



An
Coimisiún
Pleanála

Inspector's Report PL-500223-WW-25

Development	Completion of new club house building, car parking area and playing pitch.
Location	Dunbur Lower , Wicklow Town , Co. Wicklow
Planning Authority	Wicklow County Council
Planning Authority Reg. Ref.	2560386
Applicant(s)	John Smith, Chairman, St. Patricks GAA
Type of Application	Permission
Planning Authority Decision	Grant Permission + Conditions
Type of Appeal	Third Party Appeal
Appellant(s)	Louis McCall
Observer(s)	None
Date of Site Inspection	19 th January 2026
Inspector	Frank O'Donnell

1.0 Site Location and Description

- 1.1. The subject appeal site is located in the rural townland of Dunbar Lower, approximately 1.5 km to the south of the centre of Wicklow Town. The appeal site is located on the eastern side of the public road, is accessed via an existing site vehicular entrance and has a stated site area of 10.8 hectares. The site comprises an existing GAA football pitch and associated sports floodlighting with associated hard standing areas and partially complete entrance wall. The site is still under construction.
- 1.2. The Appellant's dwelling is located to the rear (east) of the overall site and is accessed via an existing private gated access road positioned along the southwest site boundary of the subject appeal site. On the southwest side of this said private lane there are 2 no. separate dwellings which are accessed directly from the public road to the west.
- 1.3. The subject site is located within the Coastal Area of Outstanding Natural Beauty (AONB).

2.0 Proposed Development

- 2.1. The proposed development comprises the following:
 - Planning permission for the completion of works on the site for that previously permitted under planning reg. ref. no. 18/1405.
 - Planning reg. ref. no. 18/1405 comprised:
 - A new Clubhouse building comprising 4 no. dressing rooms and ancillary rooms. The Clubhouse building is single storey, has a stated gross floor area of 252 sqm and is proposed to be located on a hardstanding area close to the centre of the southern site boundary.
 - A new car parking area located to the immediate south west of the proposed new Clubhouse building stated to include circa 85 car parking spaces.

- 1 no. playing pitch stated to measure c. 137 metres by 85 metres and including 6 no. floodlights to the pitch. The floodlights are indicated to measure 17.5 metres in height.
- Proposed new fencing to the pitch.
- Proposed new secondary treatment system to current EPA Guidelines and new percolation area shown to be located to the northeast of the Clubhouse.
- Proposed new bored well indicated to be located to the south of the clubhouse.
- All associated site works.

3.0 Planning Authority Decision

3.1. Decision

The Local Authority issued a Request for FURTHER INFORMATION on 14th July 2025, as follows:

1. *Concerns have been raised that the works to date have resulted in levels exceeding those permitted by reference to PRR 18/1405, and that such level changes will result in negative impacts on adjoining residents. You are therefore requested to submit a report which identifies any alteration in levels from those permitted by reference to PRR 18/1405, and addresses impacts on adjoining residences over and above PRR 18/1405. Any report should include a full topographical survey, carried out by a suitable qualified professional with indemnity insurance indicating the current elevations of the grounds including the playing fields and surrounding lands, and of all lands within and along all site borders, and confirming final finished levels of all structures.*
2. *It would appear that the works have given rise to surface water drainage impacts, including blocking of natural drains which have resulted in flooding of the laneway to the south. You are therefore requested to submit proposal to*

ameliorate these impacts. In this regard you should submit a surface water management plan to deal with the issues identified and to show

- i. how all surface water will be dealt with on site including location of soak pits; and plans on how the surface water will be contained within the site along all boundaries given the site/ pitch/ carpark are at higher levels than the surrounding lands and dwellings.*
 - ii. Please submit specification and design of proposed surface/roof water drainage system for the club house, playing pitch and car park, with any interceptors, attenuation or soak holes. This should include a permeable surface for all hard surfaces. In particular to require any proposed development to meet the design criteria of each of the four pillars of SuDS design; Water Quality, Water Quantity, Amenity and Biodiversity.*
- 3. The proposed WWTS (Site layout drawing 2517 / PP / 102 b) refers to meeting EPA 2009 standards. Effluent Disposal Systems are required to be designed and installed in accordance with the EPA code of Practice 2021. Please clarify.*

The Local Authority issued a Notification of Decision to GRANT permission on 17th October 2025 subject to 20 no. Conditions.

Condition no. 1 is a standard condition relating to the documents and details submitted and as amended by the details submitted on 22nd October 2025.

Condition no. 2 relates to a Special Development Contribution of €40,000 towards the cost of road improvements/ widening along the site frontage (Greenhills Road).

Condition no. 3 relates to the roadside boundary and reads as follows:

- 3. The boundary along the entire roadside boundary to the north of the proposed site entrance shall be set back as proposed and a 1.8m concrete footpath along the Greenhills Road (L-5103) shall be provided all to the specification of the MD Engineers Office (Wicklow). **The development shall not become operational until** the planning*

authority confirms in writing that these works have been carried out in full to its satisfaction.

