



An  
Coimisiún  
Pleanála

## Inspector's Report PL-501257-WW-26

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|                                     |                                                           |
|-------------------------------------|-----------------------------------------------------------|
| <b>Development</b>                  | Construction of a dwelling and all associated site works. |
| <b>Location</b>                     | Ballyguile More, Wicklow, Co. Wicklow                     |
| <b>Planning Authority</b>           | Wicklow County Council                                    |
| <b>Planning Authority Reg. Ref.</b> | 2638                                                      |
| <b>Applicant(s)</b>                 | Siobhan Herbst                                            |
| <b>Type of Application</b>          | Permission                                                |
| <b>Planning Authority Decision</b>  | Refuse Permission                                         |
| <b>Type of Appeal</b>               | First Party Planning Appeal                               |
| <b>Appellant(s)</b>                 | Siobhan Herbst                                            |
| <b>Observer(s)</b>                  | None                                                      |
| <b>Date of Site Inspection</b>      | 11/07/26                                                  |
| <b>Inspector</b>                    | Donal Farrelly                                            |

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## 1.0 Site Location and Description

- 1.1. This appellant submitted a previous application for the appeal site which was refused under **Planning Reference no. 25/46 ABP 322398-25** regarding sightlines and turning movements, housing need, and house design. A planning application **Planning Reference no. 2560490/PL-500974-WW-26** for a rural house is currently being reviewed by An Commission Pleanala (ACP) regarding the appellant's brother on a site located approximately 1.3km southeast of the appeal site.
- 1.2. The appeal site is 1.30ha and is located in Ballyguile More, Wicklow, Co. Wicklow approximately 1km southeast of Wicklow Town. The site is surrounded by agricultural fields with a residential unit and agricultural shed located adjacent to the appeal site. The proposed development connects to the local road L-5103 by a circa 500m gravelled laneway which serves an existing dwelling and agricultural shed. The local road is lightly trafficked, and the laneway entrance is located on a relatively straight stretch of road.
- 1.3. I note the photographs available from the appellants submission under **Planning Reference no. 25/46 ABP 322398-25** which outlines works to the laneway entrance. I also note that the Planning Inspectors report of said application notes that works were undertaken to the site entrance but sightlines to the north were somewhat obstructed due to the ditch. I also note the photographs submitted with the current appeal which identifies additional works, including to the north bank which is now sloped back further from the roadside edge.
- 1.4. The site topography of the appeal site slopes towards the laneway. A powerline traverses the southern boundary of the site. The appeal site is located in proximity to an existing dwelling and agricultural shed. The public road level is circa 104.03, with the finished floor level of the appeal site at 118.60.

## 2.0 Proposed Development

- 2.1. Planning permission is sought for a two storey split level dwelling (253m<sup>2</sup>) with a pitched roof, and wastewater treatment system. The wastewater treatment system and polishing filter are located to the southwest of the dwelling towards the laneway.

The entrance to the appeal site from the laneway is located in the southeast of the site.

### 3.0 Planning Authority Decision

#### Decision

Permission was refused by Decision Order dated 02/04/2026 for the following 2 reasons. These reasons for refusal are similar to those under the PA previous reasons for refusal **Planning Reference No. 25/46**.

- Height, scale and design; site layout and location; and availability of family lands.

Sightlines and traffic movements.

#### Planning Authority Reports

##### 3.1.1. Planning Reports

Report of Planner dated 26/03/2026 recommends a refusal of permission. This refusal is based on sightlines, design, and site location. The planners report acknowledges that the design has been changed to include a pitched roof as opposed to a flat roof submitted under **planning reference no. ABP 322398-25/2546**. The planner states that no attempt has been made to address the previous reason for refusal regarding design.

##### 3.1.2. Other Technical Reports

Environmental Health Officer. No objection.

Transportation. Recommends refusal. The sightlines stated on the drawing submitted will not be achieved and that sightlines on the south side will be less than 50m. No drainage details are shown on the drawing on how to stop water running out of the appeal site onto the laneway, and from the laneway onto the public road.

#### Prescribed Bodies

Department of Housing, Local Government and Heritage. No response received.

