



An
Coimisiún
Pleanála

Inspector's Report PL-501215-WW-26

Development	Construction of house and garage and sewage treatment system and all associated site works.
Location	Ballyknocker, Shillelagh, Co. Wicklow
Planning Authority	Wicklow County Council
Planning Authority Reg. Ref.	2560818
Applicant(s)	Tony Deegan
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party Planning Appeal
Appellant(s)	Tony Deegan
Observer(s)	None
Date of Site Inspection	27/06/26
Inspector	Donal Farrelly

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1.0 Site Location and Description

- 1.1. The appeal site is located at Ballyknocker, Shillelagh, Co. Wicklow, approximately 1.2km southwest of Shillelagh Town. The site is surrounded by agricultural fields with residential units located c160m to the north of the appeal site. Shillelagh Manor housing estate is located 350m to the northwest of the appeal site. The site forms part of a farm holding of circa 52 ha.
- 1.2. The site layout plan identifies the site fronting a private laneway. This laneway continues north and connects with the L-32321-10 public local road. The appeal site topography slopes towards the private laneway.
- 1.3. The landholding map identifies the appeal site being located on the farm lands and 0.47ha in size. An existing hedge forms the boundary along the laneway, with a treed area located to the northern end of the appeal site. The southern and western boundaries of the site will be exposed within the existing field and no hedgerows exist along these boundaries.
- 1.4. The farmyard associated with the lands is located circa 200m further south at the end of the private laneway. The documents submitted outline that the lands are actively used for farming activities.

2.0 Proposed Development

- 2.1. Planning permission is sought for a single storey three bedroom dwelling (216.44m²), wastewater treatment system and detached garage on rural zoned land which is outlined by the appellant as being attached to an operating family farm.
- 2.2. A 75m² polishing filter is proposed to the east of the dwelling house, with four no. soakways provided for onsite surface water. A proposed biodiversity area is located in the north of the appeal site.

3.0 Planning Authority Decision

3.1. Decision

Permission was refused by Decision Order dated 31/03/2026 for the following reason.

- 3.1.1. The Council's settlement strategy is to require new housing to locate on designated housing land within the boundaries of settlements, and to restrict rural housing to those with a housing need based on the core consideration of demonstrable functional social or economic need to live in the open countryside in accordance with the requirements set out in Table 6.3 of the Wicklow County Development Plan 2022 -2028. It is considered that the applicant does not come within the scope of the housing need criteria as set out under Objective CPO 6.41 of the Wicklow County Development Plan 2022 -2028 as they have not demonstrated a bona fide need for a new dwelling in the open countryside in accordance with the requirements set out in Table 6.3. The proliferation of non-essential housing in rural landscape areas erodes the landscape value of these areas and seriously detracts from views of special amenity value. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

Report of Planner dated 23/03/2026 recommends a refusal of permission. This refusal was based on rural housing need. An extension of duration was granted until 01/04/26.

3.2.2. Other Technical Reports

- District Engineer. No response received.
- Environmental Health Officer. Report received outlines no objection.

3.3. Prescribed Bodies

None

3.4. Third Party Observations

Representations received from councillors Peter Stapleton and Pat Kennedy.

4.0 Planning History

Planning reference no. 25/60377. Application withdrawn due to outstanding issues regrading housing need, trial holes not open for inspection, and layout and design.

5.0 Policy Context

5.1 Development Plan

The subject site is located in Level 10: Rural (Open Countryside).

I consider the following objectives and policies to be most relevant to the appeal.

Chapter 4 Settlement Strategy

CPO 4.10 To support the sustainable development of rural areas by encouraging growth while managing the growth of areas that are under strong urban influence to avoid over-development.

CPO 4.14 To ensure key assets in rural areas such as water quality and natural and cultural heritage are protected to support quality of life and economic vitality.

CPO 4.15 To protect and promote the quality, character and distinctiveness of the rural landscape.

