



An
Coimisiún
Pleanála

Inspector's Report ABP-322663-25

Development	House with associated site development works.
Location	Ballinacor East, Kilbride, Co. Wicklow.
Planning Authority	Wicklow County Council
Planning Authority Reg. Ref.	24468
Applicant(s)	Keith Walsh
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party
Appellant(s)	Keith Walsh
Observer(s)	None
Date of Site Inspection	25 th August 2025
Inspector	Emer Doyle

1.0 Site Location and Description

- 1.1. The appeal site, which has a stated area of 0.18 hectares, is located approximately 1km to the north of Barndarrig, and around 9.5km southwest of Wicklow Town. The site is located on the western side of the R772 Regional Road (formerly N11). The site is part of a larger field which has been subdivided to provide 3 No. sites at this location.
- 1.2. There are a large number of dwellings of varying designs to the north, accessed from a slip road off the R772 at this location and collectively known as Ballinacor Cottages. This slip road has entrances at both ends and perhaps represents a previous alignment of the road. Barndarrig Cemetery is located on lands to the east. The M11 is located on lands further west of the site.

2.0 Proposed Development

- 2.1. Permission is sought for the construction of a single-storey dwelling and installation of an effluent treatment system. Water supply is from the public watermains. The proposed dwelling has a floor area of 131sqm and a ridge height of 5.9m. The dwelling features a pitched roof and external finishes of nap plaster and roof slates. A shared access for 3 No. sites at this location is proposed from the regional road.
- 2.2. I refer the Commission to the planning history below which indicates that the applications for the 2 adjacent sites have been withdrawn and no decision has issued by the Planning Authority.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. Permission refused for 3 No. reasons relating to housing need criteria, traffic safety on the regional road, and prematurity as there is no planning permission in place for access to the site from the public road.

3.2. Planning Authority Reports

- 3.2.1. Planning Reports

- Planning Report (23/01/25): Report considers that the applicant has demonstrated a housing and social need in the area. It is considered that the applicant has not overcome the reason for refusal in relation to traffic safety in the withdrawn application under PA Reg. Ref. 24/155. Handwritten note by Senior Executive Planner which considered that the applicant has submitted insufficient information to demonstrate compliance with CPO 6.41.

3.2.2. Other Technical Reports

Area Engineer (06/01/2025): Recommends permission subject to conditions. States that sightlines are in excess of 160m which is the minimum requirement for regional roads.

Transport (4/12/24): Further Information required in relation to stopping distance for a vehicle turning right into the proposed development.

Transport (10/12/24): It has been observed that the proposed shared access lies outside the redline boundary. It should be clarified which site is proposing to include this shared access within their redline boundary.

Environment (16/12/24): No objection subject to conditions.

3.3. Prescribed Bodies

Traffic Infrastructure Ireland: Requests that the Council has regards to the provisions of official policy.

3.4. Third Party Observations

- None submitted.

4.0 Planning History

4.1. Subject Site

PA Reg. Ref. 08/324/ ABP Ref. 27.229658

Permission refused by PA and on appeal to the Board for one reason relating to traffic safety. At the time of the appeal, the road was the N11. It has since been downgraded to the R772.

PA Reg. Ref. 24/155

Withdrawn application from current applicant for dwelling and waste water treatment system.

Adjacent Sites

PA 24/469 – Withdrawn application for dwelling and waste water treatment plant.

PA 24/60762

Withdrawn application for dwelling and waste water treatment plant.

PA 24/156

Withdrawn application for dwelling and waste water treatment plant.

5.0 Policy Context

5.1. Development Plan

The relevant Development Plan is the Wicklow County Development Plan 2022-2028.

- The subject site is located in settlement Level 10- the rural area (open countryside)
- Wicklow Landscape Category Map No. 17.09A – Corridor Area East
- Landscape Hierarchy – Level 4

Housing in the Open Countryside

CPO 6.41: Facilitate residential development in the open countryside for those with a housing need based on the core consideration of demonstrable functional social or economic need to live in the open countryside in accordance with the requirements set out in Table 6.3.

Table 6.3 Rural Housing Policy

Housing Need / Necessary Dwelling

This is defined as those who can demonstrate a clear need for new housing, for example: first time home owners, someone that previously owned a home and is no longer in possession of that home as it had to be disposed of following legal separation / divorce / repossession, someone that already owns / owned a home who requires a new purpose built specially adapted house.

