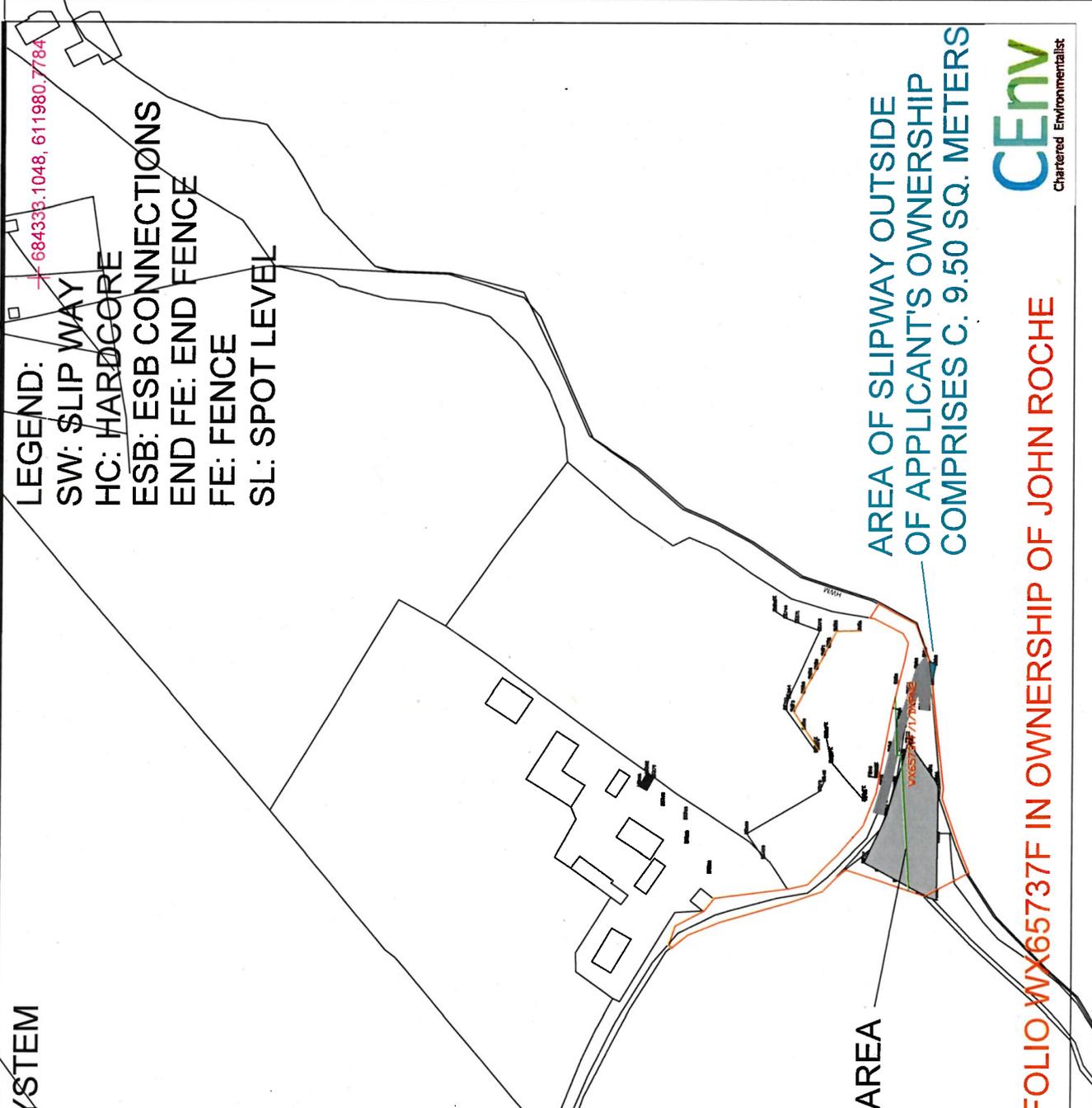
JOB TITLE: ITM MAP FOR SUBSTITUTE CONSENT APPLICATION TO AN COMISIUN PLEANALA

MAP TO ITM GRID REFERENCING SYSTEM

LEGEND:

- SW: SLIP WAY
- HC: HARDCORE
- ESB: ESB CONNECTIONS
- END FE: END FENCE
- FE: FENCE
- SL: SPOT LEVEL

+684333.1048, 611980.7784



HARDWARE FILL AREA

AREA OF SLIPWAY OUTSIDE OF APPLICANT'S OWNERSHIP COMPRISES C. 9.50 SQ. METERS

+704591.6915, 613468.5767

AREA OUTLINED IN RED COMPRISES FOLIO WX65737F IN OWNERSHIP OF JOHN ROCHE



**FIRST PARTY SUBMISSION RESPONSE TO
An COIMISIÚN PLEANALA**

An COIMISIÚN PLEANALA REFERENCE No: ACP-322985-25

Client – Mr. John Roche

1. Overview:

O' Leary Consulting Engineers have been requested by Mr. John Roche to provide a response to the submission received by An Coimisiún Pleanala from Wexford County Council on ACP-322985-25 dated the 18th September 2025.

2. Planning Context:

An application for Substitute Consent under Section 177E of the Planning & Development Act, 2000 has been submitted for a camping / camp site enterprise further to planning enforcement proceedings taken by Wexford County Council against the applicant under Planning Enforcement Reference 0160-2020.

3. Planning Authority Submission to An Coimisiún Pleanala:

Wexford County Council have submitted a comprehensive report to An Coimisiún Pleanala for Substitute Consent ACP-322985-25 and the following are some summary responses from the Applicant in relation to the submission. We attach some additional maps to confirm that the majority of works undertaken at the subject property are within the Applicant's ownership.

3.1 Summary Responses from the Applicant

- i) The applicant accepts that he has pleaded guilty to the prosecution at Wexford District Court on the 23rd June 2025 for planning infringements at the subject property but reiterates that he wishes to regularise the infringements to the best of his ability.
- ii) The applicant has had an on-site wastewater treatment system designed to cater for the use of the site as a camping / camp site and he intends to prioritise the installation of the new system should the Substitute Consent application be successful.
- iii) The NIS submitted with the Substitute Consent Application does not identify any negative impacts on shellfish farming in the area and has not identified mitigation measures being required.
- iv) The bacteriological exceedances referred to in the Planning Authority Submission relate to a broad catchment area which encompasses residential, agricultural and other land uses in the wider locality. While the exceedances are not disputed in this submission, it is hope that An Coimisiún Pleanála will reflect on the scale of the catchment which feeds the receiving water body that is referred to in Wexford County Council's submission.
- v) The issue of lighting and noise emanating from the enterprise can be controlled through the planning process by conditioned acceptable parameters that can measured and this would regulate the camping / camp site.

- vi) The infilled areas that are referred to the in submission from Wexford County Council have been formed with clean recycled / salvaged concrete & aggregate that does not comprise in any way of effluent or hazardous waste. The infilling has indeed impacted on the Bannow Bay SAC & SPA and the applicant acknowledges his gross error in judgement in this regard.



