



An  
Coimisiún  
Pleanála

## Inspector's Report PL-500324-WW-25

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<b>Development</b>	Single storey dwelling house and all associated site works.
<b>Location</b>	Mount Alto, Ashford, Co. Wicklow
<b>Planning Authority</b>	Wicklow County Council
<b>Planning Authority Reg. Ref.</b>	25/193
<b>Applicant(s)</b>	Deborah O'Brien
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant Permission + Conditions
<b>Type of Appeal</b>	Third Party Normal Planning Appeal
<b>Appellant(s)</b>	Michael and Ann Rasmussen
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	4 <sup>th</sup> March 2026
<b>Inspector</b>	Susan McHugh

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## 1.0 Site Location and Description

- 1.1. The subject site is located at Mount Alto Road, Ashford, Co. Wicklow. The area is characterised by low density residential development on steeply sloping ground on the southern slope of the River Varty.
- 1.2. The appeal site is located in the front/ southern garden of an existing bungalow known as 'Sloperton'. The existing house is accessed from Mount Alto Road to the north via a driveway which falls steeply by approx. 7m from the entrance to the existing family home.
- 1.3. The site is bounded to the east by a bungalow (home to the appellant), and to the west by a private lane. The private lane serves seven no. dwellings, including three no. houses The Cedars, The Pines, and The Willows located to the north of the bungalow.
- 1.4. The site boundaries to the east and west are defined by mature hedgerows.
- 1.5. The site has a stated area of 0.009ha.

## 2.0 Proposed Development

- 2.1. The application was lodged on 16/07/2025. Permission is sought for
  - 1) single storey dwelling house with a stated area of 150sqm
  - 2) connection to public water and public sewage;
  - 3) and all associated site works;
  - 4) new shared entrance to serve proposed dwelling and existing dwelling and closure of existing entrance off the local road.
- 2.2. A request for further information was issued on 04/09/2025, with a response to further information received on 06/10/2025.

## 3.0 Planning Authority Decision

### 3.1. Decision

Planning Authority **granted** permission 28/10/2025 subject to 9 No. conditions.

Condition No. 2 Section 48(1) €13,750

Condition No. 3 Site Development hours of construction

Condition No. 4 Surface Water

Condition No. 5 Boundary treatments

Condition No. 6 Planting to be retained

Condition No. 7 Finished floor levels

Condition No. 8. Uisce Éireann

Condition No. 9. Occupancy

### 3.2. Planning Authority Reports

Planning Reports

3.2.1. The 1<sup>st</sup> Executive Planners Report (dated 03/09/2025) noted the following;

- *Drawings* - Difficult to interpret and lack of information in relation to levels.
- *Design* - Considered in keeping with the design of the area.
- *Overlooking* - Concern in relation to potential overlooking of the existing dwellings to the north and east.
- *Boundary treatments* - Lack of detail including removal of existing entrance gates.
- *Access* – Applicant has not demonstrated a right of way over private laneway, and lack of detail in relation to the proposed entrance to the laneway and the level of excavation/retaining required due to the slope. Sightlines at the junction with the public road onto the laneway not indicated.
- *Private Amenity Space* – Concern in relation to quality and privacy of proposed amenity space given location adjacent to public road and slope. Remaining private amenity area for existing house minimal.
- *Services* – No information submitted demonstrating connections to public mains for water and public sewer for wastewater. No proposals for surface water.

- Recommends refusal on same grounds as previous application under PA Reg.Ref.24/167.

3.2.2. The Senior Executive Planners Report (dated 04/09/2025) recommended a request for further information (RFI) in relation to the following;

1. Cross section and site level details to demonstrate that the proposed dwelling will not result in overlooking or overbearing impact on existing properties to the north and east.
2. Details of boundary treatments including retaining wall structures and level of excavation proposed,
3. Private amenity space to be retained to serve existing dwelling
4. Demonstrate sufficient legal interest to form a new access onto the private laneway, and that adequate sightlines can be achieved.
5. Surface water proposals.

3.2.3. The 2<sup>nd</sup> Report of the Executive Planner (dated 23/10/2015) recommends a grant of permission on the basis details submitted in response to RFI.

3.2.4. Other Technical Reports

- **Roads Report:** No Report.
- **Fire Officer:** Report received 13/08/2026 no objection subject to requirements.

3.2.5. Conditions

- **Condition 7** required the following:
  - (a) The finished floor levels shall accord with Section Drawing No. 25/62DD submitted 6<sup>th</sup> October 2025, unless otherwise agreed in writing by the Planning Authority prior to the commencement of development.
  - (b) When the ground floor slab has been laid and before any further development takes place on the dwelling, a certificate from a Chartered Engineer, Architect or other suitably qualified professional (with

professional indemnity insurance) stating that the floor level is in accordance with (a) above shall be submitted to the Planning Authority.

**Reason:** In the interests of visual amenity and integrating the development into the landscape.

- **Condition 9** required the following:

The first occupation of any residential unit shall be by individual purchasers or by those eligible for occupation of social and affordable housing, including cost rental housing, and shall not be by a corporate entity.'

**Reason:** To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing in the common good.

- All other conditions are standard for a development of this type.