Reason: In the interests of pedestrian safety.

Condition no. 4 relates to the road improvement works specified under conditions no. 2 and 3 and reads as follows:

4. a) **The development shall not become operational until** the roads improvement works specified under Condition No 2 and 3 have been completed, unless otherwise agreed in writing with the Planning Authority.
- b) The improvement works shall be completed to the requirements of the Road Authority and to all relevant Engineering design standards.

Reason: In the interests of traffic safety.

Condition no. 5 relates to sightlines and reads as follows:

5. The roadside boundary shall be set back along a line formed by joining a point measured 2.4 metres back from the road carriageway at the centre of the access driveway to points) in both directions on the adjoining road boundary. **The development shall not become operational** until the planning authority confirms in writing that these works have been carried out in full to its satisfaction.

Reason: In the interests of traffic safety and visual amenity.

Condition no. 6 relates to the site entrance and reads as follows:

6. The entrance gates shall be recessed 5m from the road carriageway. The recessed space shall be splayed with wing walls, timber fences or stone banks splayed to provide an overall width of 6 - 8m along the roadside boundary. The wing walls, timber fences or stone banks shall not exceed 0.8m in height (including any pillars) within 2.4m of the public road carriageway. The development shall not become operational until these works are completed in full.

Reason: In the interests of traffic safety.

Condition no. 7 reads as follows:

7. a) *The club house and car parking area shall be built in such a manner that the finished floor and ground levels shall be no more than +129.00 to match the level of the adjacent access road.*
- b) *When the floor slab of the club house and ground works of the parking area and all lands within and along all site borders has been laid and before any further development takes place on these elements of the development, a certificate from a Chartered Engineer, Architect or other suitably qualified professional (with professional indemnity insurance) stating that the floor level and ground levels are in accordance with (a) above shall be submitted to and confirmed as acceptable in writing by the Planning Authority.*

REASON: In the interest of visual amenity, to enhance surface water management on site and protect the amenity of adjoining properties.

Condition no. 8 relates to the gradient of the internal access road on site.

Condition no. 9 read as follows:

9. *All surface water run-off from this facility shall be collected and disposed of within the site to soakpits, drains or adjacent watercourses as outlined in the details received on 22/09/2025. In particular, no such surface water run-off shall be allowed to flow onto the public roadway or adjoining properties, nor to discharge to the effluent disposal system. Interceptor traps shall be fitted to the storm water drainage system where appropriate and within all car-parking areas, to prevent accidental spillages of oils, greases, solvents or other contaminated matter entering the watercourses or soakaways.*

Prior to the commencement of development of the clubhouse and car parking area a permeable surface plan for all hard surface areas which demonstrates compliance with SuDS criteria shall be submitted for the written agreement of the planning authority. **The development shall not become operational until these works are confirmed by the planning authority as having been fully completed to its satisfaction.**

REASON: To ensure satisfactory storm water drainage in the interest of proper planning and development.

Condition no. 10 relates to effluent treatment and disposal.

Condition no. 11 relates to drinking water.

Condition no. 12 relates to the material and finishes of the Clubhouse.

Condition no. 13 relates to floodlighting on site.

Condition no. 14 relates to lighting on site.

Condition no. 15 relates to the design and layout of Car Parking on site.

Condition no. 16 relates to Hours of Operation.

Condition no. 17 relates to the control and disposal of waste soil/ material from the site by a Licensed Contractor.

Condition no. 18 relates to the control of mud and debris on the public road.

Condition no. 19 relates to a Landscaping Plan.

Condition no. 20 relates to the control of Advertising signage.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The **Local Authority Planner** noted that full planning permission was granted under planning reg. ref. no. 18/1405 and noted that some, but not all, of the permitted works have been carried out. The Local Authority Planner noted that the site has been cut and levelled, that additional soil and hardcore has been added, that the entrance has been installed and that the playing fields have been levelled and floodlights installed. No issue is raised by the Local Authority Planner as to the principle of the proposed development.
- Some concern is raised in relation to the installation of proposed planting scheme at the earliest opportunity to help mitigate surface water run-off and the assimilation of the development into the landscape. In addition, a requirement for the surface of the driveway, pedestrian and parking areas to

comprise a permeable surface was also raised as well as proposals for Sustainable Urban Drainage Systems (SuDs) measures.