Economic Need

The Planning Authority recognises the rural housing need of persons whose livelihood is intrinsically linked to rural areas subject to it being demonstrated that a home in the open countryside is essential to the making of that livelihood and that livelihood could not be maintained while living in a nearby settlement.

Persons whose livelihood is intrinsically linked to rural areas may include:

- those involved in agriculture;
- those involved in non-agricultural rural enterprise / employment intrinsically linked to the rural area;
- other such persons as may have definable economic need to reside in the open countryside, as may arise on a case by case basis.

Social Need

The Planning Authority recognises the need of persons intrinsically linked to rural areas that are not engaged in significant agricultural or rural based occupations to live in rural areas. Persons intrinsically linked to a rural area may include: -

Permanent native residents of that rural area (including Level 8 and 9 settlements) i.e. a person who was born and reared in the same rural area as the proposed development site and permanently resides there;

- A former permanent native of the area (including Level 8 and 9 settlements) who has not resided in that rural area for many years;
- A close relative who has inherited, either as a gift or on death, an agricultural holding or site for his/her own purposes and can demonstrate a social need to live in that particular rural area;

- The son or daughter of a landowner who has inherited a site for the purpose of building a one off rural house and where the land has been in family ownership for at least 10 years prior to the application for planning permission and can demonstrate a social need to live in that particular rural area;
- Persons who were permanent native residents of a rural area but due to the expansion of an adjacent settlement is now located within the development boundary;
- Local applicants who are intrinsically linked to their local area and, while not exclusively involved in agricultural or rural employment, have access to an affordable local site;
- Local applicants who provide care services to family members and those working in healthcare provision locally;
- Other such persons as may have a definable strong social need to live in that particular rural area, which can be demonstrated by way of evidence of strong social or familial connections, connection to the local community / local organisations etc.

Regional Roads

CPO 12.48 New means of access onto regional roads will be strictly controlled and may be considered if one of the following circumstances applies:

- The regional road passes through a designated settlement and a speed limit of 50km/h or less applies;
- where the new access is intended to replace an existing deficient one;
- where it is demonstrated, through the submission of a site access engineering report prepared by a competent engineer, that the proposed entrance will not interfere with the free flow and safety of traffic on the regional road;
- where it is demonstrated that the entrance is essential and no other means of access is available.

Appendix 1 Development and Design Standards

Section 2.1.4 Public Roads

Regional road development control objectives

1. Works carried out on regional roads shall generally comply with TII 'Design Manual for Roads & Bridges' or DMURS (which ever is applicable) as may be amended and revised, unless local conditions determine otherwise.
2. A new means of access onto a regional road will be strictly controlled and may be considered if one of the following circumstances applies:
 - The regional road passes through a designated settlement and a speed limit of 50km/h or less applies;
 - Where the new access is intended to replace an existing deficient one;
 - Where it is demonstrated that the entrance is essential and no other means of access is available.
3. Permission will generally not be considered for new development adjoining the regional road even where no vehicular access is created because hazardous situations often still arise due to unregulated parking and the opening of pedestrian routes.

Appendix 2- Single Rural Houses Design Guidelines

5.2. Natural Heritage Designations

- 5.2.1. The appeal site is not located on or within any designated Natura 2000 sites, with the nearest designated sites being the Magherabeg Dunes SAC (Site Code 001766) c. 4.8km to the east and Deputy's Pass Nature Reserve SAC (Site Code 000717), located 4.5km to the north west. Additionally, Glenealy Woods pNHA (Site Code 001756) is located c. 3.9km to the north west.

5.3. EIA Screening

- 5.3.1. The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendix 1 of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. A First Party appeal has been submitted on behalf of the applicant. The grounds of appeal are summarised as follows:

- The applicant has gone to extensive lengths to indicate both his own and family connections to the area. His family home is located in Furzeditch c. 1.65km south of the site. He does not own a property and is willing to enter into a Section 47 agreement with the Planning Authority. Birth Certificate, bank statements, letter from national school, cover letter on behalf of the applicant indicating his connections to the area and details of family living in the area have been submitted with the appeal documentation.
- There is an existing agricultural entrance at this location. CPO12.48 seeks to restrict new entrances on regional roads and as such the Planning Authority statement that the development does not comply with this objective is misleading.
- The addition of another house along this stretch of the old N11 will not overburden the traffic situation at this location.
- An engineering submission in relation to traffic safety is included with the appeal which indicates that visibility is good at the proposed access and that the entrance will serve 3 No. dwellings as no other access is available.
- Reason No. 3 of the refusal by the Planning Authority is incorrect as the notices specifically refer to 'entrance'.