### 3.3. Prescribed Bodies

- Uisce Éireann: No report received.

### 3.4. Third Party Observations

The Planning Authority received two no. third-party observations. One is from the appellants in the current appeal and the other is from the owner of one of the 7 no. dwellings served by the private laneway to the west. The issues raised generally reflect the grounds of the third-party appeal.

## 4.0 Planning History

**PA Reg.Ref.24/167:** Permission was **refused** 04/06/2024 for a two-storey house, with access to the site from the existing entrance with connections to all existing services at Mount Alto Road, Ashford, Co. Wicklow for Deborah O Brien.

Reason for refusal

1. Having regard to:

- a) The proximity of the proposed 2 storey dwelling to the shared eastern entrance boundary of the site for a distance of 11.6 metres resulting in a development which will be visually intrusive when viewed from the side and rear garden of the property to the east;
- b) The presence of first floor windows in the rear/eastern elevation of the proposed dwelling circa 5.5 metres from the shared eastern boundary resulting in the undue overlooking and loss of privacy of the property to the east;
- c) The design, scale and bulk of the proposed dwelling which appears out of character and scale with the existing dwellings to the north and east;
- d) The failure of the applicant to demonstrate that the existing family home to the north will retain a rear garden with an acceptable level of amenity and;
- e) The failure of the applicant to clearly demonstrate as part of this planning application how safe vehicular access will be provided/retained to the existing dwelling to the north.

It is considered that the proposed development would be out of scale and character with the properties to the north and east, would seriously detract from the privacy and residential amenity of these adjoining properties to the north and east and result in a traffic hazard. The development would therefore materially contravene the zoning objective for the area as set out in the Ashford Town Plan, which seeks 'To protect, provide and improve residential amenities of existing residential areas', would set an undesirable precedent for similar type development and would be contrary to Objective CPO 6.21 of the 2022-2028 Wicklow County Development Plan which seeks that house improvements, alterations and extensions and appropriate infill residential development in existing residential areas shall have regard to the protection of the residential amenities of houses in the immediate environs. The development would therefore be contrary to the proper planning and sustainable development of the area.

## 5.0 Policy Context

### 5.1. Wicklow County Development Plan 2022-2028

Variation No. 5 to the Wicklow County Development Plan 2022-2028 came into effect 30<sup>th</sup> March 2026.

#### **Chapter 3 – Core Strategy** as varied March 2026

Ashford is identified as a level 5 settlement, “Small Town – Type 1” in the county hierarchy. The

*Core Strategy* - Table 3.3 provides for an average housing growth rate of c. 30% between 2022 and 2031 across the 5 no. settlements in this tier, which is an increase of approx. 1,083 units.

*Future Housing Capacity Wicklow (Level 1-6 settlements as of Q3 2025)* - Table 3.4 indicates an estimated capacity of zoned land with no live permission for the 5-no. level 5 towns as 1,285 units.

*Wicklow Core Strategy Revised Housing Growth Target for County Wicklow 2025-2031 and zoned land provisions (Level 1-6)* - Table 3.5 indicates an estimated capacity of zoned land with no live permission for the 5-no. level 5 towns as 1,285 units.

#### **Chapter 5 - Town and Village Centres**

The priorities for town and village regeneration and rejuvenation of the level 5 settlements seeks to ‘Strengthen and revitalise the urban structure of these settlements, harnessing their unique heritage assets and develop strong attractive streetscapes. Address dereliction and underutilised sites to deliver compact growth and revitalise the town centres.

**Objective CPO 5.1:** To protect and maintain the viability of town and village centres, target the reversal of decline and deliver sustainable reuse and regeneration outcomes.

**Objective CPO 5.2:** To protect and increase the quality, vibrancy and vitality of town and villages centres by promoting and facilitating an appropriate mix of day and nighttime uses, including commercial, recreational, civic, cultural, leisure and

residential uses and to control uses that may have a detrimental impact on the vitality of the streetscape and the public realm.

**Objective CPO 5.3:** To particularly promote and facilitate residential development in town and village centres.

## **Chapter 6 Housing** (as varied March 2026)

**Table 6.1** Density Standards: For small towns and villages including Ashford the following density standards are noted:

Development in rural towns and villages is tailored to the scale, form and character of the settlement and the capacity of services and infrastructure (including public transport and water services infrastructure).

The density of development at such locations should respond in a positive way to the established context.

**Objective CPO 6.3:** New housing development shall enhance and improve the residential amenity of any location, shall provide for the highest possible standard of living of occupants and in particular, shall not reduce to an unacceptable degree the level of amenity enjoyed by existing residents in the area.

**Objective CPO 6.4:** All new housing developments (including single and rural houses) shall achieve the highest quality of layout and design, in accordance with the standards set out in the Development and Design Standards (Appendix 1) and the Wicklow Single Rural House Design Guide (Appendix 2)".

**Objective CPO 6.7:** The design and layout of new residential and mixed-use development shall deliver highly permeable, well-connected streets which facilitate active street frontage in accordance with best practice set out in the Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities (DEHLG May 2009) and the Design Manual Urban Roads and Streets (DTTS & DECLG 2013).