- In relation to Neighbouring Amenity the Local Authority Planner notes the location of the subject site within a sensitive landscape (Coastal Area of Outstanding Natural Beauty) and the proximity to neighbouring residential dwellings. The implementation of the proposed planting scheme at the earliest opportunity is considered by the Local Authority Planner to be important to protect the residential and visual amenity of the area and potential noise impacts and glare from the floodlights.
- In relation to the Floodlights, the Local Area Planner notes the submitted Lighting Report and states that the use of same will be conditioned regarding the hours of operation and to control potential impact on residential and ecological amenities.
- Other concerns are raised in relation to the location of the proposed new bored well and compliance with EPA 2021 Standards for the proposed Waste water Treatment Systems (WWTS).
- In relation to Surface Water Disposal and Management, the Local Authority Planner considered that a more comprehensive surface water management plan was required, in order to ensure all surface water is contained within the site.
- The Local Authority Planner recommended that a Request for Further Information be issued.

3.2.2. Other Technical Reports

- **Climate, Environment, Recreation & Amenity:** No objection subject to 4 no. conditions relating to WWTS Certification, WWTS Annual Maintenance Contract and Drinking Water (2 no.).
- **Environmental Health Officer (EHO):** No objection. Conditions 9, 10, 11 and 12 of planning reg. ref. no. 18/1405 are still applicable to this development.
- **MDE (Roads):** No objection subject to 4 no. conditions relating to Road access arrangements, the avoidance of any surface water discharges onto the public road, the full implementation of all relevant roads and lighting

related conditions attached to planning reg. ref. no. 18/1405 (the applicant should confirm compliance with these conditions or identify any modifications that would require further assessment or approval by the Roads Section) and a Construction Traffic Management Plan (CTMP).

- **Chief Fire Officer:** No objection is raised subject to 4 no. conditions.

3.3. Prescribed Bodies

- None.

3.4. Third Party Observations

3.4.1. A total of 3 no. Third Party Observation/ Submissions were received during the initial 5 week submission period predominantly from surrounding residents, as follows:

- Mairead M Melia, Louis McCall, Pat O'Sullivan

3.4.2. The main issues raised in the above observation submissions are as summarised in the Local Authority Planners Assessment and as raised in the Appeal.

4.0 Planning History

4.1. Planning History on the subject site

- **25/35:** Extension of Duration (EOD) of planning reg. ref. no. 18/1405 REFUSED.
- **24/383:** Extension of Duration (EOD) of planning reg. ref. no. 18/1405 REFUSED.
- **18/1405:** Permission GRANTED for new clubhouse building, car parking area, 1 new playing pitch, 6 no. floodlights, fencing, WWTS, percolation area and all associated site works.

Condition no. 8 (Reg. ref. no. 18/1405) read as follows:

8. *All surface water run-off from this facility shall be collected and disposed of within the site to soakpits, drains or adjacent watercourses as outlined in the details received on 13/08/2019.*

In particular, no such surface water run-off shall be allowed to flow onto the public roadway or adjoining properties, nor to discharge to the effluent disposal system.

Reason: In the interests of traffic safety and residential amenity.

Condition 19 (Reg. Ref. no. 18/1405) read as follows:

19. *Interceptor traps shall be fitted to the storm water drainage system where appropriate and within all car-parking areas, to prevent accidental spillages of oils, greases, solvents or other contaminated matter entering the watercourses or soakaways.*

Reason: In the interests of traffic safety and residential amenity.

4.2. Comment on Planning History

- 4.2.1. As noted above, planning permission was previously granted on the subject site for essentially the same development to that currently proposed, as planning reg. ref. no. 18/1405 refers. The duration of Planning Reg. ref. no. 18/1405 has lapsed. The Applicant twice applied for an Extension of Duration (EOD) of planning reg. ref. no. 18/1405 and was twice refused, as EOD Ref. no's 24/383 and 25/35 refer.

5.0 Policy Context

5.1. Development Plan

- ***Wicklow County Development Plan, 2022 to 2028 (Volume 1 – Written Statement)***

- 5.1.1. I have reviewed the Wicklow County Development Plan, 2022 to 2028 and, in my opinion, the most relevant Chapters, Sections, Policies and Objectives are set out below.
- 5.1.2. Chapter 7 relates to Social and Community Development and includes the following Policy Objectives:

Leisure & Recreation

- **CPO 7.39:** *To provide for the development of facilities that will contribute to the improvement of the health and well-being of the inhabitants of County Wicklow and facilitate participation in sport and recreation.*
- **CPO 7.40:** *Facilities for sports shall normally be located on designated active open space, close to towns or villages where they are easily accessed by sustainable mobility options. All efforts shall be made to locate new sports facilities close to existing community facilities, schools or areas of dense residential development. The Council may consider providing sites for these purposes or may be prepared to make financial or other assistance available, subject to reasonable access being made available to the public and to reasonable safeguards for the continued use of the land as open space.*
- **CPO 7.42:** *The development of new sports or active open space zones shall be accompanied by appropriate infrastructure including:*
 - *Fully accessible changing rooms and drinking water fountains;*
 - *Car parking with EV charge points;*
 - *Pedestrian / cycling access and facilities; linkages to public transport.*