Chapter 6 Housing

CPO 6.1 New housing development shall be required to locate on suitably zoned or designated land in settlements and will only be considered in the open countryside when it is for the provision of a rural dwelling for those with a demonstrable housing social or economic need to live in the open countryside.

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).

CPO 6.40 Where permission is sought for residential development in a settlement with occupancy controls the applicant will be required to show compliance with objectives for that settlement set out in this plan and to lodge with the Land Registry a burden on the property, in the form of a Section 47 agreement, restricting the use of the dwelling(s) for a period of 7 years in accordance with the relevant objective.

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

In the event of conflict of any other settlement strategy objective / Landscape Zones and categories, a person who qualifies under policy CPO 6.41 their needs shall be supreme, except where the proposed development would be a likely traffic hazard or public health hazard.

With regard to the preservation of views and prospects, due consideration shall be given to those listed within the area of the National Park; and with respect to all other areas, to generally regard the amenity matters, but not to the exclusion of social and economic matters. The protection and conservation of views and prospects should not give rise to the prohibition of development, but development should be designed and located to minimise impact.

Table 6.3 sets out a number of criteria that may fulfil rural housing policy standards. This includes ‘Housing Need’ and is defined as those who can demonstrate a clear need for new housing. **‘Economic Need’** defined as rural housing need of persons whose livelihood is intrinsically linked to rural areas subject to it being demonstrated that a home in the open countryside is essential to the making of that livelihood and that livelihood could not be maintained while living in a nearby settlement. **‘Social Need’** defined as persons intrinsically linked to rural areas that are not engaged in significant agricultural or rural based occupations to live in rural areas.

CPO 6.44 To require that rural housing is well-designed, simple, unobtrusive, responds to the site’s characteristics and is informed by the principles set out in the Wicklow Single Rural House Design Guide. All new rural dwelling houses should demonstrate good integration within the wider landscape.

Appendix 2 of the Development Plan contains the Single Rural Housing Design Guidelines for County Wicklow.

Chapter 12 – Sustainable Transport

CPO12.34 The design of new roads or improvements to existing local roads and new means of access onto roads shall generally comply with the guidance set out in the ‘Design Manual for Roads & Bridges’ DMRB (TII), the ‘Design Manual for Urban Roads and Streets’ DMURS (DTTA-DHPLG), the ‘Traffic Management Guidelines’ (DoT-DoELG-DTO) and ‘Recommendations for Site Development Works for Housing Areas’ (DoELG) as appropriate as may be amended and revised, unless local conditions determine otherwise.

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

5.2 National/Regional Plans/Policies

National Planning Framework (First Revision) 2025

National Policy Objective (NPO) 23 Protect and promote the sense of place and culture and the quality, character and distinctiveness of the Irish rural landscape including island communities that make Ireland’s rural areas authentic and attractive as places to live, work and visit. Any successor policy documents relating to national policy for rural areas and the islands will ensure continued alignment and consistency with the National Policy Objectives of this Framework.

NPO 24. Support the sustainable development of rural areas by encouraging growth and arresting decline in areas that have experienced low population growth or decline in recent decades and by managing the growth of areas that are under strong urban influence to avoid overdevelopment, while sustaining vibrant rural communities.

NPO 28. Ensure, in providing for the development of rural housing, that a distinction is made between areas under urban influence, i.e. within the commuter catchment of cities and large towns and centres of employment, and elsewhere...

Sustainable Rural Housing Guidelines 2005

5.4 Natural Heritage Designations

The Slaney River Valley SAC (000781) is located c350m to the east of the appeal site.

Proposed Natural Heritage Areas

Tomnafinnoge Wood is located c3km to the northeast of the appeal 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

The first party appeal was received from a consultant acting on behalf of the appellant. The grounds of appeal are summarised as follows.

