Our Ref: ABP-303726-19



Karol Jackson Ballyell, Tagoat Rosslare Harbour Co. Wexford

Date: 12th April 2019

Re: A mixed-use development which includes a six-storey hotel, six-storey car park, five-storey residential building, three five-storey office buildings, two-storey cultural/performance centre, twostorey mixed-use restaurant/café/specialist retail building, new sea wall around the existing Trinity Wharf site, 64 berth floating marina and all other site infrastructure works and ancillary works. Trinity Wharf, Trinity Street, Wexford.

Dear Sir

An Bord Pleanála has received your recent submission in relation to the above mentioned proposed development and will take it into consideration in its determination of the matter. A receipt for the fee lodged is enclosed.

The Board will revert to you in due course with regard to the matter.

Please be advised that copies of all submissions / observations received in relation to the application will be made available for public inspection at the offices of Wexford County Council and at the offices of An Bord Pleanála when they have been processed by the Board.

More detailed information in relation to strategic infrastructure development can be viewed on the Board's website: www.pleanala.ie.

If you have any queries in the meantime, 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,

Fergal Kilmurra **Executive Officer** Direct Line: 01-873 7247

Tel

Fax

Email

LoCall

Teil Glao Áitiúil Facs Láithreán Gréasáin Ríomhphost

(01) 858 8100 Website

1890 275 175 (01) 872 2684 www.pleanala.ie bord@pleanala.ie

64 Sráid Maoilbhríde Baile Átha Cliath 1 D01 V902

64 Marlborough Street Dublin 1 D01 V902

21, TRINITY STREET, LDG OK Fee: € _ <u>SO</u> Type: _ Time: 11:14 By: _

CO. WEXFORD Y35 Y322

WEXFORD,

An Bord Pleanála 64 Marlborough Street Dublin 1 D01 V902

31st March, 2019

RE: PROPOSED DEVELOPMENT AT TRINITY WHARF, TRINITY STREET, WEXFORD, CO. WEXFORD - CASE REFERENCE NUMBER PL26.303726

Dear Sir or Madam,

My name is Karol Jackson and my business is Menapia Properties. I conduct my business from No. 21, Trinity Street and I also reside at this premises with my 3 children, all of whom are now young adults. I am aware of the submission to the Bord made on behalf of the residents as I have also signed that submission, however, I feel compelled to make an independent submission on my own behalf, as my business and quiet enjoyment of my home will be impacted by the proposed development at Trinity Wharf in a negative way, unless a reasonable solution can be obtained through negotiation with Wexford County Council through the auspices of An Bord Pleanála.

BACKGROUND

I purchased No. 21 Trinity Street in June 2014 with the intention of residing at the property and conducting my failing business from same in the hope that it may generate reasonable revenue from the change of address. As seen on the boundary map my property extends to the middle of Trinity Street and therefore, I expected to be able to park my car directly outside of my property and indeed have been doing so and currently do. Due to the nature of my business I use my car at various times during the working day for work purposes and if I am unable to park close to my premises this will have a financially negative effect on my business.

On the 20th April, 2015 Planning Permission for Retention of a three storey extension to the rear of existing house and permission for (a) change of use from apartment to shop at ground floor level (b) new shop front and signage (c) change of use from apartments to single residence (d) replacing existing windows on the street elevation and all associated minor works and site works was granted to me at No. 21, Trinity Street, Wexford under Planning Reg. No. 20150060, copy attached.

One of the conditions of my planning application No. 20150060 was to pay a contribution to Wexford County Council in respect of works, consisting of the provision or improvement of the car parking facilities in the functional area of the Planning Authority, which of course I duly paid.