5.1.3. Chapter 14 relates to Flood Risk Management and includes the following Policy Objectives:

- **CPO 14.11:** *To limit or break up large areas of hard surfacing in new developments and to require all surface car parks to integrate permeability measures such as permeable paving.*
- **CPO 14.12:** *Excessive hard surfacing shall not be permitted for new, or extensions to, residential or commercial developments and all applications will be required to show that sustainable drainage techniques have been employed in the design of the development.*
- **CPO 14.13:** *Ensure the implementation of Sustainable Urban Drainage Systems (SuDS) in accordance with the Wicklow County Council SuDS Policy to ensure surface water runoff is managed for maximum benefit. In particular to require proposed developments to meet the design criteria of*

each of the four pillars of SuDS design; Water Quality, Water Quantity, Amenity and Biodiversity.

5.1.4. Appendix 1 – Development and Design Standards

5.2. Natural Heritage Designations

5.2.1. The site is not located within or adjacent to a Natura 2000 site. The nearest Natura 2000 sites are as follows:

- The Murrough Wetlands Special Area of Conservation (SAC) (Site Code 002249) is located 2.94 km to the Northwest of the subject appeal site;
- Magherabeg Dunes Special Area of Conservation (SAC) (Site Code 001766) is located 3.53 km to the south of the subject appeal site;
- Wicklow Head Special Protection Area (SPA) (Site Code 004127) is located 0.95 km to the East of the site;
- The Murragh Special Protection Area (SPA) (Site Code 004186) is located c. 1.95 km to the North of the site.

5.3. EIA Screening

5.3.1. The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended (or Part V of the 1994 Roads Regulations). No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of report.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. The main Grounds of Appeal can be summarised as follows:

- Existing Groundworks and French Drain:
 - The existing groundworks on the subject appeal site are causing damage to the Appellants property and driveway.

- Surface water run-off from the subject appeal site is collecting on the Appellants driveway.
- The GAA Club agreed to install a French Drain/ Dyke along the subject southern boundary for the full length of the Appellants access laneway.
- The Appellant would have no objection to the proposed development should these said proposals be implemented.
- The Appellant has included a copy of the Request for Further Information issued by the Local Authority.
- The Appellant notes that no condition was attached to the Notification of Decision to Grant planning permission, as issued, which requires the installation of a French Drain.
- The Appellant requests that if the Commission decide to Grant permission, a suitable condition be attached or that Condition no. 9 be amended to include a Prior to Commencement requirement that a French Drain/ Dyke be installed along the party southern boundary and that *'the development shall not become operational until these works have been confirmed in writing by the planning authority as having been fully completed to its satisfaction.'*

6.2. Applicant Response

6.2.1. The Applicant submitted a Response to the issues raised in the Appeal, the main points of which can be summarised as follows:

- The Appeal does not acknowledge the agreement made on site.
- The Appeal does not take Condition no. 9 of the Local Authority Notification of Decision to Grant permission into account.
- The Commission is requested to consider the following:
 - A Club Official met the Appellant on site along with a Representative of the Local Authority. The Club agreed to provide an open culvert inside along its boundary to address any suspected water which may or may not occur. The Applicant refers to the Appellants own letters and states the Appellant

acknowledged the agreement has been made (Applicant refers to Appellants letter to the Local Authority dated 1st October 2025).

- The Appellant was offered a Legal Agreement from the Club to undertake the Culvert/ French drain.
- The Local Authority raised no issue on site with the proposed arrangement.
- As the Culvert/ French Drain is open and does not form part of construction/ built works or building it is not located on any drawings. The Culvert is man made, will be dry for large parts of the year and will form part of the field in Club Ownership. If required, details can be submitted as part of Condition no. 9.
- Condition no. 9 is already suitably worded to address the concerns raised by the Appellant in relation to Surface Water and already serves to protect all neighbouring property including that of the Appellant.
- Further security is provided to the Appellant in the wording of the condition where it is stated that *'the development shall not become operational until these works are confirmed by the planning authority as having been full completed to its satisfaction.'*
- The Appellants reasoning for the appeal, *'that without installation of the agreed French drain/ dyke, before the arrival of another winter, further damage to my property will be incurred and, as a result, increase the Club's costs'* entirely contradicts the Appeal as a final decision will be further delayed for a further 8-12 months.