Housing Need

- The appellant has full responsibility for the operation and management of the family farm at Ballyknocker, which has been transferred from his parents. Permission has been sought for a new dwelling adjacent to the existing farmyard. A landholding map was included within the report.
- The appellant outlines that documents from the Department of Agriculture were submitted to the PA which confirms transfer of the farm responsibilities to the appellant. [I note this is referenced as an Appendix in the planner's report submitted to the PA but I can find no record of this. This file was also requested from the PA by ACP but no record of this document is within the PA files].

- The farm is a mixed operation of 52ha and constitutes a significant farming enterprise.
- The appellant does not own a personal dwelling. Details have been provided regarding his current living arrangements. The appellant does not own the home he is currently living in. The appellant owns 2 no. rental properties.
- The appellant has provided personal documentation regarding the ownership of the house he is currently living in and his personal circumstances.
- The PA has not assessed the application in line with the CDP. It is important that the farmer resides on the land holding and due consideration was not given by the PA regarding this. The appellant has statutory obligations for the welfare of animals on the farm and the PA has not considered this.
- There are no other dwellings on the landholding.
- The properties within the ownership of the appellant do not meet his housing needs because they are remote from the farm, they have never been occupied by the appellant as a personal residence, they are subject to long term tenancies (details provided to the PA). Planning permission for the referenced additional units has not been implemented and do not represent existing dwellings. These properties are for investment purposes. The appellant cannot terminate the legal tenancies that are in place. The appellant discussed the potential of one of the tenants leaving but felt it was not morally the correct thing to do considering the long-term nature of the tenancy.
- The appellant has a bona fide need for a new dwelling. He is a first-time owner in that he has never owned his own personal property, which is confirmed in an affidavit submitted to the PA.

7.2. Planning Authority Response

None

7.3. Observations

None

8.0 **Assessment**

8.1. Having examined the planning application details and all other documentation on file, including the submission 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 issue in this appeal to be considered is as follows:

- Design and layout
- Housing need and principle of development

8.2. **Design and layout**

8.3. The proposed dwelling unit is 190m² and comprises a first floor with skylight windows, a bathroom, and 2 no. bedrooms. A detached garage (39.96m²) and WWTS to include a 75m² polishing filter are also proposed. I note that the design and WWTS do not form the reason for refusal and are not raised in the grounds of appeal.

8.4. I consider that the 6.5m height of the proposed dwelling to be appropriate for the appeal site and I do not consider that it will result in any impact on visual amenity in the area, or residential amenity of adjacent properties. I note the 4.8m height of the garage and consider this appropriate.

8.5. I note the report from the EHO regarding the WWTS. I am satisfied that the WWTS is designed in accordance with the 2021 EPA Code of Practice Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10) and is located appropriately on the appeal site.

8.6. I consider that the house and garage design are appropriate for the site and are positioned an acceptable distance from the laneway. I am satisfied that the WWTS conforms to the 2021 EPA Code of Practice.

8.7. **Housing need and principle of development**

8.8. The reason for refusal outlines that the appellant did not sufficiently demonstrate a housing need in accordance with CPO 6.41 and Table 6.3 of the CDP.

8.9. I have reviewed the details and evidence submitted by the appellant regarding their rural housing need. I am satisfied based on the documents submitted that the

appellant is linked to the local area and resided on the family farm prior to moving to their current residence in Shilleagh. I note the details of the farm submitted, which includes a herd number. I also note that operations of the farm includes responsibility for 250 ewes, 450 lambs, 110 cattle and tillage and forestry operations.