### **Density**

**Objective CPO 6.13:** To require that new residential development represents an efficient use of land and achieves the densities as set out in the Sustainable Residential Development and Compact Settlements Guidelines for Planning

Authorities (DoHLGH 2024) - Table 6.1. In promoting higher densities and more compact development, new development should demonstrate compliance with:

- the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (DoHLGH 2024);
- Quality Housing for Sustainable Communities;
- Design Standards for New Apartments Guidelines for Planning Authorities;
- Design Manual for Urban Roads and Streets;
- and any subsequent Ministerial guidelines.

### **Existing Residential Areas**

**Objective CPO 6.21:** In areas zoned 'Existing Residential' house improvements, alterations and extensions and appropriate infill residential development in accordance with principles of good design and protection of existing residential amenity will normally be permitted (other than on lands permitted or designated as open space, see CPO 6.25 below). While new developments shall have regard to the protection of the residential and architectural amenities of houses in the immediate environs, alternative and contemporary designs shall be encouraged (including alternative materials, heights and building forms), to provide for visual diversity.

**Appendix 1**, Section 3.0 of the plan.

Appendix 1 of Volume 3 sets out relevant design standards. The following is relevant:

**Section 2.1.4** notes that the design of new local roads and new means of access onto local roads shall generally comply with the guidance set out in the Design Manual for Urban Roads and Streets, Traffic Management Guidelines and Recommendations for Site Development Works for Housing Areas as necessary.

**Section 3.1.3** (Privacy) notes that a separation of 22m will normally be required between opposing windows serving private areas and the degree of 'overlooking' afforded by different window types shall be considered e.g., an angled roof light will not have the same impact as a traditional window on the same elevation.

**Section 3.1.4** (Open space) notes that public open space will normally be required at a rate of 15% of the site area. Minimum private open space for 1-2 bed houses is 50sq.m and 60-75sq.m for 3+ bed houses.

**Section 3.1.5** (Car parking) notes that 2 no. off-street spaces shall normally be required for all dwelling units over 2-bed in size. For every 5 no. units provided with only 1 space, 1 visitor space shall be provided (6m by 2.5m for parallel bays).

#### 5.1.1. **Ashford Town Plan 2022-2028**

The site is zoned as “RE – Existing Residential” which has the objective “to protect, provide and improve residential amenities of existing residential areas”

#### **Housing**

**Objective ASH1:** New residential development shall comply with the principles, objectives and standards set out in the Wicklow County Development Plan.

#### **Service Infrastructure**

Ashford is served by the Wicklow Sewerage Scheme, which has sufficient capacity to meet the needs of the plan area up to 2031. The town is served by the Wicklow Water Supply Scheme, which has sufficient supply to meet the projected population needs of the town.

### 5.2. **Natural Heritage Designations**

5.2.1. No natural designations apply to the subject site. The following Natura 2000 sites in the vicinity of the appeal site include:

- The Murrough Wetlands Special Area of Conservation (Site Code:002249), approximately 2.9km east of the site.
- The Murrough Special Protection Area (Site Code:004186), approximately 3km east of the site.

5.2.2. Further natural heritage designations in the vicinity include:

- The Murrough Proposed Natural Heritage Area (Site Code: 000730), approximately 2.9km east of the site.
- The Glenealy Wood Proposed Natural Heritage Area (Site Code: 001756), approximately 4km southwest of the site.

- The Devil's Glen Proposed Natural Heritage Area (Site Code: 000718), approximately 2.4km northwest of the site.

### 5.3. EIA Screening

The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2, in Appendices 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 third-party planning appeal against the planning decision of the PA to grant permission was lodged. The grounds of appeal can be summarised as follows;

- Main Sewer – Inaccurate description, PA have had no regard for the foul discharge from the site.
- Site Access – Right of Way
  - Access to the site is through private road that has not been taken in charge by the PA.
  - Appears to cross over third-party lands over which the applicant has not demonstrated a right of way.
  - Assert that solicitors letter submitted in RFI which appears to confirm a ROW to the lands is almost 30 years old and there are no current statutory documents submitted (i.e. Land Registry Mapping or Deeds) confirming same).
  - Notes names stated in legal agreement does not refer to applicant.
- Site Layout Plan and levels

- Drawings submitted with the application and in RFI are inaccurate in terms of illustrating the relative difference between the floor levels of the proposed dwelling and appellants dwelling to the east – Concern in terms of overlooking.
- Significant retaining structures required to facilitate the development will result in scarring of the landscape. Concern retaining structures will impact on neighbouring property and not clearly indicated on drawings submitted.
- No landscape proposals.
- No details or levels for the proposed entrance.
- Refer to 3 no. houses previously constructed for family members to the north at The Cedars, The Pines, and The Willows.
- Note original planners report recommended a refusal based on lack of information in relation to boundary treatments, retaining wall excavation and general compliance with the zoning objective and request PA decision to grant permission be overturned by the Commission.

## 6.2. Applicant Response

A response to the third-party appeal was submitted by the agent on behalf of the applicant, and can be summarised as follows;

- Site is within village boundary and is in compliance with the Wicklow CDP.
- Ashford is a level 5 Small town, copy of Ashford Specific Objectives and zoning maps accompany the response.
- Technical and construction documents are submitted with commencement notice and building control regulations application after final notice has been issued by the PA.
- Building Control Regulations address Structural Integrity, Accessibility, Energy Efficiency, Quality Control, and Legal Compliance.
- Applicants legal representative addresses issues raised by appellants in correspondence.

