



Development

Relocating existing vehicular entrance off public road to a new location south of current entrance, new internal driveway to serve the existing dwelling and fields, relocating existing agricultural shelter to an alternative location within the site and ass

Location

Brookdale Farm, Quill Road,
Kilmacanoge, Co. Wicklow

Planning Authority

Wicklow County Council

Planning Authority Reg. Ref.

2560969

Applicant(s)

Michael Doyle

Type of Application

Permission

Planning Authority Decision

Grant Permission + Conditions

Type of Appeal

Third Party Normal Planning Appeal

Appellant(s)

John and Laura Kenna

Observer(s)

None

Date of Site Inspection

06/05/26

Inspector

Donal Farrelly

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1.0 Site Location and Description

- 1.1. The appeal site is located at Brookdale Farm, Quill Road, Kilmacanoge, Co. Wicklow. The site contains an existing residential dwelling and agricultural shed which both front the public road. The dwelling is positioned below the public road level and site levels fall away towards the rear of the site. A hedge and low stone wall form the front boundary of the site.
- 1.2. The appeal site is bounded both to the north and south by residential properties. Entrance to the site is off Quill Road to the west, with the N11 located to the east of the site. The appeal site has a stated area of 1.6 ha and is located approximately 1.4km southwest of Kilmacanoge. The speed limit for the Quill Road is 50kph.
- 1.3. There are currently 3 no. entrances to the appeal site. Entrance no. 1 is located to the immediate north of the residential dwelling, no. 2 is located to the immediate south of the dwelling, and the third being located approximately 100m south of the residential dwelling which provides access to the wider landholding.

2.0 Proposed Development

- 2.1. The proposed development is for a new vehicular entrance to be located approximately 26m to the south of the existing entrance, and the subsequent permanent closing of the existing entrance which is located immediately south of the existing residential dwelling. A new internal gravelled driveway to serve the existing site is proposed from the new entrance.
- 2.2. The existing agricultural shelter will be relocated to the rear of the site about 95m from the residential dwelling and on land which is at a lower level than its current position adjacent to the road. The shed will be located within the zone of notification of a recorded monument

3.0 Planning Authority Decision

3.1. Decision

Permission was granted by Decision Order dated 22/01/2026 subject to 6 no. conditions. The conditions are standard apart from Condition 2 which is detailed

below and is regarding the permanent closing of the existing site entrance. Condition 6 is a standard archaeology condition due to the location of a recorded monument c45m to the southeast of the relocated shed structure.

3.1.1. Conditions

Condition 2. Within 4 weeks of the installation of the new entrance, the existing entrance shall be permanently closed off and the roadside boundary shall be reinstated as shown on the plans and particulars submitted.

3.2. Planning Authority Reports

3.2.1. Planning Reports

Report of the Executive Planner dated 21/01/2025 recommends a grant of permission subject to conditions. The Planning Authority recommended a grant of permission as it was considered that the relocated site entrance would improve the site access arrangements and sightlines, as the existing access has a steep gradient. The relocated farm shelter was deemed to have a less visible impact on the landscape and would be sufficiently set back from the recorded monument, with a condition appropriate to ensure the protection of the recorded monument.

3.2.2. Other Technical Reports

Wicklow County Council Transportation Engineer outlines that the proposed entrance can achieve the appropriate sightlines and these sightlines should be maintained in perpetuity. They also advise that a planning condition be included to ensure the existing entrance is permanently closed and reinstated to the satisfaction of the Planning Authority.

3.3. Prescribed Bodies

The Department of Housing, Local Government and Heritage recommends standard conditions regarding archaeological investigation and monitoring. This is regarding the location of the agricultural structure within the zone of notification associated with the monument WI008-056-burnt mound.

TII have requested that the Planning Authority have regard to applicable policies for national roads etc.

3.4. Third Party Observations

A submission was received from the adjacent land owners, whom are also the appellants in the current appeal. The concerns raised in the submission are similar to those raised in the grounds of appeal, and which are summarised in section 7.1 of this report.

4.0 Planning History

895265. Provision of septic tank and second storey extension. Application Refused

Adjacent Site

24/449. 3 bedroom single story dwelling house, garage, septic tank & percolation area, mains water connection, new site entrance and all associated site work.

Granted 10/03/25 for Bryan Kenna, Kilmurray North

5.0 Policy Context

5.1. Wicklow County Development Plan 2022-2028

The following policies and objectives are considered relevant.