6.3. Planning Authority Response

- None

6.4. Observations

- None

6.5. Further Responses

- None

7.0 Assessment

7.1. Introduction

- 7.1.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal and the reports of the planning authority and having inspected the site, and having regard to relevant local/ regional and national policies and guidance, I consider the main issues in this appeal are as follows:

- Principle of the Proposed Development
- Surface Water Treatment and Disposal
- Special Development Contribution (New Issue)

7.2. Principle of the Proposed Development

- 7.2.1. The subject appeal relates to a partially developed GAA Club grounds (St. Patricks GAA) which was granted permission under planning reg. ref. no. 18/1405. The duration of planning reg. ref. no. 18/1405 has lapsed. The Applicant is seeking permission to complete the permitted development. In my opinion, the planning principle for the development of the subject appeal site as GAA grounds, including a pitch, clubhouse and parking area and so forth, is established under the previous planning permission on the subject site. The Local Authority decision to Grant permission is subject to 1 no. Third Party Appeal in relation to the issue of Surface Water runoff from the subject appeal site onto the Appellants property. In my opinion, a De Novo assessment of the entire development proposal is not warranted in this instance. I have therefore focused my assessment on the Grounds of Appeal and the issue of a Special Development Contribution (New Issue).

7.3. Surface Water Treatment and Disposal

- *Proposed Surface Water Layout*

- 7.3.1. I note the main concerns raised in the Appeal are focused on the issue of surface water treatment and discharge from the subject appeal site. In short, the Appellant is seeking the installation of a French drain/ dyke along the inside of the southern site boundary within the subject appeal site and has suggested the in the event of a Grant of Permission being issued, that condition no. 9 be amended.
- 7.3.2. I note the Applicants Response to Point no. 2 of the Request for Further Information which relates to the issue of Surface Water Treatment and Disposal. The Applicants' Response includes a Cover Letter and a total of 5 no. drawings which include 3 no. Drainage Drawings (T1, D2 and D3). The Applicant submits '*...the works are ongoing on-site and allowance must be made we feel for works yet to be completed.*' With specific reference to the surface water concerns raised by the Appellant, I note as per the overall 'Drainage Plan' Drawing (No. T1) that a 225 mm diameter twin wall surface water pipe is shown to '*outfall to open drain to the north and east.*' I note on the same drawing there is also a link shown to a road gulley trap (Road GT) to the south, outside the site boundary and within the Appellants property/ private access road. The Applicant states that '*existing surface water from neighbouring road and properties has been accommodated in a new 225 twin wall pipe system..*' and that '*this pipe will also take the additional surface water from the parking area.*' The intention of the Applicant, as shown on the approved Drainage Plan (Drawing T1), is therefore, in my opinion, to take surface water from the parking area and the Appellants access road, via a road gulley trap, to outfall to an open drain to the north and east of the overall site. The Applicant refers to additional surface water from the parking area and has provided details of permeable paving at this location. The Applicant considers the installation of this asphalt finish is unlikely, at present, owing to a lack of sufficient Club funds and that a gravel/ hardcore surface will instead be provided for on-site parking which will have natural drainage. The Applicant states that the club house is small and will be brought to soak pits on site.
- 7.3.3. I note the concerns raised in the Transportation and Infrastructure Delivery Department Report dated 14th October 2025 and, in particular, the comments raised in relation to the Applicants' Response to point no. 2 of the Request for Further

Information and the recommendation to seek further information in relation to the following:

- i) *Hydraulic calculations for all surface-water systems.*
 - ii) *Infiltration/percolation test results and soakaway sizing.*
 - iii) *Boundary cut-off drains or swales ensuring runoff is fully contained within the site.*
 - iv) *Confirmation of culvert capacity and outfall levels.*
 - v) *A short SuDS compliance statement addressing water quantity, water quality, amenity and biodiversity.*
- *Existing Surface Water discharge/ treatment along the Southwest Site Boundary adjacent to the Appellants access road*

7.3.4. At the time of my site inspection, which was following and during a period of significant rainfall, I noted a shallow open channel has been installed on site which falls in a general southern direction from the centre of the current hardstanding area, close to the existing site entrance for an approximate distance of c. 28 metres, prior to discharge via an existing plastic (c. 225 mm drainage pipe located under the Appellants access road) into an existing open drainage channel which runs along the southern side of said access road. In addition, I noted a partially complete and open block built inspection chamber had been installed close to the discharge point from the site and that surface water from the said on site open channel drained to and via same. The existing open drainage channel on the southern side of the Appellants access road had a significant volume of fast flowing water which, in my opinion, did not originate on the subject site. The surface water emanating from the subject appeal site at this location was low in volume and was at a slow rate.

7.3.5. I inspected the southwest site boundary of the subject appeal site along the length of the Appellants access road to the southern corner of the subject appeal site. I noted some small puddles along the southeast boundary on or close to the property line which, in my opinion, were not significant and were consistent with normal greenfield run off rates. This said localised minor ponding did not extend to the southern side of the Appellants access road where there is an existing open drainage channel.

