



An
Coimisiún
Pleanála

Inspector's Report

PL-500365-WW-25

Development

Demolish existing shed and build a new building on its footprint comprising office/storage, 1 no. single bedroom, 2 no. double bedrooms as an extension to existing Bed & Breakfast enterprise, connection to existing on-site services, revised boundaries and associated works.

Location

Abhainn Rí, Ballintober, Hollywood, Co. Wicklow

Planning Authority

Wicklow County Council

Planning Authority Reg. Ref.

25/268

Applicant(s)

Joseph and Niamh Byrne

Type of Application

Permission

Planning Authority Decision

Grant Permission subject to conditions

Type of Appeal

Third Party Normal Planning Appeal

Appellant(s)

Michael Kelly

Observer(s)

None

Date of Site Inspection

23/09/2026

Inspector

David Freeland

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1.0 Site Location and Description

The appeal site is Abhainn Rí, a farm in the rural townland of Ballintober, c. 5.7 km north-east of Hollywood village. It is on the eastern side of the L-8347, a narrow local road bounded largely by hedgerow and mature trees which connects Hollywood with Humphrystown and Vallemount to the north. The land falls eastwards towards the Poulaphouca Reservoir. The area is characterised by agricultural land and forestry with intermittent one-off houses.

The site has a stated area of 1.028 hectares. It contains a two-storey farmhouse in use as a bed and breakfast, four self-catering cottages in two semi-detached pairs to the south and a farm shed north of the vehicular entrance, all set below the level of the road. The shed is an open-fronted, mono-pitched structure in galvanised sheeting, 13.79 m by 6.0 m and 3.2 m high, behind a roadside bank with mature trees and hedgerow. There is a farmyard on the opposite side of the road.

2.0 Proposed Development

The proposed development comprises demolition of an existing shed to facilitate the construction of a new building comprising of office/storage, 1no single bedroom, 2no double bedrooms as an extension to existing bed & breakfast enterprise, connection to existing on site services, revised boundaries and associated works.

3.0 Planning Authority Decision

3.1. Decision

Wicklow County Council decided to grant permission on 03/11/2025, subject to seven conditions.

Condition 3 requires a section 47 agreement specifying that the units may only be used for tourism purposes and not as a permanent residence, that the development is to be held in single ownership and not subdivided, and that the units are to be let short-term only, for a maximum of four weeks. The other conditions deal with a development contributions, finishes, surface water, retention of boundary planting and construction hours.

3.2. Planning Authority Reports

Planning Reports

The Executive Planner's report of 30/10/2025 may be summarised as follows:

- Principle: considered under CPO 11.13 (holiday home / self-catering developments). Acceptable at a site with an existing bed and breakfast, subject to a section 47 agreement restricting the building to short-term tourism use in single ownership.
- Visual amenity: Reg. Ref. 25/128 was refused because a similar building beside the road would affect the protected prospect. The new position, c. 2 m below the road on an existing building footprint and screened by mature trees and hedgerow, addresses that reason. No overlooking or overshadowing.
- Access: the existing entrance and parking are adequate. The observer's concerns about the road were noted, but the impact of three bedrooms at an existing tourism facility is acceptable.
- Other matters: a construction and demolition waste management plan is not necessary at this scale. Mature trees to be retained. The wastewater system is acceptable. EIA excluded at preliminary examination; appropriate assessment not required.

Other Technical Reports

- Environmental Health Officer (17/10/2025): no objection.
- Transportation and Infrastructure Delivery (email, 19/09/2025): no objection.
- Waste Management Section (14/10/2025): no objection subject to conditions.

3.3. Prescribed Bodies

No responses were received.

3.4. Third Party Observations

One observation was received from the appellant which is summarised as follows:

- The observer raised the sites location within an Area of Outstanding Natural Beauty and highlighted the presence of a broken stone cross on land across the road behind the sheds which should be classed as a monument.
- The observation referred to the narrow and winding road particularly at Wills Lane and three bends near the top which should be widened with pull-ins before further development is undertaken .
- The observer contented that the site was adequate as is with the existing four cottages and bed and breakfast.
- The observation also raised issue relating to disturbance of wildlife by guests.

4.0 Planning History

P.A. Ref. 25/128: Permission Refused for a new building comprising office/storage, 1 no. single bedroom, 2 no. double bedrooms and a retaining wall as an extension to the existing bed and breakfast. The building was close to the road, north-west of the farmhouse. The single reason for refusal was that it would obstruct protected prospect 22 from the L-8347 towards the Blessington lakes and Moanbane Mountain at an intermittent vantage point, would form an obtrusive feature within it, and would detract from the visual amenities and setting of the farmhouse, contrary to CPO 17.38.