5.2. CPO12.54. Rural local roads shall be protected from inappropriate development and road capacity shall be reserved for necessary rural development.

Volume 3-Appendices

Appendix 1 Development and Design Standards

2.0 Infrastructure and Services

2.1.9 Entrances & sight lines

‘In all areas, new entrances shall be designed having regard to the design speed, function and traffic volumes on the adjoining public road as well as pedestrians, cyclists and vulnerable road users...’

2.1.11 Set backs from public roads

‘In the interests of traffic safety, residential amenity and because of the long term space requirements of roads, particularly in rural areas, the Planning Authority will normally require buildings to be set back from the edge of the hard-paved surface of

the public road as set out in Table 2.5 to follow (unless otherwise specified in a local area plan, or town plan);'

Table 2.5 states a 20m setback for all development on rural local roads

5.3. Natural Heritage Designations

The following Natura 2000 sites are located in the general vicinity of the proposed development site:

- Bray Head SAC (000714) is located approximately 3.2 km to the north east of the site.
- Ballyman Glen SAC (00713) is located approximately 4.4km to the north east of the site.
- Knocksink Wood SAC (000725) is located approximately 4.2km to the north west of the site.
- Wicklow Mountains SPA (004040) is located approximately 5.4km to the south west of the site.
- Glen of the Downs SAC (000719) is located approximately 2.4km to the south east of the site.

The Kilmacanoge Marsh NHA is located to the east of the site, and the Great Sugar Loaf NHA is located to the west of the site.

6.0 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.

7.0 The Appeal

7.1. Grounds of Appeal

7.1.1. A third party appeal has been lodged by a consultant acting on behalf of the appellants of the neighbouring property located to the south of the subject site. The appeal was accompanied by photographs and planning details regarding a previous application for the appellant's site.

7.1.2. The grounds of appeal are summarised as follows;

- Details of further information sought on the appellant's site for a previous planning application, planning reference number 24/449, and why the same planning requirements do not apply to this application (planning reference number 25/60969).
- **Legal boundaries** of the appellants property have been encroached upon.
- **Entrance and sightlines** are in conflict with the safe passage from the appellant's site to and from the main road.
- The applicant already has numerous points of access to their property.
- **Unauthorised development** of a wall 2.5m in height and platform under the wall, ancient public walkway altered to provide a vehicular access which has destroyed an old stone boundary wall.
- Dumping of builders waste and a caravan on another part of the site.
- **Removal of existing planting and hedgerows** to facilitate the entrance which will impact on the amenity of the area.

7.2. Applicant Response in the case of a 3rd Party Appeal

No response received.

7.3. Planning Authority Response

No response received

7.4. Observations

None received

8.0 Assessment

8.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the report 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:

- Site entrance and sightlines
- Visual Impact
- Archaeology
- Legal boundary
- Other issues

Site Entrance and Sightlines

8.2. I have reviewed the Planning Officers report signed 21/01/25. Having undertaken a site visit and considering the site topography and position of the proposed entrance I agree with the Planning Authority in that the new entrance will improve the access arrangements into the existing residential property.

8.3. I note that the Planning Authority Engineer's report outlined no issue with the proposed entrance sightlines. The submitted site layout plan identifies sightlines of 90m to the north and 90m to the south of the proposed entrance.

8.4. Table 1.3 of the Transport Infrastructure Ireland (TII) publication DN-GEO-03031 (May 2023) states a desirable minimum stopping distance of 90m for a design speed of 60kph. Considering the speed limit for this section of road is 50kph, I am therefore satisfied that the appropriate sightlines can be achieved in both directions and in accordance with the said TII document. It is therefore my view that appropriate sightlines in both directions can be achieved from the proposed new entrance.

8.5. I do not consider that the new entrance will impact on the entry and exit of vehicles from adjacent properties as there will be no obstruction or interference regarding the line of sight.

8.6. I note the appellant's comments regarding the existing use of numerous entrances to the appeal site. I also note that Condition number 2 of the Planning Permission outlines that the applicant shall discontinue the use of the existing access and reinstate the roadside boundary within 4 weeks of the installation of the new access. In my view this will not result in a net increase in the overall number of entrances to

the property. I am therefore satisfied that a planning condition can ensure that there is no net increase in the number of entrances. This is a similar view held by the Planning Authority in that there will be no increase in the number of entrances.