6.2. Planning Authority Response

- No response received.

6.3. Observations

- None.

7.0 Assessment

7.1. I have examined the application details and all other documentation on file and I have inspected the site and have had regard to relevant local development plan policies and guidance.

7.2. I am satisfied the substantive issues arising from the grounds of this first party appeal relate to the following issues:

- Rural Housing Policy
- Traffic Safety
- Wastewater Treatment

7.3. Rural Housing Policy

7.3.1. The appeal site is located in a rural area classed as the 'open countryside'. As per the Development Plan, Wicklow's rural areas are considered to be 'Area under Urban Influence'. In respect of housing in the open countryside, Objective CPO 6.41 of the Development Plan seeks to facilitate for residential development in the open countryside for those with a housing need based core consideration of demonstrable functional social or economic need to live in the open countryside in accordance with the requirements set out in Table 6.3.

7.3.2. The three criterion set out in Table 6.3 which must be met by potential applicants for a rural house in rural Wicklow are 'Housing Need/Necessary Dwelling'; 'Economic Need'; and, 'Social Need'. Therefore, an applicant seeking permission for a dwelling in the open countryside must have a clear housing need and then demonstrate their economic need or social need to reside in the rural area.

7.3.3. The information submitted by the applicant in support of his housing need includes the following:

- Cover letter attaining to the applicant's connections to the area;
- Confirmation of his willingness to enter into Section 47 agreement;
- Sworn declaration stating that the applicant has never jointly or individually directly or indirectly previously purchased a house or apartment;

- Employment details (Commissioning Engineer- based in Dublin and working from home also);
- Letter from Brittas Bay National School stating that the applicant lived in Furzeditch during the time attending this school;
- Bank statements addressed to Furzeditch for years 2015 to 2024;
- Birth certificate with an address in Furzeditch;
- Details of family home and relatives in the area.

7.3.4. Having regard to the above, I am satisfied that the applicant has demonstrated a need for housing as per Table 6.3 of the current County Development Plan. The applicant has also submitted sufficient information to adequately demonstrate that he has a 'social need' in terms of the policy requirements of the current Development Plan. As such, I concur with the Planning Authority Report which concluded that 'the applicant had successfully demonstrated a sufficient housing need as per CPO 6.41'. I note that the Senior Executive Planner considers that additional details including insurance details and utility bills would normally be required in addition to bank statements and added an additional reason for refusal in relation to housing need. The Commission may wish to seek additional information in this regard, however, I am satisfied that the applicant has provided sufficient information to demonstrate a 'social need' in the area.

7.4. Traffic Safety

- 7.4.1. The site is located on a section of the R772. It is proposed that an existing agricultural access will be closed up and a new single point entrance will serve three proposed dwellings at this location.
- 7.4.2. I am satisfied that sightlines of 160m in both directions are available at the entrance. Notwithstanding this, the regional road at this location has a poor horizontal alignment and the site is located at the outside of a bend in the road, which forms part of a larger S bend along this stretch. The slip road serving the existing dwellings at Ballinacor cottages further north has entrances/exits at both ends of the slip road in close proximity to the site and this may lead to some confusion for motorists. There are a number of warning markings on the road including chevrons and a

double white line at this location. I note that the entrance is to be shared with two other sites which could exacerbate traffic safety issues. At the time of the site inspection, one of these sites had a 'For Sale' sign. The most recent applications on both adjoining sites have been withdrawn as set out in the history above. I noted also the proximity to Barndarrig Cemetery on the opposite side of the road and consider that this could contribute to the road being busy at particular times with potential for unauthorised car parking adjacent to the regional road at this location.