The planner found the principle, access, servicing and neighbouring amenity acceptable. The report stated that it was not clear that more appropriate sites were unavailable, namely directly to the rear (west) of the existing dwelling or to the north of the existing vehicular entrance in place of existing built sheds. It noted that road improvements might be required for any further intensification and it recorded a high cross (ref. WI00482) c. 100 m west of the site. The Environment Section recommended that the site be limited to 33 persons (4,950 litres per day), noting that a discharge licence would be required above 5,000 litres per day.

ABP Ref. 305014-19 / P.A. Ref. 19/342: Permission granted following a 1st Party Appeal for the retention of extensions to the bed and breakfast and for improvements to the entrance. The Inspector recommended refusal. The Board granted permission having regard to the stated use of the farmhouse as a Bed and Breakfast in

accordance with the exempted development provisions of Article 10(4) of the Planning and Development Regulations 2001, as amended, and to the applicant's confirmation that a family member was residing in the farmhouse. Conditions of relevance are:

- Condition 2: "The existing bed and breakfast farmhouse/dwelling and proposed extension shall be jointly occupied as a single unit and shall not be sold, let or otherwise transferred or conveyed save as part of the dwelling."
- Condition 3: "The existing bed and breakfast farmhouse/dwelling shall not be used for overnight guest accommodation unless the house is also occupied by the owner or member of the owner/occupier's family unless the change of use of the house to exclusively overnight guest accommodation is authorised by a prior grant of planning permission."
- Condition 6: the roadside boundary to be set back to give sightlines from a point 2.4 m back from the carriageway to points 60 m in both directions. Enforcement file UD5207C, on conditions 4 to 6, is closed.

P.A. Ref. 18/1141: Retention Refused for the same extensions as described under 305014-19 above, on the grounds of consolidation of an unauthorised restaurant / venue use; traffic hazard, the road being deficient in width and alignment and sightlines at the entrance restricted; and public health.

P.A. Ref. 10/2833: Permission Granted for extensions to the farmhouse, its change of use to a five-bedroom guesthouse and two self-catering units, and an upgraded effluent system.

ABP Ref. PL27.233740 / P.A. Ref. 08/1411): Permission Refused for an extension of the agri-tourism facility with a recreational building, four self-catering units and farm buildings. A substantial development on a greenfield, elevated and exposed site would be visually obtrusive in the Area of Outstanding Natural Beauty and in the prospect towards the Lakes and Moanbane mountain, and the Board was not satisfied that the wastewater arrangements near a regional water supply would not be prejudicial to public health.

ABP Ref. PL27.220863 (Reg. Ref. 06/5164): Permission Refused for two self-catering units. Holiday homes on an elevated site would be visually obtrusive in the

Area of Outstanding Natural Beauty and the prospect towards the Lakes and Moanbane mountain, and holiday homes were not permissible in the Area of Outstanding Natural Beauty under the Wicklow County Development Plan 2004–2010.

ABP Ref. PL27.107812 / P.A. Ref. 98/8122: Permission Granted for four semi-detached holiday cottages and a septic tank with Puraflo treatment system and percolation area, with the farmhouse connected to the same system.

5.0 Policy Context

5.1. Wicklow County Development Plan 2022–2028

The operative plan is the Wicklow County Development Plan 2022–2028, as varied.

Settlement Strategy (Chapter 4)

The site is in the rural area, Level 10 of the settlement hierarchy: “The rural area (open countryside).

Location: All the rural area outside of the designated settlements.” Its role and function are described as follows:

“The rural area in Wicklow is an active and vibrant area that plays host to a range of activities including, for example, rural housing, rural recreational activities, agricultural, horticulture, forestry, aquaculture, fishing, rural tourism, rural enterprises, quarrying and extraction, landfill, renewable energy etc.

The key development parameter in the rural area is to facilitate appropriate and necessary activities and development, but to protect the natural environment within which these activities are undertaken. ... It is necessary to support and protect the rural area and ensure the appropriate management of rural uses including rural housing, key rural services, agricultural activities, use of aggregate resources, green and alternative businesses, rural transport, rural tourism and rural entrepreneurship.

Development within the rural area should be strictly limited to proposals where it is proven that there is a social or economic need to locate in the area. Protection of the environmental and ecological quality of the rural area is of paramount importance and as such particular attention should be focused on ensuring that the scenic value, heritage value and/or environmental / ecological / conservation quality of the area is protected.”