I commenced business and took up residence at No. 21, Trinity Street on the 15th September 2015 and have been working and residing at the premises since that date with the facility of parking my car outside my premises on the street. Under the application from Wexford County Council to An Bord Pleanála Case Reference No. PL26.303726, Wexford County Council have applied for "A new vehicular entrance road with signalised junction on Trinity Street, widening of Trinity Street, a new railway level crossing and associated site works". In so doing and according to the drawings submitted to the Board with the application by Wexford County Council, 18 existing on street car parking spaces shall be eliminated in order to provide for the new vehicular entrance to the proposed development at Trinity Wharf, one of which happens to be outside my premises. I have also enclosed a map showing the location of No. 21 Trinity Street and the location of the proposed new vehicular entrance, both highlighted in orange. In the Application to the Board and in the Environmental Impact Assessment Report, under Section 5 Traffic Analysis Plate 5.4 actually shows my Silver Toyota Prius parked directly outside my property, No. 21 Trinity Street.

CURRENT POSITION

Wexford County Council have recently introduced "pay for parking" on Trinity Street stretching up to William Street, in a Southerly direction. This was implemented on Friday 22nd March 2019 when the signs which were erected a few days earlier were backed up by the installation of pay parking machines whereby one could obtain a parking ticket to put on the dash of their car. This has not seemed to make any difference to the availability of spaces and in fact on 3 days during this week I have had to park my car across the street outside the business of McMahons Builders Providers which is a regular occurrence as there is no space outside of my premises. Unfortunately, under the current application all of the spaces outside of McMahons are proposed to be eliminated also.

SOLUTION

Having had preliminary discussions with Wexford County Council it was proposed to the Council that vehicular parking for residents be provided in the green area to the right-hand side of Seaview Avenue at Fisher's Row. Under Chapter 5, Section 5.4.2 there is a provision for a Turning Head on Seaview Avenue already and we have proposed that provision for parking for at least 4 cars, if not more, also be provided with parking continuing up Trinity Street heading south to be of a herringbone design, to allow for more parking than in parallel parking design. I would specifically request that one of these spaces be designated to myself as I am directly affected by my space on street being removed.

I would like to submit herewith my concern for the lack of parking that will now be available to the residents and customers of the businesses on Trinity Street and primarily my own business as, if the current application by Wexford County Council is granted, the space outside of my property will be taken away to provide for the new vehicular entrance. I enclose herewith the required Fee of €50.00 made payable to An Bord Pleanála.

I believe valid points have been raised by the residents in the area in the submission compiled by Mr. John Hayes, copy enclosed. I would welcome further discussions with Wexford County Council and subsequent conditions imposed on the proposed development at Trinity Wharf in order to come to an amicable solution to this problem and cessation to the stress that it has caused to me.

Yours faithfully,

KAROL JACKSON

WEXFORD COUNTY COUNCIL PLANNING AUTHORITY

PLANNING AND DEVELOPMENT ACT 2000 (as amended)

NOTIFICATION OF GRANT OF PLANNING PERMISSION

Further to Notification of Decision on the application described in the Schedule to this Notice the application has now been determined as set out therein and is hereby <u>GRANTED</u> in accordance with the drawings and documents submitted.

Signed on behalf of Wexford County Council	Lor	y Nolan
	Date	achitzers_

SCHEDULE

PARTICULARS OF PLANNING APPLICATION

PLANNING REG. NO.: 20150060

DATE OF APPLICATION: 26 January 2015

APPLICANT:

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KAROL JACKSON O'SHEA Ballyell Tagoat Rosslare Harbour Co. Wexford

TYPE OF APPLICATION: PERMISSION FOR RETENTION

PROPOSED DEVELOPMENT: RETENTION OF A THREE STOREY EXTENSION TO THE REAR OF EXISTING HOUSE AND PERMISSION FOR (A) CHANGE OF USE FROM APARTMENT TO SHOP AT GROUND FLOOR LEVEL(B) NEW SHOP FRONT AND SIGNAGE (C) CHANGE OF USE FROM APARTMENTS TO SINGLE RESIDENCE (D) REPLACING EXISTING WINDOWS ON THE STREET ELEVATION, AND ALL ASSOCIATED MINOR WORKS AND SITE WORKS

LOCATION:

NO. 21 TRINITY STREET, WEXFORD

DECISION:

GRANTED subject to CONDITIONS as listed hereinafter.