Photo 1 – Clean Fill Material / Non Hazardous

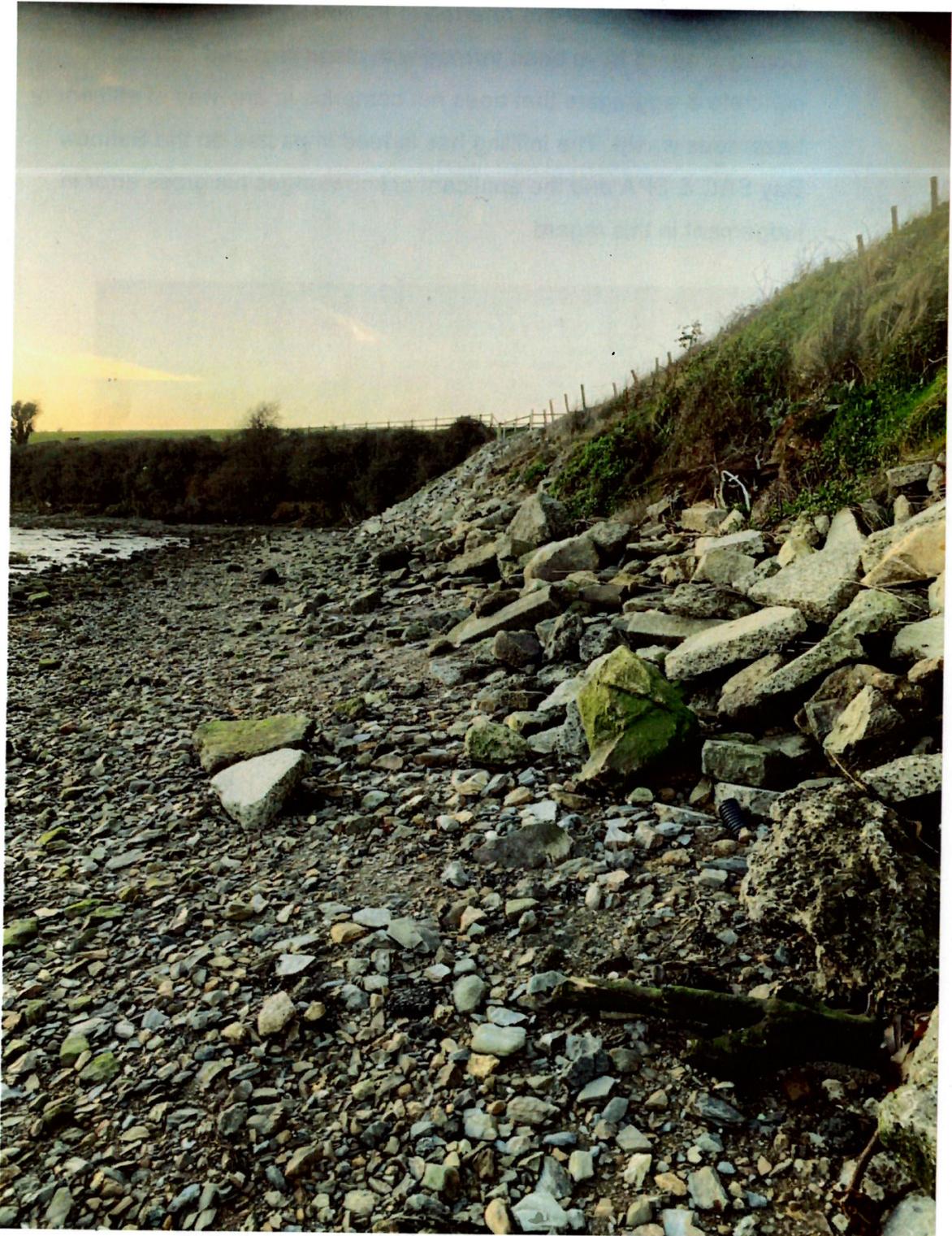


Photo 2 – Clean Fill Material / Non Hazardous



Photo 3 – Clean Fill Material / Non Hazardous Concrete & Aggregate

- vii) The applicant is agreeable to undertaking chemical testing and geotechnical assessments of the infill material to confirm that no hazardous substances exist from the infilling.
- viii) The applicant proposes to provide a designated area for nesting birds on other marsh lands adjacent to the site as a remediation to the issues identified in Section VI) above. The ownership of the area can be transferred to the National Parks & Wildlife Service (NPWS) as a mitigatory measure in lieu of his actions in relation to the Bannow Bay SAC / SPA.
- ix) Hydrological attenuation of surface water emanating from the subject site can be undertaken in accordance with the comments from Wexford County Council to ensure that no water quality issues arise in the receptor waterbody.
- x) A set back of 50m from the water's edge as recommended in the Wexford County Council submission is very achievable at the site.
- xi) As alluded to previously the Applicant is fully cognisant that he has not managed the planning consent process properly but does hope that he can regularise the infringements. The underlined extract from the Chief Executive in the Wexford County Council Submission states "Substitute Consent for the development under consideration should not be permitted given the applicant's past failure of compliance with planning permission and enforcement notices". The magnitude of this would be detrimental to an award-winning hospitality business that was recognised at the recent Hospitality & Tourism Awards for 2025;

The South East Radio Hospitality & Tourism Awards 2025 lit up the 4-star Riverside Park Hotel Enniscorthy last night Monday

Over 330 guests gathered for a glamorous black-tie celebration of the region's finest in food, tourism and hospitality.