### 6.3. **Planning Authority Response**

- No response received.

### 6.4. **Observations**

- None received

## 7.0 **Assessment**

Having examined the details and all other documentation on file, inspected the site and having regard to relevant local/ regional/ national policies and guidance, I consider that the main issues in this appeal are as follows:

- Principle of Development
- Impact on Residential Amenity
- Access
- Drainage and Water Supply

### 7.1. **Principle of Development**

- 7.1.1. The site is located within the settlement boundary of Ashford, Co. Wicklow within lands designated as 'RE' existing residential. Existing development at this location consists mainly of one-off dwellings on large sites.
- 7.1.2. The site could be considered to be an infill site with a low density of development.
- 7.1.3. Having regard to the site history, zoning objective, and settlement policy of the current Development Plan, I am satisfied that the principle of development is acceptable at this location subject to consideration of all other relevant planning issues, including the impact, if any, of the proposal on the amenities of neighbouring properties and the overall character of the wider area.

### 7.2. **Impact on Residential Amenity**

- 7.2.1. The main issue raised in this appeal relates to the impact of the proposed dwelling on the residential amenity of the existing dwelling east. The main concerns relate to

overlooking and impact on privacy. I note the Planning Authority also expressed concern in relation to the proposed dwelling and the impact on the residential amenity of the existing dwelling to the north and the appellants dwelling to the east of the site.

- 7.2.2. Having regard to the positioning of the dwelling forward of the existing dwelling on site and that of the appellants on the neighbouring site, the site levels, and the separation distance between the proposed dwelling and existing dwellings, I share the concerns regarding overlooking. However, I would note from the outset that the proposed bungalow is single storey and provides no accommodation at attic level.

#### *Site Levels and Retaining Wall*

- 7.2.3. I have had regard to the site layout drawing and site section drawing submitted with the application. Site levels indicated illustrate a significant drop (c. 7m) in site levels from the public road to the south (54.3mOD), reducing to 47.5mOD on the northern end of the site. Finished Floor Levels (FFL) for the proposed house are indicated as 48mOD.
- 7.2.4. Noting the site level difference to the south of the proposed house at 49.75mOD, and the proposed FFL of 48mOD levels, excavation and retaining works are required to facilitate the proposed house. The site section drawing submitted illustrates the works proposed but with limited detail.
- 7.2.5. I refer the Commission to the revised site layout drawing submitted to the Planning Authority the 6<sup>th</sup> October 2025, indicating the location of the retaining wall proposed along the eastern, southern and part of the western house elevations.
- 7.2.6. The revised drawings provided illustrate a cross-section detail of the retaining wall which is proposed to accommodate the change in site levels of 1.1mOD. Further cross section details were also submitted illustrating site levels and separation distances relative to the adjoining house to the north and to the east. A terrace area is proposed to the south facing elevation which is largely enclosed on two sides by the projecting bedroom and dining elements on either side of the ground floor.
- 7.2.7. In relation to finished floor levels Condition no. 7 (section 3.2 above) refers to those indicated in drawings submitted in RFI. While I note the concerns of the appellants in relation to the proposed works required I am satisfied that subject to a condition

requiring final design details of all earthworks and associated retaining structures be submitted to the PA the proposal is acceptable.

### *Overlooking*

- 7.2.8. I note the location of the proposed house as lodged is set back 14.8m from the southern gable of the existing house on site and 3.2m from the planted eastern side boundary with the appellants property. The appellants house to the east is located approx. 21m from the boundary with the appeal site. The ridge height of the proposed single storey house is indicated as having a height of 54mOD (c. 6m in height). Given the sloping topography of the site the proposed house is set higher than the existing house Sloperton to the north and appellants property to the east.
- 7.2.9. I do not consider that that the proposed house will result in overlooking of the appellants house particularly given the layout, design and orientation of the proposal together with the existing mature boundary planting.
- 7.2.10. I further note that the front/north facing elevation of the proposed house faces onto the side gable of the existing house Sloperton to the north and that the private amenity space serving this house is located mainly on the opposite side of the house to the north. The private amenity space located to the rear of the existing dwelling is indicated as having an area of 170sqm. I do not consider that the proposed house will impact unduly on the existing house to the north by way of overlooking or impact on privacy.

### *Boundary Treatments*

- 7.2.11. In relation to boundary treatments the PA recommended in their assessment the inclusion of a 1.8m high fence be provided between the existing and proposed dwelling with planting provided also. While I note drawings submitted in RFI indicate planting along the northern boundary, this is not reflected in the conditions, and I consider this a reasonable measure to prevent overlooking.
- 7.2.12. I would also note that the existing house to the north benefits from a large north facing garden and terrace on the opposite end of the property from the proposed dwelling. The side south facing gable of the existing house also only has a single window. In any event if the Commission are minded granting permission a suitably

worded condition in relation to the boundary treatment between both the existing and the proposed dwelling can be attached.