## Third Party Observations

None

## 4.0 Planning History

**Planning Reference no. 25/46 ABP 322398-25.** proposed dwelling, waste water plant treatment system to EPA standards, new site entrance and associated works all accessed from existing access lane. Permission refused by ABP on 22/10/25 regarding sightlines and turning movements at the junction of the private laneway and the public road. The proposed house was 253m<sup>2</sup> and flat roofed.

**Planning Reference no. 2460444.** the construction of a new 4 bedroom dwelling house, new wastewater treatment systems, widening of an existing driveway and all associated site works. Application withdrawn

## 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

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 1 Development & Design Standards

### 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;

Clear sightlines will be required to be available or provided at new junctions and entrances. The sight distance required shall be calculated using the applicable road design manual having regard to the following criteria:

- The designation of the road, its function in the road hierarchy and existing / projected volumes of traffic;
- The typical speed (not the speed limit) of the road;
- The vertical and horizontal alignment of the road;
- And any other such factors that may be pertinent to the specific location or as may be set out in road design manuals.

When locating new entrances and proposing increases in traffic movements at existing entrances, it must be shown that vehicles turning right into the entrance do not obstruct or cause a hazard to other road users. Sufficient forward sight distance must be available to (a) cars approaching an entrance in case a car is waiting on the road carriageway to turn right, (b) for cars waiting to turn right at an entrance. Right turning lanes may be required and these shall be designed in accordance with the applicable road design manual.

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 appeal site is located 1.7km southwest of the Wicklow Head SPA (004127)

### Proposed Natural Heritage Areas

The appeal site is located 1.7km southwest of the Wicklow Head (000734)

## **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

### Grounds of Appeal

A first party appeal has been lodged by a consultant acting on behalf of the appellant.

The grounds of appeal are summarised as follows;

#### Sightlines

- The previous application was refused by ABP for sightlines at the junction of the private lane and public road. The refusal did not relate to the house design.
- The junction has been improved to provide sightlines of in excess of 100m at a 3m setback. Photographs have also been provided. The junction does not pose a traffic hazard.
- The site entrance is located 510m from the public road and accessed by an existing gravelled laneway which has multiple existing drainage outlets. Drainage at the junction was not impacted from the improvement works. Any in curtilage surface water runoff will be to a soakpit.

#### House Design and need

- The application made is in compliance with Objective 6.41 and Table 6.3 of the CDP. Farm cottages referred to in the planner's report are owned by the appellant's father and are used for business operations. The appellant has no access to these units. The appeal site has been gifted by the appellant's father and is located close to their place of work.
- The house design has been revised and reduced in size to address massing, and it cannot be seen from the public road. ABP did not previously outline design as a reason for refusal.

## **Applicant Response**

None

## **Planning Authority Response**

None

## **Observations**

Representation received from Cllr Gail Dunne.

## **Further Responses**

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 issues in this appeal to be considered are as follows:

- Principle of development
- Sightlines from junction of laneway and public road, and turning movements
- Surface water drainage
- House design and location
- Other matters

### **8.2. Principle of development**

8.3. The appeal site is located in the open countryside and would therefore be assessed against the policies of the CDP with respect to a housing need in the rural area. I have reviewed the Planning Inspectors Report ABP-322398-25 which concludes that the appellant has demonstrated an appropriate housing need as defined in Table 6.3 of the CDP to the satisfaction of both the Planning Inspector and the Board. I am

satisfied that no new information has been submitted to change this decision regarding housing need. I note that this did not form a reason for refusal under the current application but did under the previous application reference no. 25/46 which was submitted to the PA.

- 8.4. I am therefore satisfied that the appellant has a rural housing need and I am of the opinion that the principle of development is acceptable.
- 8.5. **Sightlines from junction of laneway and public road, and turning movements**
- 8.6. I note the reason for refusal regarding the sightlines from the laneway to the public road, and turning movements. I also note the appeal submission and attached photographs. The Planning Inspectors Report ABP-322398-25 refused the previous application based on inappropriate sightlines and turning movements constituting a traffic hazard.
- 8.7. The appeal submission seeks to demonstrate that they have overcome the previous reason for refusal regarding sightlines and turning movements. The submission to the PA includes a sightline drawing which identifies a 140m sightline at a 3m setback to the south and a 110m sightline at a 3m setback to the north, both from the laneway entrance. I note the report of the PA Transport engineer in that they question if these sightlines can be achieved.
- 8.8. I note the details of the Planning Inspectors (PI) Report ABP-322398-25 which notes that the Municipal District Engineer in a previous report outlined that sightline setbacks should be taken at 3m for the purpose of accommodating agricultural vehicles. The PI had outlined that during their site visit it was clear to them that sightlines could not be achieved. They did acknowledge that works had been undertaken to the south bank to improve sightlines, but the northern bank extended to the road edge. During my site visit I observed that further works have now also been undertaken to the northern bank of the entrance which provides clearer sightlines and ensures that turning cars are visible from the entrance.
- 8.9. I note the rationale provided by the appellant in that deadwood removal and earth grading achieved the required sightlines at the laneway entrance.
- 8.10. I consider that sightlines of 140m to the south and 110m to the north satisfies the design speed (90m) for a local road of 60kph as per Table 1.3 of the Transport