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DATE OF DECISION:

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18 March 2015

Planning Register No. 20150060

Having regard to provisions of the Wexford Town and Environs Development Plan 2009-2015 (as extended under Part 8 of the Electoral, Local Government and Planning and Development Act 2013), the referral responses received, and all other material considerations, it is considered that subject to compliance with the following condition, the proposed development would not seriously injure the amenity of the area and would therefore be in accordance with the proper planning and sustainable development of the area.

CONDITIONS AND REASONS THEREFOR

 The development shall be retained and carried out in accordance with the plans and particulars lodged with the planning application, except as otherwise required by the conditions of this permission.

REASON:

To ensure the development accords with the permission and that effective control is maintained.

 The high level projecting sign on the street elevation is hereby not permitted. Prior to commencement of the development a revised street elevation drawing shall be submitted for the written agreement of the Planning Authority demonstrating its' removal.

REASON:

To ensure the proposed development accords with the permission and that effective control is maintained.

3. The Developer shall pay to Wexford County Council a contribution in respect of works, consisting of the provision or improvement of the car parking facilities in the functional area of the Planning Authority. The contribution shall be payable at the time of commencement of development and the amount shall be five hundred euro (€500.00) as stated in Appendix 1 of this document.

REASON:

In accordance with the Development Contribution Scheme as provided for under the Planning and Development Acts 2000 (as amended).

4. No surface water from roofs, paved areas or otherwise shall discharge onto the public road.

REASON:

In the interests of traffic safety.

5. The flat roof area shall not be used as a balcony or roof garden.

REASON:

In the interests of neighbouring amenity.

END OF SCHEDULE

APPENDIX 1 : DEVELOPMENT CONTRIBUTIONS PAYABLE

Planning No.: 20150060

Applicant Name: KAROL JACKSON O'SHEA

Location: NO. 21 TRINITY STREET, WEXFORD

Proposal: RETENTION OF A THREE STOREY EXTENSION TO THE REAR OF EXISTING HOUSE AND PERMISSION FOR (A) CHANGE OF USE FROM APARTMENT TO SHOP AT GROUND FLOOR LEVEL(B) NEW SHOP FRONT AND SIGNAGE (C) CHANGE OF USE FROM APARTMENTS TO SINGLE RESIDENCE (D) REPLACING EXISTING WINDOWS ON THE STREET ELEVATION, AND ALL ASSOCIATED MINOR WORKS AND SITE WORKS

Decision Date: 18 March 2015

The following are the Development Contributions due in respect of the above Planning Permission:

Infrastructure Type	Calculation Type	Amount Payable
Car Parking	Car Parking - All Locations	€500.00

Total Payable	€ 500.00

Please note that the planning contributions are due at time of commencement. Failure to pay these will result in legal action for the collection of same, interest due and any other legal cost incurred.



An Bord Pleanála, 64 Marlborough Street, Dublin 1 D01 V902



April 1st, 2019

Subject: Submission by John Hayes, 1 Seaview Avenue, Wexford, Co. Wexford on behalf of the residents listed.

Re: Proposed development at Trinity Wharf, Trinity Street, Wexford, Co. Wexford – Case Reference PL26.303726

Dear Sir/ Madam,

We wish to submit our observations on the proposed development at Trinity Wharf, Trinity Street, Wexford, Co. Wexford – Case Reference PL26 .303726, relating to the implications of the proposed development. In advance, we would like to make it clear that the majority of residents that we have spoken in the local area agree that development on the site is desirable and could be beneficial as long as it:

- is completed in consultation with the communities impacted by the development
- is integrated with those communities (not forced on them)
- is sustainable in the long run (in terms of traffic, utilization of the site, amenities available to local groups)
- is in character with the existing area

With those caveats in mind here are the observations as agreed by the residents committee and attached signees:

1. Unsustainable/Overdeveloped nature of the proposed development

As per Wexford County Council's own submission the site will host 1,200 office jobs when complete. Similarly, the Council's own survey supplied with the proposal indicate that 58% of Wexford residents drive to work. The Council's own figures therefore indicate that 696 spaces are required to cater solely for employees on the site. Adding the mandatory spaces allocated to residents (58), the minimum amount of spaces required to grade the 120-bedroom hotel at a 4star level (40) results in a total of 794 spaces. This is a shortfall of 285 spaces on site, which is almost in excess of the total maximum number of spaces identified in the Council's own survey of all available spaces within a ten-minute walk (Chapter 5 – Traffic Analysis). Given that the survey referenced by the Council was carried out three years ago at a quiet time of the year (November 2016) it is reasonable to assume that the number of available spaces in this tenminute area is now considerably lower. In addition, there is no provision on site for the parking of coaches servicing the hotel/ cultural centre/ offices etc., no allowance for the impact of daily deliveries, drop-offs, HGVs (estimated by the Council to be just under 30 visits per day) or taxi journeys to and from the site. Also not included in the on-site parking requirements is the fact that the proposed 400-seat Cultural Centre, retail/ restaurant space and marina have no car park spaces allocated – rendering them either unusable from 8am-6pm Mon-Fri (when the 1,200 employees are on site) or preventing the office workers from working in the evenings or at week-ends. This is counter to the planning guidelines laid out by the Department of Environment, Heritage and Local Government (2009), which state that any urban development should 'promote the efficient use of land'.

Wexford County Council's own submission that parking for the 120 rooms in the hotel will only be needed outside of business hours clash with the reality that hotels in Ireland are currently working at over 90% capacity (Irish Times, Jun 20 2018 - 'Boom time at Irish hotels as occupancy exceeds 90%'). In addition, the Council's statement that conventions are mainly held at weekends is demonstrably erroneous, with a sample of previous conferences held (held by INTO, Garda Representative Association, Irish Planning Institute, ASTI etc.), all being held either during week days or from a week day into the week end.

Given the above points it is our submission that the current proposal represents an overdevelopment of the site and is unsustainable in the context of current infrastructure and therefore should be refused permission as currently planned.

2. Traffic - Suitability and Safety of Proposed Junction

- a. As per Wexford County Council's own submission the proposed junction layout is the third choice and justified only by the view it would provide on entry to the proposed development. Elevating the importance of a view over the consequent increased pollution and decreased traffic safety associated with the proposed junction is contrary to good sense and as such the third junction option should be refused.
- b. As residents we would submit that the original, existing entrance represents the safest route to the site as the proposed entrance represents a clear danger to young children who currently play in the Seaview Avenue/Trinity Street area, and to pedestrians crossing the entrance of Seaview Avenue. By Wexford County Council's own submission, the first option for entry/exit from the site the existing site entrance "was the most practical option, providing a gradual slope to a new railway level crossing, with least impact visually and in terms of engineering works." (Chapter 3 Alternatives Considered). As this would be the preferred option in terms of practicality, safety and traffic flow this option would represent the common interest. As this is exactly the function of Wexford Council's power to compulsorily purchase and given the small area of property involved, we would question why this option has not been pursued.
- c. Under the proposed traffic management plan the vehicular access to Seaview Avenue for anything larger than a car (e.g. bin lorry, oil delivery, emergency vehicles) would have to reverse in to the avenue against traffic which has been given a green light to proceed. As per Road Traffic Regulations (S.I No 182/1997 Section 12) "a driver shall ensure that to so reverse would not endanger other traffic or pedestrians". We would question how Wexford County Council envisages the new system might impact on drivers who have no choice but to reverse into Seaview Avenue, how this would impact on those road users trying to proceed on a green light and how their safety can be guaranteed.

- d. It is our submission that the proximity of the main junction at Fishers Row/ Trinity Street to the proposed new junction – approximately 60 meters – is too close and will negatively impact traffic flow in an already restricted area.
- e. Vehicles exiting Seaview Avenue would have no view to pedestrian or vehicle traffic coming from the North side of the proposed junction due to existing dwelling houses. The lack of suitable sight lines will increase the chance of accidents and especially pedestrian collisions (e.g. children walking to the local primary school).
- f. There is no pedestrian pathway for residential access/ entry to Seaview Avenue included in the proposed plan. Therefore, existing residents of Seaview Avenue will be forced to walk through an active traffic zone to enter/ exit their Avenue. This is contrary to any good design and ignores even the most basic of safety standards.