Among the major highlights, Jasper's Restaurant was crowned Overall Restaurant of the Year, Foley's of Newbawn took home Overall Bar of the Year, Newbay House claimed Overall Wedding Venue, and Whites of Wexford was named Overall Hotel of the Year.

Special honours also included a standing ovation for the Whitty Family of Whitford House Hotel, recipients of the prestigious Lifetime Achievement Award.

See full list of winners below.

SOUTH EAST RADIO HOSPITALITY & TOURISM AWARDS 2025

TOURISM & ENTERTAINMENT SECTOR

- **Best Leisure Activity** – *Saltee Ferry*
- **Best Tourist Attraction** – *Wells House & Gardens*
- **Best Heritage Site** – *Enniscorthy Castle*
- **Best Festival** – *Fleadh Cheoil na hÉireann – Wexford County Council*
- **Best Cultural Experience** – *The National 1798 Rebellion Centre*
- **Best Caravan / Camping / Glamping** – *Roche's Campsite*



Figure 1 -Hospitality & Tourism Awards for 2025

4. Conclusion:

Respectfully we hope that An Coimisiún Pleanála can take a more measured view than that proposed by Wexford County Council in their submission which recommends outright refusal of the Substitute Consent application.

Notwithstanding the previous errors in judgement of the applicant in relation to the Bannow Bay SAC & SPA and planning enforcement requirements, it is contended that conditioned regularisation of the enterprise would allow a very well presented and family run business to continue in accordance with the provisions of Chapter 7 of the County Wexford Development Plan (2022 – 2028) for Tourism Development. The chemical testing of fill material used in the unauthorised filling will confirm the nature of the material used and its non-hazardous composition. Furthermore the installation of the new wastewater treatment system and site attenuation would address and issues of contaminants reaching the Natura 2000 site / receiving waterbody.

Signed (On Behalf of the Applicant):

Terry O' Leary

Terry O' Leary M. Eng. (Structural & Geotechnical), MA, M.Sc., B.Sc. Hons.,
C. Eng., PhD., C. Env.

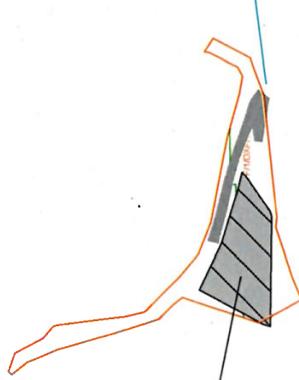
Chartered Engineer, Chartered Building Surveyor &
Chartered Town Planner.

MCABE, MIEI, MRICS, MSCSI, MCIQB, MRTPI, MIPI.

Folio: WX65737F



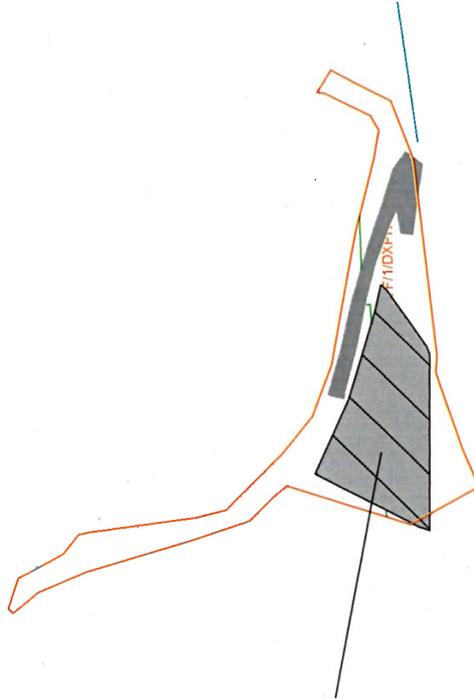
HARDCORE FILL AREA



AREA OF SLIPWAY OUTSIDE OF APPLICANT'S OWNERSHIP COMPRISES C. 9.50 SQ. METERS

Tailte Éireann Registration operates a non-conclusive boundary system. The TÉ Registration Map identifies properties not boundaries meaning neither the description of land in a folio nor its identification by reference to a TÉ Registration map is conclusive as to the boundaries or extent. (see Section 85 of the Registration of Title Act, 1964). As inserted by Section 62 of the Registration of Deed and Title Act 2006.





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