Infrastructure Ireland (TII) publication DN-GEO-03031 (May 2023). I also observed the uphill gradient of this relatively straight stretch of local road and car speeds at this location to be lower than 40kph during my site visit which further facilitates safe turning movements into and out of the site entrance.

8.11. Having reviewed the various details and undertaken a site visit I am of the view that the works to upgrade the laneway entrance off the local road enables appropriate sightlines to be achieved to the north and south and safe turning movements can be made into and out of the site in accordance with 2.1.9 Entrances & sight lines of Appendix 1 of the CDP.

8.12. Having regard to the above, I therefore recommend to the Commission that the previous reason for refusal regarding sightlines and turning movements should be overturned.

8.13. **Surface water drainage**

8.14. The appellant outlines that drainage will be contained on the appeal site by drains and a soakpit. They also note that the gravelled laneway has varying gradients between the appeal site and the public road with multiple drainage outlets along the route, with a plan submitted to demonstrate this. During my site visit I observed the varying laneway gradients and that surface water can discharge into the ditches located along the length of the existing laneway. I note that only a 150m section of the laneway slopes to the public road and I am satisfied that existing drainage channels along the laneway can accommodate the surface water runoff.

8.15. I have considered the existing gravelled laneway and the fact that the proposed dwelling is removed from the public road with drainage to be contained within the appeal site. I conclude that any drainage associated with the laneway will not be exacerbated by the construction of a dwelling house circa 500m from the laneway entrance and that existing laneway drainage outlets and gradients will help manage surface water drainage. An appropriate planning condition can address site surface water in the event of a grant of permission.

8.16. **House design and location**

8.17. I note the reason for refusal regarding house design. I also note that the Planning Inspectors Report ABP-322398-25/2546 did not cite design as a reason for refusal

and overturned the PA refusal reason regarding design under 25/46. I note the details of the refusal reason of the PA under planning reference 25/46 and note that the refusal reason is similar to the current application 26/38.

- 8.18. I note the site is not located in an area of outstanding natural beauty and is located within 'Corridor Area East' landscape designation of per Map No. 17.09A of the CDP.
- 8.19. The house design submitted under 25/46 was for a two storey split level dwelling 253m<sup>2</sup> with a maximum height of 6.85m. The appeal design is for a two storey split level design 253m<sup>2</sup> with a maximum height of 10.06m. The increase in height is as a result of the inclusion of a pitched roof on the dwelling, which was previously a flat roof under 25/46.
- 8.20. I note the details of the PA planners report under 26/38 and I note the details of the appeal submission. I am satisfied that the house design was approved under ABP-322398-25, however the appellant has changed the roof design to increase the height of the dwelling to 10.06m.
- 8.21. I consider that the dwelling is located along a private laneway some 500m from the public road and is not visible from the public road. Having regard to this I am satisfied that the altered dwelling design is appropriate for the rural setting and will not result in any significant impact on the visual or residential amenities of the area. I am satisfied that the design is in accordance with Appendix 2 of the CDP. I am also satisfied that it will be appropriately assimilated into the receiving site having regard to the existing landscape and topography, house design, and that it will not be visible from the public road even with the increased dwelling height.
- 8.22. Having regard to the above I recommend to the Commission that the previous reason for refusal regarding house design be overturned.
- 8.23. **Other matters**
- 8.24. I have reviewed the site characterisation report and site layout plan and I am satisfied that the proposed wastewater treatment system is appropriate for the site. A suitable planning condition will ensure it is installed in accordance with the 2021 EPA Code of Practice in the event of a grant of permission.