- 7.3.6. In the southern corner of the subject appeal site, I noted 3 no. short and shallow drainage channels have been installed and which flow back into the subject appeal site in 3 no. directions away from the Appellants property and access road. The channels contained small amounts of stationary surface water towards their northern ends.
- 7.3.7. I did not encounter any other significant source of surface water discharge of note from the subject appeal site along the southwestern site boundary adjacent to the Appellants access road. I similarly did not encounter any other French Drain or Open Drain of any significance along or close to this same said southwestern boundary within the subject appeal site.
- 7.3.8. The open drainage channel along the southern side of the access road on the Appellants property appeared to be obstructed by vegetation further to the west close to the gated entrance to said access road.
- *Condition no. 9 of Local Authority Notification of Decision to Grant Permission*
- 7.3.9. I note the duration of the permission, as Granted by the Local Authority, is not restricted by way of any of the 20 no. Conditions issued. Where no specific time limitation is imposed, the permission would typically have a duration of 5 years from the date of the Final Grant within which to complete the development (excluding additional time periods for the Christmas Period over 5 years and the Covid 19 Pandemic).
- 7.3.10. I note Condition no. 9 which relates to Surface Water collection and disposal. I further note the Appellants request to amend Condition no. 9 so that it includes a requirement that prior to the commencement of development, that a French Drain/ Dyke is to be constructed along the length of the southernmost boundary of the Club Grounds and that *'the development shall not become operational until these works have been confirmed in writing by the planning authority as having been fully completed to its satisfaction.'*
- 7.3.11. Based on my on-site observations, I do not consider the existing volume or flow rate of surface water which currently discharges from the subject appeal site, particularly at the location of the existing discharge under the Appellants access road, to be of such significance as to warrant the urgent installation of a new French Drain/ Dyke along the inside of the subject appeal site. The recently constructed pitch is drained

to a soakpit close to the northeast corner of the pitch and the pitch design and associated drainage measures, in my opinion, serve to restrict surface water flow in a southern direction towards the Appellants property. The 3 no. drainage channels installed in the southern corner of the subject appeal site, which may be an interim solution, in my opinion, serve to address the accumulation of surface water on the Appellants property at this location.

- 7.3.12. While I note Condition no. 9 is robust, it is my opinion that it should be reworded in order to fully address the concerns of the Transportation and Infrastructure Delivery Department and the relevant concerns of the Appellant. (See recommended Condition no. 5 below). This includes proposals for boundary cut-off drains or swales ensuring runoff is fully contained within the site which, in my opinion, once implemented will serve to address the concerns of the Appellant regarding the flow of surface water from the subject appeal site onto his property.

7.4. Special Development Contribution (New Issue)

- 7.4.1. Condition no. 2 of the Notification of Decision to Grant permission relates to a Special Development Contribution of €40,000.00 to be paid to the Local Authority within 3 months of the grant of the permission. The Development Contribution is stated to be a contribution in respect of improvement/ widening works on the Greenhills Road (L-5103) which will benefit the proposed development. A separate general development contribution condition is not attached as part of the 20 no. conditions issued. Condition no. 2 of the subject application, reg. ref. no. 25/60386 is, in my opinion, a Special Development Contribution although it is accepted it is not expressly worded as such.
- 7.4.2. I note under the previous planning permission pertaining to the subject site, as planning reg. ref. no. 18/1405 refers, that Condition no. 2 also relates to a Special Development Contribution for the same amount of €40,000.00 and for the same aforementioned works on Greenhills Road. I also note under that said permission, that no separate general development contribution is attached as part of the 26 no. conditions issued. I note the 3 no. emails from the Wicklow Municipal District Engineer attached to the online planning file, ref. no. 18/1405 dated 17th, 24th and 25th September 2019, where an initial draft estimate for a special development contribution of €62,500 for a footpath, a right turning lane and signage/ lining is

referenced. This initial estimate of €62,500 is then later reduced to €40,000 with the omission of the requirement for a right turning lane and is instead stated to cover the costs of road improvements from the site back towards Mariners Point estate. I note that since permission was granted under planning reg. ref. no. 18/1405, that a footpath has been installed along the eastern side of the public road in a northern direction past Mariners Point Estate.

- 7.4.3. The Applicants' Cover letter lodged with the subject application, reg. ref. no. 25/60386, refers to the restrictions imposed under conditions 2 and 3 of planning reg. ref. no. 18/1405. The Applicant further states that they are very grateful that these issues and works have been recently completed on the Greenhill Road.
- 7.4.4. The Application is accompanied by a letter from the Revenue Commissioners which confirms the Applicants 'St. Patricks GAA' has been granted a games and sports tax exemption and I note, as per Question 22 of the planning application form, the fee payable is indicated to be €0.00. I note no planning application fee was similarly deemed to apply under the previous planning application, reg. ref. no. 18/1405, where, as per Question 22 of the application form, the fee payable was deemed to be exempted and the basis of calculation is stated to be GS 2588 – Games and Sports exempted section.
- 7.4.5. I further note, as per Table 5.1 of the Wicklow County Council Development Contribution Scheme (DCS), 2015 (Updated as of 22nd July 2025) that a 100% Exemption/ Reduction in the payment of development contributions is indicated to apply in a number of cases including:
- *Facilities provided by organisations which are considered exempt from planning fees as outlined in Article 157 (1) (a) – (c) of the Planning and Development Regulations, 2001, as amended.*
- 7.4.6. In my opinion, as the Applicant did not pay a planning fee and was deemed exempt from such a fee, there is an argument to that they should benefit from an exemption in the payment of development contributions. As stated, I note that no general Development Contribution Condition has been applied.
- 7.4.7. I note the Report and recommendation from the Transportation & Infrastructure Delivery Section attached to the subject application and dated 11th June 2025 makes no reference or recommendation to include a Special Development Contribution