8.7. I note the appellant's objection regarding impacts to the existing hedgerow and planting. I accept that there will be a limited impact to existing hedgerows and planting from the creation of the new entrance however on balance I am satisfied that this will improve traffic safety and the mitigation measure of a new hedge behind the sightlines is acceptable.

Visual Impact

8.8. The applicant proposes to move the existing agricultural shed to a position further away from the public road and approximately 95m northeast of the existing dwelling. Due to the downward sloping nature of the field away from the public road, I do not consider that the shed will result in any visual impact on the surrounding area and will result in a visual improvement along Quill Road. This is a similar view held by the Planning Authority.

8.9. Furthermore, the proposed shed will be an open farm shelter with a corrugated iron canopy and I am satisfied that the relocated structure will also not result in a visual impact along the N11 as it is clearly an agricultural structure with no walls.

Archaeology

8.10. The farm shed will be located within the zone of notification associated with the monument WI008-056-burnt mound which is located c45m to the southeast of the relocated shed structure. I am satisfied that the shed structure will have a limited impact on the ground with respect to excavation due to it being an open corrugated structure utilising steel structural supports and which will have no walls or concrete pad.

I consider that an appropriate planning condition regarding archaeology is sufficient in this regard and I do not anticipate any adverse impact on the said monument. The Planning Authority also outlined that a Planning Condition is appropriate to address the protection of the monument.

Legal Boundary

8.11. I note that the appellants have stated that the legal boundaries of their site have been encroached upon and I have reviewed the drawings submitted by the appellants in this regard. On my site visit I identified a clear boundary consisting of a fence and planting which separates the appellant's site from the neighbouring property to the north. It is my view that the proposed entrance will be located to the north side of the appellant's property line. Further to this, I consider that determination of title is not a matter for the Commission. I also draw the Commission's attention to Section 34(13) of the Planning and Development Act which provides that if the applicant lacks title or owner's consent to do works permitted by a planning permission, the permission does not give rise to an entitlement to carry out the development.

Other issues

8.12. The Commission should also note that the appellant has raised a number of issues regarding works undertaken at the applicant's property which I consider to be enforcement related matters. This includes the works associated with an ancient walkway and works to a wall associated with the applicant's property, and any issues regarding waste disposal and unauthorised structures. Regarding reference to an ancient walkway, it is unclear to me as to what this walkway is and where it is located, and I can find no evidence of the location of the said walkway. Considering the above, the matter of enforcement falls under the jurisdiction of the Planning Authority.

8.13. I also note that the appellant has referenced an extant planning permission on another site adjacent to the appeal site. I do not consider this application relevant as it considers the construction of a new dwelling house. I have however assessed this application (2560969/PL-500800-WW-26) on its own merits and I consider it to be consistent with other similar development in the locality.

9.0 AA Screening

Screening the need for Appropriate Assessment: Screening Determination (Stage 1, Article 6(3) of Habitats Directive)

I have considered the project in light of the requirements of S177U of the Planning and Development Act 2000 as amended.

The subject site is located at Brookdale Farm, Quill Road, Kilmacanoge, Co. Wicklow approximately 2.4km north west of the Glen of the Downs SAC (000719).

The proposed development comprises the creation of a new vehicular entrance to a residential site and internal access, and moving an agricultural structure to an alternative rear position on site

No nature conservation concerns were raised in the planning appeal other than the retention of the existing hedgerow.

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

The reason for this conclusion is as follows:

- The minor works and scale of the development
- Location and distance from nearest European site and lack of hydrological connections

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) is not required.

10.0 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

11.0 **Recommendation**

I recommend to the Commission that permission be granted for the reasons and considerations set out below.

12.0 **Reasons and Considerations**

Having regard to:

- the provisions of the Wicklow County Development Plan 2022-2028,
- the nature, scale, and location of the proposed development,
- the pattern of development in the surrounding area,
- the measures to ensure traffic safety,
- the separation distances from neighbouring dwellings and entrances,

I consider that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the residential amenity of properties in the vicinity, would be acceptable in terms of road safety, would not adversely impact archaeological heritage and would be acceptable in terms of visual amenity.

Therefore, the proposed development would be in accordance with the proper planning and sustainable development of the area.

13.0 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. Within four weeks of the installation of the new entrance, the existing entrance shall be permanently closed and the roadside boundary shall be reinstated as shown on the plans and particulars and to the satisfaction of the Planning Authority.

Reason: In the interest of visual amenity

3. The proposed entrance gates to the existing house shall be set back not less than five metres and not more than six metres from the edge of the public road. Wing walls forming the entrance shall be splayed at an angle of not less than 45 degrees and shall not exceed 0.8 metres in height.