## 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 Ballyguile More, Wicklow, Co. Wicklow approximately 1.7km southwest of the Wicklow Head SPA (004127).

The permission is for a residential dwelling, effluent disposal system and site entrance.

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

I conclude, on the basis of objective information, that the 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.

10.2. 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**

11.1. 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.
- the nature, scale, and location of the development,
- the measures to ensure traffic safety regarding a laneway entrance onto the public road,

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 road safety. 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 Planting Plan, as submitted to the planning authority on the 13/02/26 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 hedge along the public road shall be retained except to the extent that its removal is necessary to provide for appropriate sightlines in accordance with the sightline/junction layout plan.

**Reason:** In the interest of visual amenity.

5. The site entrance shall be constructed as outlined on the proposed site layout plan.

**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 rendered walls shall be finished in 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 13/02/26 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. (a) 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 laneway or adjoining properties.

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

9. 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.

10. 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

14/07/26

## Appendix 1: Form 1 EIA Pre-Screening

|                                                                                                                                                                                                                                                                       |                                                                                       |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
| <b>Case Reference</b>                                                                                                                                                                                                                                                 | PL-501257-WW-26                                                                       |
| <b>Proposed Development Summary</b>                                                                                                                                                                                                                                   | Construction of a rural dwelling, wastewater treatment system, and vehicular entrance |
| <b>Development Address</b>                                                                                                                                                                                                                                            | Ballyguile More, Wicklow, Co. Wicklow                                                 |
| <b>IN ALL CASES CHECK BOX / OR LEAVE BLANK</b>                                                                                                                                                                                                                        |                                                                                       |
| <b>1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?</b>                                                                                                                                                            | <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:<br>- The execution of construction works or of other installations or schemes,<br>- Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources) |                                                                                       |

|                                                                                                                                                                                                                                                                               |                                                                                                     |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|
| <b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>                                                                                                                               |                                                                                                     |
| <input type="checkbox"/> Yes, it is a Class specified in Part 1.<br><b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>                                                                                                                   |                                                                                                     |
| <input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3                                                                                                                                                                                  |                                                                                                     |
| <b>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?</b> |                                                                                                     |
| <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.<br><b>No Screening required.</b>                                             |                                                                                                     |
| <input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.<br><b>EIA is Mandatory. No Screening Required</b>                                                                                                                       |                                                                                                     |
| <input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.                                                                                                                                                                         | Class 10 (b)(i) Construction of more than 500 dwelling units.<br>The proposal is for 1 no dwelling. |

|                                                                                                                                                                 |                                                                           |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|
| <b>Preliminary examination required. (Form 2)</b><br><b>OR</b><br><b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b>                  |                                                                           |
| <b>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)?</b> |                                                                           |
| <b>Yes</b> <input type="checkbox"/>                                                                                                                             |                                                                           |
| <b>No</b> <input checked="" type="checkbox"/>                                                                                                                   | <b>Pre-screening determination conclusion remains as above (Q1 to Q3)</b> |

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

## Appendix 2: Form 2 - EIA Preliminary Examination

|                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                   |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Case Reference</b>                                                                                                                                                                                                                                                                        | PL-501257-WW-26                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Proposed Development Summary</b>                                                                                                                                                                                                                                                          | Construction of a rural dwelling, wastewater treatment system, and vehicular entrance                                                                                                                                                                                                                                                                                                                             |
| <b>Development Address</b>                                                                                                                                                                                                                                                                   | Ballyguile More, Wicklow, Co. Wicklow                                                                                                                                                                                                                                                                                                                                                                             |
| <b>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</b>                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Characteristics of proposed development</b><br><br>(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. |
| <b>Location of development</b><br>(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.                                                                                                                         |



|                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                            |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).</p>                                                                                         |                                                                                                                                                                                                                                                                                                                                            |
| <p><b>Types and characteristics of potential impacts</b></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 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><b>Conclusion</b></p>                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                            |
| <p><b>Likelihood of Significant Effects</b></p>                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                            |
| <p><b>There is no real likelihood of significant effects on the environment.</b></p>                                                                                                                                                                                                  | <p><b>EIA is not required.</b></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</p>                                                                                                         |

|  |                                                                                                                                                                                                                                                                                                                                                                     |
|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | <p>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.</p> |
|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

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

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

(only where Schedule 7A information or EIAR required)