condition. Similarly, there is no reference to a Special Development Contribution in the later Report from the same Department dated 14th October 2025.

- 7.4.8. I note there is no express assessment of the issue of Development Contributions set out in either of the 2 no. Reports from the Local Authority Planner. The conditions attached to the original permission, 18/1405 may have been followed as a template. Having regard to the foregoing, it is my opinion that a Special Development Contribution, as per Condition no. 2 of the Notification of Decision to Grant permission issued by the Local Authority, is not applicable in this instance and should, in the event of a Grant of permission being issued, be omitted from the final schedule of conditions.
- 7.4.9. This is a new issue, and the Commission may wish to seek the views of the parties.

8.0 Appropriate Assessment

- 8.1. I have considered the proposed development in light of the requirements S177U of 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 Wicklow Head Special Protection Area (SPA) (Site Code 004127), located approximately 0.95 km to the east of the proposed development. The Murrough Wetlands Special Area of Conservation (SAC) (Site Code 002249) is located approximately 2.94 km to the Northwest of the proposed development.
- 8.2. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.
- 8.3. The reason for this conclusion is as follows
- the nature and scale of the proposed development;
 - the location of the development in a rural area, distance from European Sites and the absence of any ecological or hydrological pathways to any European Site.
 - The Appropriate Assessment Screening Determination of the Local Authority

- 8.4. I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.
- 8.5. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

9.0 Water Framework Directive

- 9.1. The river body Wicklow_10 (IE_EA_10W080880) is located c. 146m to the west of the site (Waterbody Status: Good), a separate river body Kilpoole_Lower_10 (IE_EA_10K550680) is located c. 583 metres to the east of the site (Waterbody Status: Good) and the site lies above the Wicklow (IE_EA_G_076) Groundwater body (Waterbody Status: Good). 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 proposed development of a playing pitch 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:

- Nature of works e.g. 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 that permission be granted for the reasons and considerations set out below.

11.0 Reasons and Considerations

- 11.1. Having regard to the previous planning history on the subject site which established the principle for the proposed GAA facility at this location and the nature, scale and layout of the proposed development and its location relative to the Wicklow Town, it is considered that the proposed development, subject to compliance with the conditions set out below, would be in accordance with the provisions of the Wicklow County Development Plan, 2022 to 2028, would not seriously injure the visual or residential amenities of the area, would not be prejudicial to public health, would not give rise to serious flood risk and would be acceptable in terms of the surface water treatment and disposal. It is considered that the proposed development would be in accordance with the proper planning and sustainable development of the area.

12.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 29th September 2025, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interests of clarity.

2. Prior to the operation of the development, all boundary and road improvement works along the road frontage (Greenhills Road), shall be carried out, in full, to the written satisfaction of the Planning Authority. Adequate sightlines shall be maintained at all times.

Reason: In the interests of pedestrian and traffic safety.

3. Within 3 months of the date of this order, the Applicant shall submit details, including a suitably detailed revised site plan drawing of the proposed Finished Floor Level (FFL) of the Clubhouse Building and car parking area, to the Planning Authority for prior written agreement. All works associated with the installation of the Clubhouse floor slab, the ground works to the proposed car parking and proposed works along all site borders shall be certified by a suitably qualified, indemnified and Chartered Engineer, Architect or other suitably qualified person, prior to the advancement of any further stages and subject to the prior written agreement of the planning authority.

Reason: In the interests of visual amenity and surface water management.

4. The gradient of the proposed access driveway shall not exceed 1 in 40 for a minimum distance of 6 metres from its junction with the public road.

Reason: In the interests of traffic safety.

5. Within 3 months of the date of this order, the Applicant shall submit full details of the proposed surface water run-off from the subject site. This shall include, inter alia:

- All hydraulic calculations for all surface-water systems.
- Infiltration/percolation test results and soakaway sizing.
- Boundary cut-off drains or swales ensuring runoff is fully contained within the site.
- Confirmation of culvert capacity and outfall levels.
- A Sustainable Urban Drainage Systems (SuDS) compliance statement addressing water quantity, water quality, amenity and biodiversity.