Rural Economy (Chapter 9)

CPO 9.38: “To encourage and facilitate agricultural diversification into suitable agri-businesses. Subject to all other objectives being complied with, the Council will support the alternative use of agricultural land for the following alternative farm enterprises: Specialist farming practices, e.g. organic farming, horticulture, specialised animal breeding, deer and goat farming, poultry, flower growing, forestry, equine facilities, allotments, bio-energy production of crops and forestry, organic and speciality foods; and suitable rural enterprises.”

Tourism and Recreation (Chapter 11)

Section 11.1.4 (Local Strategies) describes the Wicklow Tourism Strategy & Marketing Plan 2018–2023 which identifies five priority actions, the first being “Develop new accommodation”, and the County Wicklow Statement of Tourism Strategy 2017–2026, whose goals include to “capture more overnight tourism, encourage the provision of alternative forms of accommodation, convert day visitors to staying visitors”.

Section 11.2.4 (Accommodation):

“It is important to facilitate an adequate range of tourist accommodation options including hotels, self-catering, camping, glamping etc that will facilitate increasing the amount of overnight visitors to the county. All tourist accommodation should be primarily directed into existing settlements where existing services can be availed of and where the development will support the vibrancy of those settlements. All tourist development should be of a scale that the settlements can sustain.

The Planning Authority will carefully manage the development of accommodation in the rural area to ensure that the role of settlements as tourist hubs would not be undermined. Exceptions to this include farm diversification proposals or tourist accommodation provided in association with the restoration of a historic structure including protected structures.

It is important that all applications for tourist accommodation are of a high standard of design and do not unduly detract from the character of the landscape or settlement in which they are situated.”

CPO 11.3: “To generally require tourism and recreation related developments to locate within existing towns and villages, except where the nature of the activity proposed renders this unfeasible or undesirable. Within existing towns and villages, the Planning Authority will promote and facilitate the development of tourist related uses at appropriate sites. In all cases, the applicant must submit a robust assessment setting out the sustainability of any proposal with respect to economic, environmental and social sustainability, as defined herein.”

CPO 11.4: “To only permit the development of a tourism or recreational facility in a rural area in cases where the product or activity is dependent on its location in a rural situation and where it can be demonstrated that the proposed development does not adversely affect the character, environmental quality and amenity of the rural area or the vitality of any settlement and the provision of infrastructure therein. The natural resource / tourist product / tourist attraction that is essential to the activity shall be located at the site or in close proximity to the site, of the proposed development. The need to locate in a particular area must be balanced against the environmental impact of the development and benefits to the local community.”

CPO 11.6: “To ensure that tourism and recreation related developments are appropriately located in the County. Subject to the following exceptions, all tourist and recreation related developments are ‘open for consideration’ in all landscape areas: The following tourist uses will not

be permitted within the Area of Outstanding Natural Beauty (both the Mountain Uplands Area and the Coastal Area): Static caravans and mobile homes, Holiday homes will not be permitted in any landscape category other than urban zones except where they comply with objectives CPO 11.13, CPO 11.14, CPO 11.15 and CPO 11.16.”

CPO 11.10: “To facilitate the development of a variety of quality accommodation types, at various locations, throughout the County.”

CPO 11.12: “To positively consider the (part) conversion of existing dwellings to Bed & Breakfasts (B&Bs) and Guesthouses, to be operated by the owner-occupier of the dwelling. Applications for new build B&Bs / guesthouses will in the first instance be evaluated as private dwellings and the objectives and standards applicable in that area type (e.g. large town, small town, rural area etc) will be applied.”

Footnote 6 defines a bed and breakfast as “A dwelling house of which part of the bedroom accommodation is available for overnight rental by members of the public and breakfast may be provided as part of the service but no other meals.” Footnote 7 defines a guesthouse as “A building, or part thereof, where sleeping accommodation, meals and other refreshments are available to residents and non-residents, and which has a minimum of five rooms and no more than nineteen rooms.”

CPO 11.13: “To require new holiday home / self-catering developments to locate within either established settlements or at established tourism / recreation facilities, other than those developments involving the renovation / conversion of existing buildings.”

CPO 11.14: “To require the developers / owners of new holiday homes / self catering developments to enter strict legal agreement (under Section 47 of the Planning & Development Act) with the Planning Authority specifying that: the units may only be used for tourism purposes and shall not be allowed to be used as a permanent residences; in the case of small-scale developments, the entire development, including all buildings, land and any on-site tourist facility, shall be held in single ownership and shall not be subdivided. All units shall be available for short term letting only of a maximum duration of 4 weeks; and in the

case of larger scale developments, all lands, including any on-site tourist facility shall be held under the management of a single Estate Company” Footnote 8 states that small-scale developments “are generally those associated with on-farm accommodation and small-scale tourist attractions or developments, and would not normally be in excess of 10 units.”