- 7.2.13. I note Condition no. 6 requires existing shrub and tree vegetation on the site to be retained. I can confirm from my site visit the mature planting along existing site boundary with the appellants property to the east and I am satisfied that the retention of this planting is sufficient protect the residential and visual amenities of this property.
- 7.2.14. Having regard to the topography of the site, I accept the proposed dwelling will have a very steep garden to the rear/south and will mainly depend on the proposed south facing terrace to the rear and the area to the front/north for private open space. I am of the view that the existing planted boundary to the east is sufficient to prevent any impact on privacy and overlooking of the appellants house to the east from the outdoor space in this case.

#### *Private Amenity Space*

- 7.2.15. In respect of the amenity of future residents, I am satisfied that the proposal will provide a satisfactory level of residential amenity, providing quality accommodation with an adequate area of private amenity space (as per SPPR 2 of the Compact Settlement Guidelines).
- 7.2.16. In conclusion, having regard to the above factors, I am satisfied that the proposed development is acceptable and will not detract to an undue degree from residential amenities of adjoining properties.

### **7.3. Access**

- 7.3.1. The existing house is accessed via an entrance gate and driveway from Mount Alto to the south. The recessed entrance gates are accessed via a raised platform parallel to the roadway which also serves as a pull in parking bay. It is proposed to close this entrance and create a new shared entrance from the existing access road to the west. This involves crossing over an existing grassed area and removal of a section of the existing planted western boundary of the appeal site. The new shared entrance will have a width of approx. 6.94m.

- 7.3.2. Concerns are raised by the appellants in relation to the creation of the proposed new site access from the access road to the west serving both the existing and proposed house.
- 7.3.3. I note the access road to the west currently provides access to three dwellings to the north of Sloperton known as The Pines, Cedars and Willow, in addition to four other dwellings located to the west and north of the appeal site. The PA have confirmed that the access road has not been taken in charge. While I note that Transportation Section of the PA did not comment on the application, I am satisfied that the proposal to create a new shared access is acceptable in principle, subject to safety requirements.

#### *Sightlines*

- 7.3.4. Concerns are raised in the grounds of appeal in relation to adequate sightlines at the T junction of the access road with Mount Alto. I can confirm from my site visit that adequate sightlines in both directions at the junction of the access lane and the public road can be achieved.
- 7.3.5. I note the drawings submitted provide little detail in relation to the proposed boundary treatment of the new proposed entrance from the laneway to the west or details of the boundary treatment proposed to the current entrance gates from the south which it is proposed to remove. In my opinion this can be dealt with by way of an appropriately worded condition.

#### *Right of Way*

- 7.3.6. It is asserted in the grounds of appeal that the applicant has not demonstrated a sufficient legal interest to use the private road or that they have a right of way to cross over the grassed area along the western boundary of the site.
- 7.3.7. I have examined the solicitors letter submitted in RFI and accept that the right of way to the lands is almost 30 years old, however I am satisfied that this is sufficient for the purposes of demonstrating a right of way to use the laneway and to create the proposed shared access to the existing house 'Sloperton' and the appeal site.
- 7.3.8. In terms of the legal interest, I am satisfied that the applicants have provided sufficient evidence of their legal intent to make an application. Any further legal dispute is considered a Civil matter and are outside the scope of the planning

appeal. In any case, this is a matter to be resolved between the parties, having regard to the provisions of s.34(13) of the 2000 Planning and Development Act.

### *Summary*

- 7.3.9. I am satisfied therefore that the proposed development which provides a new entrance to serve two dwellings is acceptable in terms of traffic safety and will not give rise to a traffic hazard.

## **7.4. Drainage and Water Supply**

- 7.4.1. Concerns are expressed regarding foul drainage including the inaccurate description in the application and that the PA had no regard for the foul discharge from the site. The third-party appellants submit that there is no public sewer available to the site and the nearest available sewer is located in the public road 250m to the south of the site.
- 7.4.2. In this regard I note the applicant has clearly indicated on the application form the proposal to connect to the existing public foul sewer mains. I note issues of foul drainage are matters for Uisce Éireann and although the application was referred to them by the PA no comments were received. The applicant has also clearly indicated on the application form their intention to connect to the existing public water supply.
- 7.4.3. However, I refer the Commission to the Service Infrastructure section of the Ashford LAP (section 5.1.1 of my report above). Ashford is served by the Wicklow Sewerage Scheme and the Wicklow Water Supply Scheme, with both indicated as having sufficient capacity and supply to meet the needs of the plan area up to 2031.
- 7.4.4. While I accept the drawings submitted at application stage and in RFI do not provide precise details of how or where exactly these connections to public schemes will be made, I consider this a matter to be agreed with Uisce Éireann and the PA.
- 7.4.5. I have also had regard to the surface water drainage details submitted in RFI which indicate soakaways located to the front of the proposed house and on the lower part of the site. I am satisfied that the drainage proposals are acceptable and would not be prejudicial to public health.

## 8.0 Appropriate Assessment Screening

Please refer to Appendix 3. In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on any European Site(s) in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- Nature of works
- Location-distance from nearest European site and lack of connections
- Appropriate Assessment Screening of the planning authority.