All surface water run-off from this facility shall be collected and disposed of within the site to soakpits, drains or adjacent watercourses as outlined in the details received by the planning authority on 22nd September 2025.

Appropriately designed petrol interceptors and grease traps, as appropriate, shall be clearly indicated.

No surface water run-off shall flow onto the public road or adjoining properties.

A SuDs compliant surface water management plan for the clubhouse and car parking area, including a permeable surface plan for all hard surfaces shall be provided for the prior written agreement of the planning authority.

Compliance with this condition shall be subject to the prior written agreement of the planning authority.

Reason: To ensure satisfactory storm water drainage in the interest of proper planning and development.

6. (a) The septic tank/wastewater treatment system hereby permitted shall be installed in accordance with the recommendations included within the site characterisation report submitted with this application on 23rd May 2025 and shall be in accordance with the standards set out in the document entitled “Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10) ” – Environmental Protection Agency, 2021.
- (b) Treated effluent from the septic tank/ wastewater treatment system shall be discharged to a percolation area/ polishing filter which shall be provided in accordance with the standards set out in the document entitled “Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)” – Environmental Protection Agency, 2021.
- (c) Within three months of the first occupation of the Clubhouse Building, the developer shall submit a report to the planning authority from a suitably qualified person (with professional indemnity insurance) certifying that the septic tank/ wastewater treatment system and associated works is constructed and operating in accordance with the standards set out in the Environmental Protection Agency document referred to above.
- (d) The developer shall enter into an annual maintenance and servicing contract with regard to the sewage treatment system. This contract shall also include for a guarantee of continual effective treatment of the effluent and for periodic de-sludging. Any malfunction of the system shall be immediately rectified.

Reason: In the interest of public health and to prevent water pollution.

7. The Applicant/ Developer shall comply with the requirements of the Planning Authority in relation to water supply.

Reason: In the interests of public health.

8. The Applicant/ Developer shall comply with the requirements of the Planning Authority in relation to the proposed Car Parking Design, Use and Layout. Prior to the commencement of the Clubhouse, the Applicant shall submit a detailed revised car parking layout which includes proposals for a minimum of 5 no. Mobility impaired car parking spaces and proposals for EV parking and associated ducting.

Reason: In the interests of traffic safety.

9. Details of the materials, colours and textures of all the external finishes to the proposed Clubhouse building shall be submitted to, and agreed in writing with the Planning Authority prior to the commencement of the Clubhouse building.

Reason: In the interests of visual amenity and to ensure an appropriate high standard of development.

10. The Applicant/ Developer shall submit details of all floodlighting arrangements to the Planning Authority for written agreement prior to the first operation of same. The floodlighting system shall operate between the hours of 0900 and 2100 on any day. No floodlighting shall operate outside those hours.

Reason: In the interests of traffic safety and residential amenities.

11. Prior to the commencement of development of the Clubhouse, the Applicant/ Developer shall submit details of all proposed lighting arrangements for the overall site to the Planning Authority for written agreement.

Reason: In the interests of traffic safety and residential amenities.

12. Within 3 months of the date of this order, the developer shall submit to, and agree in writing with the Planning Authority, a Construction and Environmental Management Plan, which shall be adhered to during the construction stage. This plan shall provide details of intended construction practice for the development, including hours of working, noise and dust management measures and off-site disposal of waste.

Reason: In the interest of public safety and the protection of amenities.

13. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the Planning Authority within 3 months of the date of this order.

Reason: In the interest of residential and visual amenity.

14. Site development and building works shall be carried out only between the hours of 0800 and 1900 from Mondays to Fridays inclusive, between 0800 and 1400 hours on Saturdays and not at all on Sundays, Bank or Public Holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the amenities of property in the vicinity.

15. No advertisement or advertisement structure, the exhibition or erection of which would otherwise constitute exempted development under the Planning and Development Regulations 2001 (as amended), shall be displayed or erected on the site without a prior grant of planning permission.

Reason: In the interest of visual amenity.

16. The Applicant/ Developer shall ensure the public road fronting the subject site is kept clean and free of debris at all times, to the satisfaction of the Planning Authority.

Reason: In the interest of traffic safety and amenity.

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.

Frank O'Donnell

29th January 2026

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Coimisiún Pleanála Case Reference	PL-500223-WW-25		
Proposed Development Summary	Completion of new club house building, car parking area and playing pitch.		
Development Address	Dunbur Lower , Wicklow Town , Co. Wicklow		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	X
		No	
2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?			
Yes			
No	X		Proceed to Q.3
3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?			
		Threshold	Comment (if relevant)
No	X	N/A	No EIAR or Preliminary Examination required
Yes			

4. Has Schedule 7A information been submitted?

No	X	Preliminary Examination required
Yes		Screening Determination required

Inspector: _____ Date: _____