CPO 11.15: “Holiday home / self-catering developments on a farm holding shall be provided by farmhouse extension or by the utilisation of other existing dwellings / structures on the property. Only where it has been demonstrated that these are not viable options, will permission be considered for new build development. Any new build development shall be in close proximity to the existing farmhouse.”

CPO 11.19: “To give sympathetic consideration to the improvement of, and extension to, existing tourist accommodation related developments, subject to the proper planning and sustainable development of the area, and subject to compliance with all other objectives of this plan.”

Sustainable Transportation (Chapter 12 and Appendix 1)

CPO 12.49: “To continue to improve local roads to the appropriate standards (given the location), with particular cognisance to safety improvements for pedestrians and cyclists, consistent with predicted traffic flow and in accordance with Government policy and the Roads Programme adopted by the Council.”

CPO 12.54: “Rural local roads shall be protected from inappropriate development and road capacity shall be reserved for necessary rural development.”

CPO 12.55: “Support the development of Local Improvement Schemes and Community Involvement Schemes.”

CPO 12.56: “New / expanded developments shall be accompanied by appropriate car parking provision In locations where public transport and parking enforcement are not available, the car parking standards set out in Appendix 1 Table 2.3 shall be taken as minimum standard in order

to ensure that haphazard unregulated car parking does not occur in the vicinity of the development.”

Table 2.3 of Appendix 1 has no standard for bed and breakfast accommodation. The nearest category is “Hotel (excl function room)”, at 1 space per bedroom.

Water Services (Chapter 13)

CPO 13.18: “Private wastewater treatment plants for commercial / employment generating development will only be considered where: Irish Water has confirmed the site is due to be connected to a future public system in the area or Irish Water has confirmed there are no plans for a public system in the area; It can clearly demonstrated that the proposed system can meet all EPA / Local Authority environmental criteria; and An annually renewed contract for the management and maintenance of the system is contracted with a reputable company / person, details of which shall be provided to the Local Authority.”

CPO 13.19: “Where any application for a private treatment plant would require a discharge licence under the Water Pollution Acts, a simultaneous application for same shall be required to be made when submitting the planning application.”

Waste (Chapter 15)

CPO 15.1: “To require all developments likely to give rise to significant quantities of waste, either by virtue of the scale of the development or the nature of the development (e.g. one that involves demolition) to submit a construction management plan, which will outline, amongst other things, the plan to minimise waste generation and the plan to protect the environment with the safe and efficient disposal of waste from the site.”

Built Heritage (Chapter 8)

CPO 8.2: “No development in the vicinity of a feature included in the Record of Monuments & Places (RMP) or any other site of archaeological interest will be permitted which seriously detracts from

the setting of the feature or which is seriously injurious to its cultural or educational value.”

Landscape, Views and Prospects (Chapter 17)

The site is in The Blessington Lakes Area, which is within the Mountain and Lakeshore Area of Outstanding Natural Beauty (Table 17.1; Map 17.09 as varied July 2026). Section 17.3 describes the area as follows:

“1(b) - The Blessington Lakes Area. This category generally relates to the area around Blessington known locally as the ‘Blessington Lakes’ and extends into Sorrell Hill. The lakes area is dominated by the lake, views onto and from the lake. To the east and south, land is more mountainous with attractive views and vegetation.”

Section 17.3 states that the Landscape Character Assessment appendix of the 2016 County Development Plan “is herewith subsumed and carried forward into this plan”.

CPO 17.5: “Projects giving rise to adverse effects on the integrity of European sites (cumulatively, directly or indirectly) arising from their size or scale, land take, proximity, resource requirements, emissions (disposal to land, water or air), transportation requirements, duration of construction, operation, decommissioning or from any other effects shall not be permitted on the basis of this plan.”

CPO 17.35: “All development proposals shall have regard to the County landscape classification hierarchy in particular the key landscape features and characteristics identified in the Wicklow Landscape Assessment (set in Volume 3 of the 2016 County Development Plan) and the ‘Key Development Considerations’ set out for each landscape area set out in Section 5 of the Wicklow Landscape Assessment.”

CPO 17.36: “Any application for permission in the AONB which may have the potential to significantly adversely impact the landscape area shall be accompanied by a Landscape / Visual Impact Assessment, which shall include, inter alia, an evaluation of visibility and prominence of the proposed development in its immediate environs and in the wider landscape, a series of photos or photomontages of the site /

development from clearly identified vantage points, an evaluation of impacts on any listed views / prospects and an assessment of vegetation / land cover type in the area The Assessment shall demonstrate that landscape impacts have been anticipated and avoided to a level consistent with the sensitivity of the landscape and the nature of the designation.”