Reason: In the interest of traffic safety.

4. The existing front boundary hedge shall be retained except to the extent that its removal is necessary to provide for the entrance to the site and to achieve the appropriate sightlines.

Reason: In the interest of visual amenity

5. The agricultural shelter building shall be used for agricultural/horticultural storage and associated purposes only. The building shall not be used for human habitation

or any commercial purpose other than a purpose incidental to farming/horticulture, whether or not such use might otherwise constitute exempted development.

Reason: In the interest of orderly development and the amenities of the area.

6. If, during the course of site works any archaeological material is discovered, the County Archaeologist/Planning Authority shall be notified immediately. The applicant is further advised that in this event that under the National Monuments Act, the National Monuments Service, Dept. of Housing, Heritage and Local Government and the National Museum of Ireland require notification.

Reason: In the interest of preserving or preserving by record archaeological material likely to be damaged or destroyed in the course of development.

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 me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.”

Donal Farrelly
Planning Inspector

21/05/2026

Appendix 1: Form 1 EIA Pre-Screening

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| Case Reference | |
| Proposed Development Summary | Construction of a new vehicular entrance to an existing residential property, new internal gravelled driveway on site, and movement of existing agricultural shed to a rear position on site. |
| Development Address | Brookdale Farm, Quill Road, Kilmacanoge, Co. Wicklow |
| IN ALL CASES CHECK BOX / OR LEAVE BLANK | |
| 1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA? | <input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q.2. |
| | <input type="checkbox"/> No, No further action required. |
| (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources) | |

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| <p>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</p> | |
| <p><input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</p> | |
| <p><input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3</p> | |
| <p>3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?</p> | |
| <p><input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.</p> | |
| <p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required</p> | |
| <p><input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> | <p>Class 1(a). The development requires the removal of hedgerow to facilitate the new site entrance, however these works are too small to be of any significance. Class 10 (dd) involves the construction of a minor internal access road however these works are too small to be of any significance.</p> |

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| <p>Preliminary examination required. (Form 2)</p> <p>OR</p> <p>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p> | |
| <p>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</p> | |
| <p>Yes <input type="checkbox"/></p> | |
| <p>No <input checked="" type="checkbox"/></p> | <p>Pre-screening determination conclusion remains as above (Q1 to Q3)</p> |

Inspector: _____

Date: _____

Appendix 2: Form 2 - EIA Preliminary Examination

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| Case Reference | |
| Proposed Development Summary | Construction of a new vehicular entrance to an existing residential property, new internal gravelled driveway on site, and movement of existing agricultural shed to a rear position on site. |
| Development Address | Brookdale Farm, Quill Road, Kilmacanoge, Co. Wicklow |
| This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith. | |
| Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health). | Briefly comment on the key characteristics of the development, having regard to the criteria listed. The development is small in scale, does not require substantial excavation works, does not require the use of substantial natural resources, or give rise to significant risk of pollution or nuisance. The development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change. It presents no risks to human health. |
| Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature | Briefly comment on the location of the development, having regard to the criteria listed The development is situated in a rural area and contains an existing residential dwelling and agricultural shed. The development is removed from sensitive natural habitats, centres of population and designated sites and landscapes of identified significance in the County Development Plan. The farm shed will be located within the zone of notification associated with the monument W1008-056-burnt mound which is located c45m to the |

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| <p>reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).</p> | <p>southeast of the relocated shed structure. I am satisfied that the shed structure will have no impact on the monument, and a limited impact on the ground with respect to excavation due to it being an open corrugated structure utilising steel structural supports and which will have no walls or concrete pad</p> |
| <p>Types and characteristics of potential impacts</p> <p>(Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).</p> | <p>Having regard to the characteristics of the development and the sensitivity of its location, consider the potential for SIGNIFICANT effects, not just effects.</p> <p>Having regard to the modest nature of the proposed development, its location removed from sensitive habitats/features, likely limited magnitude and spatial extent of effects, and absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.</p> |
| <p>Conclusion</p> | |
| <p>Likelihood of Significant Effects</p> | <p>None</p> |
| <p>There is no real likelihood of significant effects on the environment.</p> | <p>EIA is not required.</p> <p>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</p> |

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| | development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required. |
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Inspector: _____ **Date:** _____

DP/ADP: _____ **Date:** _____

(only where Schedule 7A information or EIAR required)