## 9.0 Water Framework Directive Screening

9.1. Please refer to Appendix 4. The river body VARTRY\_040 IE\_EA\_10V010300 is located c. 260m to the north of the site (moderate water body status) and the groundwater body is Wicklow IE\_EA\_G\_076 (good water body status). 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 1 No. dwelling 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. Following from the above assessment, I recommend that permission is GRANTED for the development as proposed due to the following reasons and considerations, and subject to the conditions set out below

## 11.0 Reasons and Considerations

Having regard to the provisions of the Wicklow County Development 2022 - 2028, including the zoning objective for the site ('RE – Existing Residential') where the objective is to protect, provide for and improve residential amenities of adjoining properties and areas while allowing for infill residential development that reflects the established character of the area in which it is located; it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual or residential amenities of the area, or of property in the vicinity; and would provide an acceptable standard of amenity for future residents. The proposed development would, therefore, 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 to the planning authority, as amended by the further information plans and particulars submitted to the planning authority on the 6th day of October 2025, except as may otherwise be required in order to comply with the following
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	<p>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.</p> <p><b>Reason:</b> In the interest of clarity.</p>
2.	<p>Details of the materials, colours, and textures of all the external finishes to the proposed building and boundary treatments shall be as submitted with the application, unless otherwise agreed in writing with the planning authority.</p> <p><b>Reason:</b> In the interest of visual amenity and orderly development.</p>
3.	<p>Prior to commencement of development, the developer shall submit an acceptable naming and/ or numbering scheme for the written agreement of the planning authority.</p> <p><b>Reason:</b> In the interest of orderly development.</p>
4.	<p>Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p><b>Reason:</b> In the interest of public health and surface water management.</p>
5.	<p>Prior to the commencement of development, the developer shall enter into a Connection Agreements with Uisce Éireann (Irish Water) to provide for a service connection to the public water supply and/or wastewater collection network.</p> <p><b>Reason:</b> In the interest of public health and to ensure adequate water/wastewater facilities.</p>
6.	<p>(a) Prior to commencement of development details of the finished floor levels as indicated on Section Drawing No. 25/62DD submitted 6<sup>th</sup> October 2025, shall be submitted to the Planning Authority.</p> <p>(b) When the ground floor slab has been laid and before any further development takes place on the dwelling, a certificate from a Chartered</p>

	<p>Engineer, Architect or other suitably qualified professional (with professional indemnity insurance) stating that the floor level is in accordance with (a) above shall be submitted to the Planning Authority.</p> <p><b>Reason:</b> In the interests of visual amenity and integrating the development into the landscape.</p>
7.	<p>(a) Prior to commencement of development final design details of all earthworks and associated retaining structures shall be submitted to and agreed in writing with the Planning Authority. The details shall be accompanied by an Engineering Report setting all cut and fill requirements, rock excavation methods and rock stability requirements, and detailed design of the retaining structures, including any associated safety fencing/railings at the top of all retaining structures.</p> <p>b) Prior to occupation of the dwelling a Certificate from a Chartered Engineer, or other suitably qualified Professional, with professional indemnity insurance, shall be submitted, certifying all earthworks, rock excavations, and retaining structures have been carried out and constructed in accordance with the details agreed under (a) above and relevant Engineering Standards.</p> <p><b>Reason:</b> To ensure that all earthworks and retaining structures have been carried out and constructed such that the slope stability of the site and surrounding lands have been protected and in the interests of proper planning and sustainable development.</p>
8.	<p>Prior to commencement of development details of all boundary treatments, associated finishes and planting proposals shall be submitted to and agreed in writing with the Planning Authority. The details shall include</p> <p>(a) A 1.8m fence between the proposed house and existing house to the north 'Sloperton',</p> <p>(b) Proposed boundary to existing vehicular entrance to subject site from Mount Alto Road to the south, and</p>

	<p>(c) Boundary walls and entrance details to proposed shared vehicular entrance from existing roadway to the east.</p> <p>(d) All boundary planting shall be retained unless where required to facilitate the new shared vehicular entrance.</p> <p><b>Reason:</b> In the interests of residential and visual amenity.</p>
9.	<p>Public lighting shall be provided in accordance with a scheme which shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. Such lighting shall be provided prior to making available for occupation of any residential unit.</p> <p><b>Reason:</b> In the interests of amenity and public safety.</p>
10.	<p>All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development. All existing over ground cables shall be relocated underground as part of the site development works.</p> <p><b>Reason:</b> In the interests of visual and residential amenity.</p>
11	<p>Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p><b>Reason:</b> In order to safeguard the residential amenities of property in the vicinity.</p>
12	<p>The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including noise, dust, debris management</p>

	<p>measures, traffic management measures, and off-site disposal of construction waste.</p> <p><b>Reason:</b> In the interests of public safety and residential amenity.</p>
13	<p>Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.</p> <p><b>Reason:</b> To ensure the satisfactory completion and maintenance of the development.</p>
14	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.</p> <p><b>Reason:</b> It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the</p>

	Development Contribution Scheme made under section 48 of the Act be applied to the permission.
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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.