- 7.4.3. The applicant submitted an Engineering Report with the application and the same report with the appeal. This sets out that the proposed entrance is one of many entrances on the R772 and the sightlines are in excess of 160m and the entrance will serve 3 separate dwellings. A report was received from the Area Engineer which confirmed that sightlines of 160m are available at the entrance. Two reports were received from the Transport Section. The first report required the applicant to demonstrate that there is adequate stopping sight distance for a vehicle waiting to turn right into the proposed development. This is to ensure the free flow and safe operation of the regional road in accordance with CPO 12.48.
- 7.4.4. The second report noted that the proposed shared access lies outside the red line boundary. It should be clarified which site is proposing to include the shared access within their redline boundary. I am not satisfied that this issue has been addressed in the response to the appeal. I note that the site layout and site location maps do not correspond to include the proposed shared entrance. The third reason for refusal by the Planning Authority considers that the application is premature as the entrance does not have permission.
- 7.4.5. Whilst it is clear that the applicant is seeking a shared access for three dwellings from the drawings, the Commission may wish to seek Further Information clarifying the issues above. The Planning Authority have included this in their reasons for refusal stating that the 'proposed development may be premature because there is no planning permission in place for access to the site from the public road and same has not been included as part of this application.'
- 7.4.6. Further, I am not satisfied that the appeal response addresses the concerns of the Transport Section demonstrating that there is adequate stopping sight distance for

vehicles waiting to turn right into the subject site. I consider that such a scenario would represent a significant traffic hazard.

7.4.7. I refer to CPO 12.48 which states that New means of access onto regional roads will be strictly controlled and may be considered if one of the following circumstances applies:

- The regional road passes through a designated settlement and a speed limit of 50km/h or less applies;
- where the new access is intended to replace an existing deficient one;
- where it is demonstrated, through the submission of a site access engineering report prepared by a competent engineer, that the proposed entrance will not interfere with the free flow and safety of traffic on the regional road;
- where it is demonstrated that the entrance is essential and no other means of access is available.

7.4.8. Whilst I note that it is proposed to close an existing agricultural access, I consider the proposal is for a new entrance as traffic movements will be significantly greater from the proposed shared access for 3 No. dwellings than that of the existing agricultural entrance.

7.4.9. As such, having regard to the nature of the proposed shared access and the nature of the regional road and the absence of proposals to provide adequate details for right turning movements, it is considered that the applicant has not clearly demonstrated that the proposed development and resultant traffic movements would not significantly undermine road safety along the R772 Regional Road outside the site. Accordingly, the proposal would represent a traffic hazard and would be contravene Objective CPO 12.48 of the Development Plan.

7.5. Wastewater Treatment

7.5.1. The site would be served by mains water supply and by installing a waste water treatment system, which would comprise a septic tank with percolation area.

7.5.2. A Site Suitability Assessment was carried out for the proposed on-site wastewater treatment system and a Site Characterisation Form from the EPA Code of Practice,

Wastewater Treatment and Disposal Systems (Population Equivalent ≤ 10) 2021, (EPA CoP), was prepared and submitted with the application. The form states that it is proposed to install a 6 person wastewater treatment unit with a soil polishing filter.

- 7.5.3. The site is located within a Locally Important (LI) Aquifer of high vulnerability. The underlying bedrock is 'Lower-Middle Ordovician slate, sandstone, greywacke, conglomerate'. The location of the trial hole was not visible on the occasion of the site visit but the ground underfoot was firm with no evidence of rushes or other species indicating poor drainage.
- 7.5.4. A trial hole was opened on the 17th of February 2024 to a depth of 2m. The depth of water ingress was 1.2m with a 1.4m depth from the ground surface to the water table. The trial hole uncovered top soil and sub soil of 'gravel silt' with 'Threads, 4cm Ribbons, Dilant' and had a medium to firm density and a reddish brown colour. The Subsurface Percolation Test, (T-test), returned a T-value result of 5.08. The Surface Percolation Test for Soil, (P-test), returned a P-value result 3.61. Based on the percolation values returned, the site was found to be suitable for a septic tank and percolation area. This conclusion is supported by the guidance contained in Table 6.4 of the EPA CoP. All separation distances shown are in accordance with the requirements of Section 6.3 of the CoP.
- 7.5.5. As noted, I did not view the trial hole or the location of the trial holes. However, I observed the nature and location of the site and the surrounding characteristics. I note that the PA had no objection to the proposed WWTS, and the issue was not raised in the comments from the Environmental Health Officer of the PA. I am satisfied that, based on my observations on the character of the site and the information contained in the Site Characteristic Form, that the WWTS as proposed would be acceptable subject to a regular maintenance schedule.

8.0 AA Screening

- 8.1. I have considered the proposed development in light of the requirements of S177U the Planning and Development Act 2000 as amended. The subject site is not located within or adjacent to any European Site. The closest European Site, part of the Natura 2000 Network, is Deputy's Pass Nature Reserve SAC (Site Code 000717) c. 4.5km to the north west.