It is our submission therefore that the proposed junction is unsafe, ignores the needs of current residents and road users and therefore should be rejected.

3. Traffic – Impact on current residents for parking

The removal of current on-street parking for residents of the area (16 spaces from Trinity Street plus 2 from Seaview Avenue) would be a catastrophe for residents of the area, most of whom either have young families or are elderly. The proposed changes to the street layout have been bought in with no consultation with the local community, with emails and submissions addressing this issue not being answered.

It is our submission that if granted the proposed turning head for Seaview Avenue be altered to accommodate 4 car parking spaces for residents of Seaview Avenue, and that the current parking spaces at the green area on Trinity Street be reoriented to a herring bone formation. While both of these proposals require the loss of some green space they will alleviate the impact of the loss of other spaces and make the existing pedestrian and vehicle movement safer.

4. Traffic - unsustainable additional users added to an already congested area

- a. It is the view of the residents that the reliance of the Councils' report on ATC measurements ('Traffic and Transportation Report' submitted by Wexford County Council) should be viewed with a high degree of skepticism, given that they were carried out over a period that covered the August Bank Holiday week-end (Thursday August 2nd Thursday August 9th). This is a period of time in which there is reduced flow of traffic to/from the town centre due to severe congestion as a concrete example of the impact that this has on local residents Wexford Bus (one of the transport links listed by Wexford County Council as being a transport provider to the proposed development) suspended their approach from the south of the town along William Street, Trinity Street and onto the Quays for the whole of August 2018 due to the level of congestion on the road and the impact it had on journey times (20 mins to drive the length of Trinity Street would have been normal).
- b. August is also a time of the year that ignores the impact of traffic from the St. John of God Faythe School - a DEIS designated primary school situated less than two minutes' walk from the proposed development and which brings peak traffic flows into the area at school opening/ closing times - these coincide with potential rush hour traffic leading to the proposed development, particularly in the morning.

c. The submitted 'Traffic and Transport' report also completely omits two of the main access points to the area affected – William Street Lower and Fishers Row. Both of these streets are main feeder roads to Trinity Street for traffic approaching from the South of the development. At present William Street Lower is continually congested, with traffic parked on both sides of the road and no central median space available (at present it is almost impossible for two HGVs to pass each other on this section of road). It is normal practice that cars on the east side of William Street Lower have to park partially on the footpath in order to minimize the risk of damage to vehicles from passing traffic. Fisher's Row has parking on one side only and a single lane to accommodate two-way traffic. Fishers Row also contains a side entrance/ exit to the St. John of God Primary School, which is actively used by a large

It is our view therefore that current traffic volumes have been underestimated and that the proposed development will only add an unsustainable amount of traffic to the already congested area of William Street, Trinity Street, Parnell Street, Fishers Row and the Faythe. In addition, it is our submission that the current proposal is incomplete, should be rejected and that any future report contain a detailed analysis of the impact of increased traffic on William Street (Lower and Upper) and Fishers Row and the current contain a detailed analysis capacity and challenges of those areas.

5. Construction phase – impact on residents

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It is our view that the proposal lacks sufficient detail with regard to traffic and parking management (for existing residents and for potential construction workers), site management, noise pollution, dust pollution and construction work during the building phase of the project. In addition, the estimated construction period of 80 months would cause extreme inconvenience for all residents in the vicinity over a prolonged period of time and seems to be grossly excessive for a project of this scope (as a comparison both LUAS lines in Dublin were completed in a little over three years, the National Convention Center was completed in 40 months).