CPO 17.38: “To protect listed views and prospects from development that would either obstruct the view / prospect from the identified vantage point or form an obtrusive or incongruous feature in that view / prospect. Due regard will be paid in assessing development applications to the span and scope of the view / prospect and the location of the development within that view / prospect.”

Schedule 17.12, Prospects of Special Amenity Value or Special Interest, lists Prospect 22: origin “L8347 Ballintober”; feature “Prospect eastwards of Lakes and Moanbane mountain”. Section 17.3 states that “Some views / prospects are intermittent in nature and appear through gaps in vegetation or buildings.”

Wicklow Landscape Assessment (Appendix 5, County Development Plan 2016–2022)

Section 5.3.1, General Development Considerations, includes at item 4:

“New development shall be required to be visually integrated into the landscape by ensuring the retention, conservation and enhancement where possible of local characteristics such as stone walls, hedgerows, entrances and field boundaries.”

Section 5.3.3, The Phoulaphuca Reservoir Key Development Considerations, includes:

“1. To protect listed views / prospects and to resist development proposals that would negatively impact on the skyline and other key vantage points in the area, in particular views from the Lake Drive down to and across the reservoir and to the west towards the mountains.

2. Development proposals within this area should aim to locate within existing clusters of structures / tree stands and avoid locating new development in open fields.
3. Development proposals surrounding the reservoir should respect the more traditional and vernacular building patterns and materials of the area. ...
4. To support and facilitate the provision of amenity routes around the Phoulaphuca reservoir in a manner which does not detract from the scenic nature of the area and ensure that new development is sited in such a manner that would not interfere with existing or potential amenity routes.”

5.2. Natural Heritage Designations

The site is not within or adjoining any European site or proposed Natural Heritage Area. The nearest designations are the Poulaphuca Reservoir Special Protection Area (Site Code: 004063) and Poulaphuca Reservoir pNHA (Site Code: 000731), c. 700 m to the east.

5.3. EIA Screening

The proposed development is not of a class for the purposes of EIA as set out in Schedule 5 of the Planning and Development Regulations 2001, as amended. No requirement for EIA arises and there is no requirement for a screening determination. The planning authority carried out a preliminary examination and reached the same result. Refer to Form 1 in Appendix 1.

5.4. Water Framework Directive

An assessment of the proposed development has been undertaken with regard to the objectives set out in Article 4 of the EU Water Framework Directive, together with relevant guidance published by the Environmental Protection Agency (Ireland), including applicable codes of practice for the protection of water quality.

Having considered the nature, scale, and location of the proposed development, it is concluded that the proposal will not result in any risk of deterioration in the status of any water body, including surface waters (rivers and lakes), groundwater, transitional waters, or coastal waters. This applies to both qualitative and quantitative status, and in respect of temporary and permanent effects.

The proposed development has been designed in accordance with EPA codes of practice and best practice guidance, ensuring that appropriate measures are incorporated to prevent pollution, control runoff, and protect both surface water and groundwater receptors.

Furthermore, the development will not adversely affect the achievement of established environmental objectives, including the maintenance or attainment of Good Ecological Status/Potential and Good Chemical Status, as required under the Directive.

Accordingly, the proposed development is considered to be compliant with the requirements of Article 4.

6.0 The Appeal

6.1. Grounds of Appeal

A third-party appeal was received from Michael Kelly, Harristown, Hollywood, on 28/11/2025. The grounds are summarised as follows:

- Traffic and road safety: the L-8347 is about three miles long with several bad bends, and is winding, narrow and steep at the Blessington end, with overhanging beech trees and mud and leaves on its edges. Several crashes have occurred because of poor visibility and speed. The development would add traffic and put people, including walkers, at risk. The road should be widened or pull-ins provided, and trees cut back.
- Scale and need: extra tourism does not help a remote location. The applicants have enough accommodation to make a reasonable living, and six houses is enough on the farm. Local people find it hard to get permission for houses while holiday homes are built in the Area of Outstanding Natural Beauty.

- **Wildlife:** a farm walk leads guests to the lakeshore, which is a Special Protection Area where lesser black-backed gull and greylag goose rest. The appellant states that the NPWS informed him that gull numbers have fallen sharply, to 16 in 2023. Curlew and eagles are also present. More people would mean more disturbance. Weekend campers at the lake cause noise and anti-social behaviour.
- **Wastewater:** the sewage system has not been upgraded since 1998, although the farmhouse has been extended for guests. The reservoir supplies drinking water to Dublin.