Having considered the nature, scale and location of the proposed development, I am satisfied that it can be eliminated from further assessment because it could not have any appreciable effect on a European Site.

The reason for this conclusion is as follows:

- Scale and nature of the development
- The distance from European Sites and the absence of any ecological or hydrological pathways to any European Site.

9.0 Water Framework Directive Screening

9.1. Please refer to Appendix 2. The nearest water body is the River POTTER'S_020, IE_EA_10P010500 c.175m to the south of the site (good water body status) and the groundwater body is Wicklow IE_EA_G_076. This groundwater body is stated as being 'At Risk' in relation to not meeting their Water Framework Directive objectives. The proposed development is detailed in section 2.0 of my report. No water deterioration concerns were raised in the planning appeal.

9.2. I have assessed the proposed development of a dwelling and associated works and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

The reason for this conclusion is as follows:

- Small scale and nature of the development
- Location-distance from nearest water bodies and/or lack of hydrological connections.

I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

10.0 Recommendation

10.1. I recommend refusal of permission.

11.0 Reasons and Considerations

11.1. Having regard to the nature of the proposed shared access and the nature of the regional road and the absence of proposals to provide adequate details for right turning movements, it is considered that the applicant has not clearly demonstrated that the proposed development and resultant traffic movements would not significantly undermine road safety along the R772 Regional Road outside the site. Accordingly, it is considered that the proposed development would endanger public safety by reason of traffic hazard, the additional and conflicting traffic movements generated by the development would interfere with the safety and free flow of traffic on the public road and would be contrary to Policy Objective CPO 12.48 of the Wicklow County Council Development Plan 2022-2028. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Emer Doyle
Planning Inspector

16th September 2025

Appendix 1 Form 1 - EIA Pre-Screening

Case Reference	322663-25
Proposed Development Summary	House, waste water treatment system, garage, entrance and associated works.
Development Address	Ballinacor East, Kilbride, Co. Wicklow.
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2. <input type="checkbox"/> No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input checked="" type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	Class 10(b)(i)(iv) - Infrastructure Projects
<input type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road	

development under Article 8 of the Roads Regulations, 1994. No Screening required.	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	State the Class and state the relevant threshold
<input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	Class 10 (b)(i) Construction of more than 500 dwelling units - The proposed development is subthreshold as it relates to the construction of 1 no. dwelling.

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes <input type="checkbox"/>	
No <input checked="" type="checkbox"/>	

Inspector: _____ Date: _____

Appendix 1 Form 2 - EIA Preliminary Examination

Case Reference	322663-25
Proposed Development Summary	House, waste water treatment system, garage, entrance and associated works.
Development Address	Ballinacor East, Kilbride, Co. Wicklow.
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	The proposal comprises permission for the construction of 1 no. house in a rural area. The size of the development would not be described as exceptional in the context of the existing environment. The proposal will not produce significant waste, emissions or pollutants. By virtue of its development type, it does not pose a risk of major accident and/or disaster, or is vulnerable to climate change.
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	The proposed development is situated within a rural area. There are no significant environmental sensitivities in the vicinity – potential impacts on Natura 2000 sites is addressed under Appropriate Assessment (Screening).
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	Having regard to the limited nature and scale of the proposed development (i.e. 1 no. dwelling in a rural area in the open countryside), there is no potential for significant effects on the environmental factors listed in section 171A of the Act.
Conclusion	

Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.

Inspector: _____ Date: _____

DP/ADP: _____ Date: _____

(only where Schedule 7A information or EIAR required)

Appendix 2

Screening the need for Water Framework Directive Assessment Determination

The subject site is located at Ballincor East, Kilbride, Co. Wicklow.

The nearest water body is the River POTTER'S_020, IE_EA_10P010500 c.175m to the south of the site (good water body status) and the groundwater body is Wicklow IE_EA_G_076. This groundwater body is stated as being 'At Risk' in relation to not meeting their Water Framework Directive objectives. The proposed development is detailed in section 2.0 of my report. No water deterioration concerns were raised in the planning appeal.

I have assessed the development proposed of dwelling, garage, and waste water treatment plant and I have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

The reason for this conclusion is as follows:

- Small scale and nature of the development
- Location-distance from nearest water bodies and/or lack of hydrological connections

Conclusion

I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.