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Susan McHugh

20<sup>th</sup> May 2026

**Appendix 1 - Form 1**  
**EIA Pre-Screening**

<b>An Coimisiún Pleanála Case Reference</b>	PL-500324-WW-25		
<b>Proposed Development Summary</b>	Single storey dwelling house and all associated site works.		
<b>Development Address</b>	Mount Alto, Ashford, Co. Wicklow		
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b> (that is involving construction works, demolition, or interventions in the natural surroundings)	<b>Yes</b>	√	
	<b>No</b>		
<b>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?</b>			
<b>Yes</b>	√	Class 10. Infrastructure projects (b) (i) Construction of more than 500 dwelling units.	
<b>No</b>			
<b>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]?</b>			
		<b>Threshold</b>	<b>Comment (if relevant)</b>
			<b>Conclusion</b>
<b>No</b>			
<b>Yes</b>	√	Class 10. Infrastructure projects (b) (i) Construction of more than 500 dwelling units.	

**4. Has Schedule 7A information been submitted?**

<b>No</b>	√	<b>Preliminary Examination required</b>
<b>Yes</b>		

**Inspector:** \_\_\_\_\_ **Date:** \_\_\_\_\_

## Appendix 2- Form 2 - EIA Preliminary Examination

<b>Case Reference</b>	PL-500324-WW-25
<b>Proposed Development Summary</b>	Single storey dwelling house and all associated site works.
<b>Development Address</b>	Mount Alto, Ashford, Co. Wicklow.
<b>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</b>	
<b>Characteristics of proposed development</b> (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).	<p>The proposed development is for the construction of 1 No. dwelling comprising 150sqm.</p> <p>The project due to its size and nature will not give rise to significant production of waste during both the construction and operation phases or give rise to significant risk of pollution and nuisance.</p> <p>The construction of the proposed development does not have potential to cause significant effects on the environment due to water pollution. The project characteristics pose no significant risks to human health.</p> <p>The proposed development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change.</p>
<b>Location of development</b> (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).	<p>The subject site is located on zoned land within the urban area of Ashford.</p> <p>The subject site is not located in or immediately adjacent to ecologically sensitive sites.</p> <p>It is considered that, having regard to the limited nature and scale of the development, there is no real likelihood of significant effect on other significant environmental sensitivities in the area.</p>
<b>Types and characteristics of potential impacts</b> (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and	<p>The size of the proposed development is notably below the mandatory thresholds in respect of a Class 10 Infrastructure Projects of the Planning and Development Regulations 2001 as amended.</p>

complexity, duration, cumulative effects and opportunities for mitigation).	
<b>Conclusion</b>	
<b>Likelihood of Significant Effects</b>	<b>Conclusion in respect of EIA</b>
There is no real likelihood of significant effects on the environment.	EIA is not required.
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	N/A
There is a real likelihood of significant effects on the environment.	N/A

Inspector: \_\_\_\_\_ Date: \_\_\_\_\_

DP/ADP: \_\_\_\_\_ Date: \_\_\_\_\_

(only where Schedule 7A information or EIAR required)

**Appendix 3: Screening for Appropriate Assessment  
Test for likely significant effects**

**Step 1: Description of the project and local site characteristics**

<b>Brief description of project</b>	Construction of single storey dwelling house and all associated site works.
<b>Brief description of development site characteristics and potential impact mechanisms</b>	The subject site is located within the urban and serviced area of Ashford. The nearest hydrological feature to the site is the Varty River located c. 260m north of the site. The site is not located within or directly adjacent to any European Site.
<b>Screening report</b>	N
<b>Natura Impact Statement</b>	N
<b>Relevant submissions</b>	None relating to AA

**Step 2. Identification of relevant European sites using the Source-pathway-receptor model**

<b>European Site (code)</b>	<b>Qualifying interests</b>	<b>Distance from proposed development (km)</b>	<b>Ecological connections</b>	<b>Consider further in screening Y/N</b>
Special Area of Conservation: The Murrough Wetlands SAC (site code 002249)	Annual vegetation of drift lines  Perennial vegetation of stony banks  Atlantic salt meadows  Mediterranean salt meadows  Calcareous fens with Cladium mariscus and species of the Caricion davallianae  Alkaline fens	Approximately 2.9km east of the subject site.	Indirect	Y

Special Protection Areas: The Murrough SPA (Site Code 004186)	Red-throated Diver Greylag Goose Light-bellied Brent Goose Teal Black-headed Gull Herring Gull Wigeon Little Tern Wetland and Waterbirds	Approximately 3km east of the subject site.	Indirect	Y
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**Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites**

**AA Screening matrix**

Site name	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
Qualifying interests		
	Impacts	Effects
Special Area of Conservation: The Murrough Wetlands SAC  QI list: Annual vegetation of drift lines [1210] Perennial vegetation of stony banks [1220] Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330] Mediterranean salt meadows (Juncetalia maritimi) [1410] Calcareous fens with Cladium mariscus and	Direct:  None  Indirect:  Air quality impairment from construction.	Negative effect on habitat quality/ function undermine conservation objectives related to water quality.