6.2. Applicant Response

The Applicant (first party) made a response to the appeal on 18th December 2025. The response is summarised as follows:

- The applicant highlights that Abhainn RÍ is a long-established farm diversification enterprise being in continuous operation since 2002. The property is stated to have been within the family for several generations. The applicant highlighted previous awards and customer ratings.
- The applicant contends that the development is a modest extension located on the site of disused farm shed.
- The applicant states that all matters raised by the appellant were acknowledged and addressed within the planning authority reports and reiterates the council's acceptability of the scheme relating to the local road network, the wastewater treatment. The applicant refers to the farms operation under NPWS plan (Ref. 2022-WK-013).
- The applicant submits that the development is consistent with the policies and objectives within the Development Plan relating to agri-tourism enterprises.

6.3. Planning Authority Response

None received.

6.4. Observations

None received.

7.0 Assessment

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, the reports of the local authority, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Principle of development and the nature of the use
- Traffic and road safety
- Landscape and visual impact
- Wastewater and water supply
- Other matters

7.2. Principle of Development and the Nature of the Use

- 7.2.1. The site is in the rural area, Level 10 of the settlement hierarchy. The plan identifies rural tourism as one of the activities the rural area hosts and limits development there to proposals with a proven social or economic need to locate in it. Section 11.2.4 states that tourist accommodation should be primarily directed into existing settlements but includes an exception relating to farm diversification proposals. CPO 11.3 directs tourism development to towns and villages except where the nature of the activity makes this unfeasible or undesirable and CPO 11.4 permits it in a rural area where it depends on a rural location and does not harm the character, environmental quality or amenity of the area. Section 11.1.4 indicates that the Wicklow Tourism Strategy & Marketing Plan 2018–2023 makes new accommodation its first priority action (it is understood that there is no updated strategy).
- 7.2.2. Abhainn Rí is an established agri-tourism enterprise on a working farm. The four cottages were permitted in 1999 under PL27.107812 and the farmhouse is in use as a bed and breakfast. The cover letter describes farm trails through the fields to the

lakeshore of which were evident during the site visit. The accommodation depends on the farm and its setting and I am satisfied that it meets the farm diversification exception under section 11.2.4 and CPO 9.38 relating to agri-businesses and CPO 11.4, which permits a tourism facility in a rural area where the activity is dependent on a rural location. CPO 11.19 requires sympathetic consideration of the extension of existing tourist accommodation and CPO 11.10 supports a variety of accommodation types. Three bedrooms for five guests is a modest extension of the existing business.

- 7.2.3. The planning authority assessed the proposal as a holiday home / self-catering development under CPO 11.13 and attached condition 3, a section 47 agreement of the kind required by CPO 11.14, which refers throughout to “units”. The building contains three en-suite bedrooms and an office/store. It has no kitchen, and guests will have breakfast in the farmhouse. It is not self-catering accommodation and I consider CPO 11.13 and CPO 11.14 do not apply. I consider the rooms will operate as part of the bed and breakfast despite being detached from it. I note that its siting on the footprint of an existing farm building close to the farmhouse is also consistent with the approach of CPO 11.15 which seeks the use of existing structures on a farm holding and requires any new build to be in close proximity to the farmhouse.
- 7.2.4. In ABP-305014-19 the Board accepted the use of the farmhouse for overnight guest accommodation as exempted development on the basis that a family member was residing there. The proposed rooms are in a separate building and require permission. I consider that their use should be tied to the owner-occupied bed and breakfast so that they cannot be used or disposed of as a separate unit of accommodation. I consider that this may be addressed by way of condition limiting its use to the above effect in place of a section 47 agreement.
- 7.2.5. I am satisfied that the proposal is acceptable in principle, subject to a condition restricting the use of the building and having no adverse impacts upon the environment, landscape and rural character.

7.3. Traffic and Road Safety

- 7.3.1. This is the principal ground of appeal. The L-8347 is a local road connecting Hollywood with Vallemount. It is not the main route between those areas or from

Blessington. It serves farm holdings and intermittent one-off houses with a larger cluster of houses to the south. The road is subject to the default speed limit. Having regard to its narrow carriageway and winding alignment, I consider that operating speeds are materially lower than that limit. I have had regard to TII DN-GEO-03031, Rural Road Link Design. Section 9.2.4 and Table 9.2 treat a narrow carriageway and frequent accesses as layout constraints that lower design speed.