- 8.10. The details submitted outline that the appellant currently owns two no. rental properties, that they are currently separated from their wife, and they have responsibility for the operations of the family farm.
- 8.11. The appellant has outlined that the two no. properties they own are for rental purposes and are subject to existing leases. They further outline that the apartment units granted permission under 22/249, as referenced by the PA, are not constructed and should not be considered as existing units. I note this site (22/249) is located within the primary development area identified in the Shillelagh Town Plan 2022-2028 and these units are not constructed.
- 8.12. The appellant has also outlined that they are a first time homeowner as they have not resided in any of the 2 no. rental properties that they currently own. In my opinion the appellant would not be classified as a first time homeowner even if they have not owned a principal residence as they already own two no. rental properties. It is also my view that the appellant has not sufficiently demonstrated legal separation having regard to requirements of Table 6.3.
- 8.13. With regard to Table 6.3 '**Economic Need**' the appellant has outlined that they have full responsibility for the operation and management of the family farm where the appeal site is located and have submitted a landholding map. The appellant outlines that it is important for them to reside on the farm for farming and animal welfare matters. The sworn affidavit submitted outlines that a portion of the farm has been transferred to the appellant, however it is unclear the extent and nature of this transfer.
- 8.14. I note that the appellant outlined a herd number on the supplementary information submitted to the PA. I also note reference within the appeal submission made to a letter from the Department of Agriculture confirming the transfer of farm responsibilities to the appellant, but I can find no record of this document. The PA also confirmed to ACP that they do not have this document on file.

- 8.15. However, notwithstanding the details submitted with respect to 'Economic Need' I am of the opinion that the appellant has not adequately demonstrated a 'Housing Need' in the rural area. The appellant has outlined that they need to reside on the land for the management of the farm. I consider this requirement to be reasonable. However, the appellant has not submitted full and complete documentation to adequately demonstrate that the responsibility of the farm operations has transferred to them. The referenced Department of Agriculture letter does not form part of the submission and may confirm this.
- 8.16. With regard to Table 6.3 '**Social Need**' I am satisfied regarding the details submitted that the appellant has lived a significant period of their life in the rural area. I acknowledge that the appeal site forms part of the larger family landholding and I am satisfied that the appellant has outlined appropriate rationale for why they need to reside adjacent to the farm operations.
- 8.17. The 'Social Need' category states the following 'persons intrinsically linked to rural areas that are not engaged in significant agricultural or rural based occupations to live in rural areas'. However, I also note the Social Need category goes on to state 'Local applicants who are intrinsically linked to their local area and, while not exclusively involved in agricultural or rural employment, have access to an affordable local site'. I am satisfied based on the details submitted by the appellant that they are not exclusively involved in agricultural operations and have other business interests.
- 8.18. Although I acknowledge that the appellant may qualify for a housing need under '**Economic Need**' of Table 6.3 of CPO 6.4.1, they have not submitted the complete documentation to adequately demonstrate they are responsible for the farm operations. The letter from the Department of Agriculture that confirms the transfer of farm operations to the appellant is not included with the submission.
- 8.19. However, I consider that the appellant qualifies for housing need under the '**Social Need**' category. I am satisfied that the appellant has access to a site on family land and has other business interests in addition to the farming operations. I consider that this satisfies the requirements under the 'Social Need' category and consider the principle of development to be acceptable. I therefore recommend to the Commission that permission be granted as I am satisfied that the appellant has

demonstrated a rural housing need having regard to CPO 6.41 and Table 6.3 of the CDP.

9.0 AA Screening

- 9.1. 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 Ballyknocker, Shillelagh, Co. Wicklow approximately 350m west of the Slaney River Valley SAC (000781).

The proposed development comprises the construction of a rural dwelling and garage, and wastewater treatment system.

No nature conservation concerns were raised in the planning appeal.

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 nature 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

- 10.1. 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 planning 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, including Objective CPO 6.41 with respect to rural housing need.
- the nature, scale, and location of the development

It is considered that the proposed development, subject to compliance with the conditions set out below, would be acceptable in terms of visual amenity, and would be acceptable in terms of residential amenity. Therefore, the 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. (a) The proposed dwelling, when completed, shall be first occupied as a place of permanent residence by the applicant, members of the applicant's immediate family or their heirs, and shall remain so occupied for a period of at least seven years thereafter unless consent is granted by the planning authority for its occupation by other persons who belong to the same category of housing need as the applicant. Prior to commencement of development, the applicant shall enter into a written agreement with the planning authority under section 47 of the Planning and Development Act, 2000 to this effect.