It is our submission that as with other developments in the town (e.g. the proposed River Bank Hotel, the Council's work on the National Opera House and on Whites Hotel) a detailed plan covering these requirements should be completed and agreed in consultation with the local community in the event that the proposed development, or any other future development, commences on the Trinity Wharf site. Further it is our submission that in order to safeguard the residential amenities in the vicinity:

- site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays (in line with other proposed large-scale developments in Wexford town)
- Wexford County Council shall be directly responsible for ensuring the cleanliness of the site and surrounding areas during construction, with a full clean of all surrounding approaches
- Wexford County Council shall provide a direct contact for all residents in the immediate area in case of disputes, emergencies etc.
 Wexford County Council shall provide a direct contact for all residents in the immediate area
- Wexford County Council shall provide any businesses or work-from-home residents with alternative office space during the construction phase if required (office spaces shall be

lockable and private, fully secured and provisioned with telephone, fibre-broadband and any other amenities existing in the current work spaces)

- Wexford County Council shall ensure adequate parking provision is made for all existing residents during the construction phase in the immediate locality
- Wexford County Council shall ensure that the notional 1,700 people that will be employed during the construction phase will have adequate parking provision in a manner/ place that does not impact existing residents in any way
- For any period of works exceeding three years a full compensation scheme be set up for residents in the immediate/ neighbouring areas, with specific compensation to be decided by an independent arbiter, for whom Wexford County Council shall bear all costs.

6. Unsympathetic to the existing area

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The visual amenity of the Trinity Street, Seaview Avenue, William Street district will be permanently damaged by the proposed development. Many of the current dwellings have been in place since the mid 1800's and follow a standard template of traditional two up/ two down, slate roofed terraced houses. The proposed development would have overbearing impact on this historical area of the town and is out of place with the existing streetscape.

Therefore, it is our submission that permission to build be refused at the proposed height.

7. Lack of facilities for the existing community

There are no facilities for the immediate community – described in the Council's own submission as being a 'deprived area' – included in the proposal, despite requests for this to be included (via email and online submissions). At the moment there is only one small playground located almost 1 kilometer away, which caters for the entire population of South Wexford Town. The proposed development should ideally add to the existing amenity value of the area in terms of playground /amenity provision but instead will only add an extra burden on existing amenities.

It is our submission that if the proposal is granted permission the site of the old Cash and Carry be nominated as a designated playground/amenity area for the benefit of existing and new residents (e.g. a small mixed-use recreational area). Further it is our submission that whatever amenity is agreed with the Council to be provided shall be completed prior to the completion of the proposed development.

8. Priorisitisation of cycling

The stated objective of Wexford County Council is to encourage more walking and cycling throughout the town, and – in this case – to the proposed development. At present the national guidance – promoted by Wexford County Council on its vehicle fleet – of allowing a minimum distance of 1.5m when overtaking a cyclist, is not allowed for in the proposed plans or on any of the approach roads to the proposed development. In addition, the nearest current cycling path ends 850 meters from the site ('Traffic and Transportation Report', as submitted by Wexford County Council) – and is part of a now overdue cycling path construction from Wexford County Council.

It is our submission that the Council's own overdue Wexford Town and Environs Development Plan 2009-2015 project be completed before any work on the proposed site commences, and that cycle lanes be included in the traffic plan for Trinity Street and all approaches to Trinity Street (i.e. Lower and Upper William Street, Parnell Street, Fishers' Row).

9. Invasive Species

As per Wexford County Council's submission the proposed site has been invaded by Japanese knotweed Fallopia japonica (Chapter 7, Biodiversity). In the Council's own decision on planning register no. 20190025 (O'Leary International Unlimited for a site on Whiterock South), planning has been refused, having regard to Regulations 49 and 50 of the European (Birds and Natural Habitats) Regulations 2011 which make it an offence to plant, disperse, allow dispersal or cause the spread of Japanese knotweed. In the above-mentioned case, a five-year programme for the control and monitoring of Japanese knotweed on site is deemed as being necessary.

It is our submission that the invasion of Japanese knotweed on the proposed site should fall under the same restrictions and treatment regime that Wexford County Council imposes on other sites and would ask for a detailed reasoning if this is not the case.

In conclusion, as local residents we welcome any appropriate development of the existing site. However, the existing proposals do not represent an appropriate or sustainable development, with particular relevance to safety, amenity provision, respecting existing streetscapes and maintainable growth. We therefore submit that the proposed development should be refused planning permission and a proper and meaningful consultation process take place with existing residents over the above concerns.

Yours Sincerely