- 7.3.2. The development would use the existing entrance which was improved under ABP-305014-19. Condition 6 of that permission required the roadside boundary to be set back to give sightlines of 60 m in both directions from a point 2.4 m back from the carriageway. The planner's report on Reg. Ref. 25/128 states that the set-back was carried out and the planner's report on this application records the related enforcement file which concerned conditions 6 relating to the works to the entrance of that permission as closed. The Council's transportation section had no observations on this application or on Reg. Ref. 25/128. I consider that three bedrooms for five guests would add a small number of car movements each day to the existing use.
- 7.3.3. The appellant refers to several crashes on the road. There is no accident information on the file but I have had regard to the character of the road described above. Widening, pull-ins, hedge cutting and maintenance of the public road are matters for the road authority under CPO 12.49 and CPO 12.55. CPO 12.54 reserves the capacity of rural local roads for necessary rural development. I consider the modest extension of an established farm-based tourism enterprise is development of that kind and that the additional traffic it would generate would not endanger public safety by reason of traffic hazard.
- 7.3.4. Appendix 1 has no parking standard for bed and breakfast accommodation. At the hotel rate of one space per bedroom, three spaces would be needed. The planner's report states that the parking on site is sufficient for a development of this size and the building takes the place of an existing shed so the parking area is not reduced.

7.4. Landscape and Visual Impact

- 7.4.1. The site is in The Blessington Lakes Area of the Area of Outstanding Natural Beauty, and Prospect 22 runs along the L-8347 at Ballintober, eastwards towards the lakes

and Moanbane mountain. Reg. Ref. 25/128 was refused because a building close to the road, north-west of the farmhouse, would obstruct the prospect at an intermittent vantage point, would be obtrusive within it, and would detract from the setting of the farmhouse.

- 7.4.2. The building is now proposed in the position of the existing shed, north of the entrance. This is one of the two alternative positions identified in the planner's report on Reg. Ref. 25/128. The finished floor level of 251.000 compares with road levels of 253.065 to 253.389 at the entrance on the Site Layout Plan (drawing 1125/01). The ridge at 256.167 would be c. 2.8 to 3.1 m above those road levels. The proposed building is behind a roadside bank with mature trees and hedgerow and another existing shed to be retained which will largely screen it from the road. In my view the building would be seen as part of the existing farm group. It would not obstruct the prospect or form an obtrusive feature in it and it would not affect the setting of the farmhouse from which it is separated by the entrance and parking area.
- 7.4.3. Having regard to Objective CPO 17.35 which requires development to have regard to the Key Development Considerations 1 to 3 for the Poulaphuca Reservoir set out within the Wicklow Landscape Assessment (in Volume 3 of the 2016 County Development Plan), it is considered that; the listed prospect is protected, it is within an existing cluster of structures and trees rather than an open field, and its single-storey form, render, natural slate, sash windows and stable doors follow the vernacular of the farmhouse. The retention of trees and hedgerow can be secured by condition in line with General Development Consideration 4. Having regard to its scale and position, the building does not have the potential to significantly adversely affect the landscape and I do not consider that a Landscape / Visual Impact Assessment under CPO 17.36 is required. I am satisfied that the proposal complies with CPO 17.35 and CPO 17.38.

7.5. Wastewater and Water Supply

- 7.5.1. The existing Bord na Móna Puraflo system is rated at 50 PE. The applicant's survey (Wastewater Technical Services Ltd, 14/04/2025) gives a loading of 33 PE, or 4,980 litres per day, with the proposal, and finds the system under a maintenance contract, with no ponding and fit for purpose. The survey was non-intrusive and did not

establish the length of the percolation trenches which does not affect the capacity finding. The Environmental Health Officer had no objection. On the recent refused application under Reg. Ref. 25/128, the Environment Section inspected the system, found it desludged annually and the filter dry and firm. I recommend that a condition inclusion of a condition relating to the maintenance contract required by CPO 13.18. Water supply is from the existing well, and the Environmental Health Officer found no likelihood of pollution.

7.6. Other Matters

- 7.6.1. Archaeology: the observation to the planning authority referred to a stone cross across the road. The planner's report on Reg. Ref. 25/128 records a high cross c. 100 m west of the site. The planner's report on this application does not mention it. The works are confined to the shed position east of the road and would not affect the monument or its setting (CPO 8.2). A standard archaeological condition is sufficient.
- 7.6.2. The site is not in Flood Zone A or B. The nearest houses are well separated from the building, and residential amenity is not affected. Disturbance of birds is dealt with in section 8.0.