(b) Within two months of the occupation of the proposed dwelling, the applicant shall submit to the planning authority a written statement of confirmation of the first occupation of the dwelling in accordance with paragraph (a) and the date of such occupation.

This condition shall not affect the sale of the dwelling by a mortgagee in possession or the occupation of the dwelling by any person deriving title from such a sale.

Reason: To ensure that the proposed house is used to meet the applicant's stated housing needs and that development in this rural area is appropriately restricted [to meeting essential local need] in the interest of the proper planning and sustainable development of the area.

3. The landscaping scheme shown on the Landscaping & Biodiversity Plan, as submitted to the planning authority on the 14/10/25 shall be carried out within the first planting season following substantial completion of external construction works.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity

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

Reason: In the interest of visual amenity.

5. The entrance shall be constructed as outlined on the site layout plan. No entrance gate, wall or piers shall be erected directly along the laneway.

Reason: In the interest of traffic safety.

6. (a) The roof colour of the proposed house shall be blue-black, black, dark brown or dark-grey. The colour of the ridge tile shall be the same as the colour of the roof.

(b) The external plastered walls and stone shall be neutral colours such as grey or off-white.

Reason: In the interest of visual amenity.

7. (a) The septic tank/wastewater treatment system hereby permitted shall be installed in accordance with the recommendations included within the site characterisation report submitted with this application on 14/10/25 and shall be in accordance with the standards set out in the document entitled “Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10) ” – Environmental Protection Agency, 2021.

(b) Treated effluent from the septic tank/ wastewater treatment system shall be discharged to a percolation area/ polishing filter which shall be provided in accordance with the standards set out in the document entitled “Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)” – Environmental Protection Agency, 2021.

(c) Within three months of the first occupation of the dwelling, the developer shall submit a report to the planning authority from a suitably qualified person (with professional indemnity insurance) certifying that the septic tank/ wastewater treatment system and associated works is constructed and operating in accordance with the standards set out in the Environmental Protection Agency document referred to above.

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

8. All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road/laneway or adjoining properties.

Reason: In the interest of traffic safety and to prevent flooding or pollution.

9. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground.

Reason: in the interest of visual and residential amenity.

10. 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.

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

11. 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 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

30/07/26

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-501215-WW-26
Proposed Development Summary	Construction of a rural dwelling and garage, and wastewater treatment system.
Development Address	Ballyknocker, Shillelagh, 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?	☒ Yes, it is a 'Project'. Proceed to Q.2.
	☐ 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)	

2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
☒ No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
☐ 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.	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
☒ Yes, the proposed development is of a Class but is sub-threshold.	Class 10 (b) Construction of more than 500 dwelling units. The proposal is for 1 no. dwelling unit

Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	
4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☐	Screening Determination required (Complete Form 3)
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ **Date:** _____

Appendix 2: Form 2 - EIA Preliminary Examination

Case Reference	PL-501215-WW-26
Proposed Development Summary	Construction of a rural dwelling and garage, and wastewater treatment system.
Development Address	Ballyknocker, Shillelagh, Co. Wicklow
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	The development has a modest footprint, comes forward as a standalone project, does not require demolition 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	The development is situated in a rural area on improved agricultural land which is abundant in the area. The development is removed from sensitive natural habitats, centres of population and designated sites and landscapes of identified significance in the County Development Plan.

of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	Having regard to the 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.
Conclusion	
Likelihood of Significant Effects	
There is no real likelihood of significant effects on the environment.	EIA is not required. 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.
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Inspector: _____ **Date:** _____

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

(only where Schedule 7A information or EIAR required)