species of the Caricion davalliana [7210]		
Alkaline fens [7230]		
	<b>Likelihood of significant effects from proposed development (alone): N</b>	
	<b>If no, is there likelihood of significant effects occurring in combination with other plans or projects? N</b>	
	<b>Possibility of significant effects (alone) in view of the conservation objectives of the site* N</b>	
<b>Step 4 Conclude if the proposed development could result in likely significant effects on a European site</b>		
<p>I conclude that the proposed development (alone) would not result in likely significant effects on the Special Area of Conservation: The Murrrough Wetlands SAC (Site Code: 002249).</p> <p>The proposed development would have no likely significant effect in combination with other plans and projects on any European site(s). No further assessment is required for the project.</p> <p>No mitigation measures are required to come to these conclusions.</p>		
<b>Site name</b>	<b>Possibility of significant effects (alone) in view of the conservation objectives of the site*</b>	
<b>Qualifying interests</b>		
	<b>Impacts</b>	<b>Effects</b>
Special Protection Areas: The Murrrough SPA (Site Code 004186)  QI list:  Red-throated Diver (Gavia stellata) [A001]  Greylag Goose (Anser anser) [A043]  Light-bellied Brent Goose (Branta bernicla hrota) [A046]  Teal (Anas crecca) [A052]  Black-headed Gull (Chroicocephalus ridibundus) [A179]	Direct:  None  Indirect:  Air quality impairment from construction.	Negative effect on habitat quality/ function undermine conservation objectives related to water quality.

<p>Herring Gull (<i>Larus argentatus</i>) [A184]</p> <p>Wigeon (<i>Mareca penelope</i>) [A855]</p> <p>Little Tern (<i>Sternula albifrons</i>) [A885]</p> <p>Wetland and Waterbirds [A999]</p>		
	<p><b>Likelihood of significant effects from proposed development (alone): N</b></p>	
	<p><b>If no, is there likelihood of significant effects occurring in combination with other plans or projects? N</b></p>	
	<p><b>Possibility of significant effects (alone) in view of the conservation objectives of the site* N</b></p>	
<p><b>Step 4 Conclude if the proposed development could result in likely significant effects on a European site</b></p>		
<p>I conclude that the proposed development (alone) would not result in likely significant effects on the Special Protection Areas: The Murrough SPA (Site Code 004186).</p> <p>The proposed development would have no likely significant effect in combination with other plans and projects on any European site(s). No further assessment is required for the project.</p> <p>No mitigation measures are required to come to these conclusions.</p>		
<p><b>Screening Determination</b></p> <p><b>Finding of no likely significant effects</b></p> <p>In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on any European Site(s) in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.</p> <p>This determination is based on:</p> <ul style="list-style-type: none"> <li>• Nature of works</li> <li>• Location-distance from nearest European site and lack of connections</li> <li>• Appropriate Assessment Screening of the Planning Authority</li> </ul>		

<b>Appendix 4: WFD IMPACT ASSESSMENT STAGE 1- SCREENING</b>						
<b>Step 1: Nature of the Project, the Site and Locality</b>						
<b>An Bord Pleanála ref. no.</b>	<b>PL-500324-25</b>	<b>Townland, address</b>				
<b>Description of project</b>		Construction of 1 No. dwelling, connection to existing public services and all associated works at, Mount Alto, Ashford, Co. Wicklow.				
<b>Brief site description, relevant to WFD Screening,</b>		Site is on serviced urban lands.				
<b>Proposed surface water details</b>		The proposed development seeks to connect to the existing public services for water supply, wastewater and surface water.				
<b>Proposed water supply source &amp; available capacity</b>		Uisce Éireann mains water connection.				
<b>Proposed wastewater treatment system &amp; available capacity, other issues</b>		Uisce Éireann wastewater connection. The proposed development seeks to connect to the existing public services for wastewater.				
<b>Others?</b>						
<b>Step 2: Identification of relevant water bodies and Step 3: S-P-R connection</b>						
<b>Identified water body</b>	<b>Distance to (m)</b>	<b>Water body name(s) (code)</b>	<b>WFD Status</b>	<b>Risk of not achieving WFD Objective e.g.at risk, review, not at risk</b>	<b>Identified pressures on that water body.</b>	<b>Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)</b>
River Waterbody	260m north	VARTRY_040 IE_EA_10V010300	Moderate	Review	None	No direct

Groundwater Waterbody	Underlying site	Wicklow IE_EA_G_076	Good	At Risk	None	No
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**Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.**

**CONSTRUCTION PHASE**

No.	Component	Waterbody receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.
1.	Surface	VARTRY_040 IE_EA_10V010300	Surface water drainage will be directed through the drainage networks.	Siltation, pH (Concrete), hydrocarbon spillages	Standard construction practice CEMP	No	Screened out
2.	Ground	Wicklow IE_EA_G_076	Drainage	Spillages	As above	No	Screened out

**OPERATIONAL PHASE**

3.	Surface	VARTRY_040 IE_EA_10V010300	Surface water drainage will	Hydrocarbon spillage	Surface Water to	No	Screened out
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			be directed through the drainage networks.		drain to separate system.		
4.	Ground	Wicklow IE_EA_G_076	Drainage	Spillages	Surface Water to drain to separate system.	No	Screened out
<b>DECOMMISSIONING PHASE</b>							
5.	NA						