8.0 AA Screening

- 8.1. I have considered the proposed development in light of the requirements of section 177U of the Planning and Development Act 2000, as amended.
- 8.2. The site is within an established group of farm and tourism buildings on farmland west of the Poulaphouca Reservoir. The nearest European site is Poulaphouca Reservoir SPA (Site Code: 004063), c. 700 m to the east. There is no surface water within 200 m of the site.
- 8.3. The proposed development is the replacement of a farm shed with a single-storey building of 80 sq.m containing three guest bedrooms. It would be served by the existing well and by the existing wastewater treatment system, which has capacity for the additional loading. Surface water would be disposed of within the site.
- 8.4. 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

appreciable effect on a European site. The reasons for this conclusion are as follows:

- The small scale and nature of the development, which replaces an existing building within an existing group.
- The distance to the SPA, the absence of any surface water connection, and the treatment of wastewater by an existing system with capacity for the loading.
- The limited increase in the number of guests using the existing farm trail.
- The screening determination of the planning authority.

8.5. 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. Likely significant effects are excluded and therefore appropriate assessment under section 177V of the Planning and Development Act 2000, as amended, is not required. No measures intended to avoid or reduce harmful effects on a European site have been relied upon in reaching this conclusion.

9.0 Recommendation

9.1. I recommend that permission be granted, subject to conditions, for the reasons and considerations set out below.

10.0 Reasons and Considerations

Having regard to the provisions of the Wicklow County Development Plan 2022–2028, including the policy for the Level 10 rural area, CPO 9.38, section 11.2.4 and CPO 11.4, CPO 11.10 and CPO 11.19 in relation to tourism, and CPO 17.35 and CPO 17.38 in relation to landscape and protected prospects, to the Key Development Considerations for the Poulaphuca Reservoir in the Wicklow Landscape Assessment, to the established farm-based tourist accommodation on the site and its planning history, and to the modest scale, design and siting of the proposed building within the location of an existing farm shed within the existing group of buildings, it is considered that, subject to compliance with the conditions set

out below, the proposed development would not seriously injure the visual amenities of the Area of Outstanding Natural Beauty, would not obstruct or form an obtrusive feature in Prospect 22, would be acceptable in terms of traffic safety and convenience, and would not be prejudicial to public health. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

11.0 Conditions

1.	The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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 interest of clarity.
2.	The bedrooms hereby permitted shall be used solely as overnight guest accommodation operated as part of the bed and breakfast use of the existing farmhouse on the site and shall not be used as a separate dwelling or as self-catering accommodation. The building shall not be sold, let or otherwise transferred or conveyed save as part of the farmhouse, and shall not be used for overnight guest accommodation unless the farmhouse is occupied by the owner or a member of the owner's family. Reason: To tie the use of the development to the existing owner-occupied bed and breakfast, in the interest of the proper planning and sustainable development of the area.
3.	The external finishes of the proposed building (including roof tiles/slates) shall harmonise with those of the existing dwelling in respect of colour and texture.

	Reason: In the interest of visual amenity.
4.	Existing trees and hedgerows surrounding the site shall be preserved and maintained, unless otherwise agreed in writing with the planning authority. Reason: To protect the rural character and visual amenities of the area.
5.	All surface water from the development shall be collected and disposed of within the site and shall not be discharged to the public road or to the wastewater treatment system. Drainage arrangements shall comply with the requirements of the planning authority for such works and services. Reason: In the interest of public health and surface water management.
6.	(a) Foul effluent from the development shall be treated by the existing wastewater treatment system on the site. (b) The system shall be maintained under an annually renewed maintenance contract with a suitably qualified person or company. Details of the contract shall be submitted to the planning authority prior to the first use of the development, and on request thereafter. Reason: In the interest of public health and the protection of water quality.
7.	Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0730 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. Reason: To safeguard the amenities of property in the vicinity.
8.	If, during the course of site works, any archaeological material is discovered, the planning authority shall be notified immediately. The developer is further advised that, in this event, the National Monuments Service of the Department of Housing, Local Government and Heritage and

	the National Museum of Ireland require notification under the National Monuments Acts. Reason: In the interest of preserving or preserving by record archaeological material likely to be damaged or destroyed in the course of development.
9.	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. Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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.

David Freeland

01/10/2026

Appendix 1 - Form 1 - EIA Pre-Screening - [EIAR not submitted]

An Coimisiún Pleanála Case Reference	PL-500365-WW-25		
Proposed Development Summary	Demolition of a farm shed and construction of a single-storey building of 80 sq.m comprising office/storage and three en-suite guest bedrooms as an extension to an existing bed and breakfast, connection to existing on-site services, revised boundaries and associated works.		
Development Address	Abhainn Rí, Ballintober, Hollywood, 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	✓
		No	No further action required
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		Class.....	EIA Mandatory EIAR required
No	✓		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	✓	N/A	No EIAR or Preliminary Examination required
Yes		Class/Threshold.....	Proceed to Q.4
4. Has Schedule 7A information been submitted?			
No		Preliminary Examination required	
Yes		Screening Determination required	

Inspector: _____ Date: _____