



An
Coimisiún
Pleanála

Inspector's Report PL-501405-WW-26

Development	Installation of a field access gate at the proposed entrance and all associated site works.
Location	Kilballyowen, Ballinacor South Annacurra, Aughrim, Co. Wicklow.
Planning Authority	Wicklow County Council
Planning Authority Reg. Ref.	26/60216
Applicant(s)	Eugeniusz Gluza
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party Normal Planning Appeal
Appellant(s)	Eugeniusz Gluza
Observer(s)	None
Date of Site Inspection	26 th August 2026
Inspector	Susan McHugh

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1.0 Site Location and Description

- 1.1. The site is located in the townland of Kilballyowen, approx. 280m west of the village of Annacurra, and approx. 3.4km southwest of Aughrim, Co. Wicklow.
- 1.2. It is located in a rural area on elevated lands along the southern side of a rural local road L6200. The L6200 connects the village of Annacurra with the R747 to the east and L2143/Rednagh Road to the west. Annacurra village contains a church, national school, GAA Club and community centre.
- 1.3. The immediate area is characterised by agricultural lands, with a number of houses located on the northern side of the local road to the east.
- 1.4. The local road is single lane carriageway and very narrow, has no road markings or grass verges and appears to have been recently resurfaced.
- 1.5. The site is roughly rectangular in shape, slopes down from the western corner to the roadside boundary to the east and comprises approx. 0.630ha. The site is bounded to the northeast by its densely planted roadside frontage. A portion of the front boundary has been cleared and rubble/stones used to access the field.
- 1.6. The field boundaries to the northwest and southwest are defined by wire fencing, and hedgerows. The field boundary to the south east is defined by wire fencing, trees and hedgerows.
- 1.7. The field is currently in grass, with excavation works to the western corner of the site. Other temporary structures on site include an outdoor pergola and seating area, and trampoline, and portable goal posts. The site is not currently in agricultural use.

2.0 Proposed Development

- 2.1. Permission is sought for a
 - (1) installation of a field access gate at the proposed new entrance
 - (2) construction of a concrete slab surface at the entrance, including the provision of an Eco-drain to manage surface water runoff and discharge it to an existing roadside open ditch

(3) removal of existing small trees located to the north-west of the proposed field entrance, and their replacement with indigenous tree species, to be planted in a set-back position from the public road in order to maintain natural screening

(4) removal of the existing hedgerows on both sides of the proposed field entrance and their replacement with indigenous hedgerows, to be planted set back from the public road tarmac, and also the creation of additional grass verges on both sides of the entrance in order to improve visibility and

(5) associated site development works.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority **refused** permission on 11th May 2026 for the following reason.

1. Having regard to –

(i) The location of the agricultural entrance which is identified to service a site area of 0.630 hectares;

(ii) The lack of justification details provided to support the need for the proposed development;

(iii) The requirement to remove the existing sod/stone front boundary and associated vegetation to provide sightlines;

(iv) CPO 12.54 Rural local roads shall be protected from inappropriate development, and road capacity shall be reserved for necessary rural development and;

(v) CPO 17.23 To require the retention, wherever possible, of hedgerows and other distinctive boundary treatment in the County. Where removal of a hedgerow, stone wall or other distinctive boundary treatment is unavoidable, provision of the same type of boundary will be required of similar length and set back within the site in advance of the commencement of construction works on the site (unless otherwise agreed by the Planning Authority).

It is considered that the development would be contrary to the provisions of the County Development Plan 2022-2028 as it would not represent a necessary entrance on this local road, and would result in the loss of roadside bank/ vegetation which form part of the natural boundary at this point, would set a precedent for further entrances along this narrow local road in the absence of a genuine need, and would endanger public safety by reason of serious traffic hazard given the level of excavations required to provide sightlines and lack of necessary uses. The development would therefore be contrary to proper planning and sustainable development.

3.2. Planning Authority Reports

3.2.1. Planning Report

- *Principle* - an agricultural entrance in a rural area associated with agricultural uses is acceptable.
- No justification provided for the proposed entrance and no uses proposed.
- *Lack of information* – the proposed entrance would not represent a necessary development contrary to CPO 12.54.
- *Sightlines* – To achieve sightlines of 70m require setting back the entrance and existing roadside boundaries. The extensive excavations would result in the loss of this natural roadside boundary.
- Recommends refusal.

3.2.2. Other Technical Reports

- **District Engineer, Arklow Municipal District Office:** Report dated 18/05/2026 recommends no objection subject to requirements.
- **Environment Planning:** Report dated 1/05/2026 recommends further information in relation to the need for the proposed development.
- **Environment:** Report dated 24/04/2026 recommends no objection subject to requirements.

3.3. Prescribed Bodies

The application was circulated by the PA to An Taisce, Dept. of Housing Local Government and Heritage, Fáilte Ireland. No reports received.

3.4. Third Party Observations

None.

4.0 Planning History

PA Reg. Ref. 94/195: Permission **refused** 29/04/1994 for bungalow and septic tank for Kenneth Seabrooke. Reasons for refusal include;

1. The proposed development would be prejudicial to public health because the proposed sewerage effluent percolation area would be located uphill and approx. 40m from a bored well which is the source of a public water supply.
2. The proposed development would endanger public safety by reason of serious traffic hazard because the proposed development would generate additional traffic on County Road No. 200 which is of inadequate width and alignment.
3. The proposed development constitutes sporadic development in a landscape area of special control contrary to the provisions of the County Development Plan. These provisions are required to preserve scenic amenity, views of special amenity value and special interest and to conserve the attractiveness of the County for the development. The Council's settlement strategy is to encourage further growth of existing settlements' and to restrict rural housing development to cases where there is a bona fide necessity to live in the rural area instead of in existing settlements. 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.

PA Reg. Ref. 93/1025: Permission **refused** 11/02/1994 for bungalow and septic tank for Kenneth Seabrooke. Reasons for refusal are similar to above.

PA Reg. Ref. 89/5193: Permission **refused** 22/02/1990 for 2 no. dwellings and septic tanks for Stephen and Thomas Byrne. Reasons for refusal are similar to above.

5.0 Policy Context

5.1 Wicklow County Development Plan 2022-2028

5.1.1. Chapter 4 - Settlement Strategy

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

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.

5.1.2. Chapter 9 – Economic Development

Section 9.6 Objectives for Wicklow's Rural Economy - Agriculture

Strategic Objective: To encourage the continued operation of farming and its associated uses where it already exists, and to facilitate the diversification of the agricultural economy through the support of appropriate alternative farm enterprise sources.

CPO 9.37 To facilitate the development of environmentally sustainable agricultural activities, whereby watercourses, wildlife habitats, areas of ecological importance and other environmental assets are protected from the threat of pollution, and where development does not impinge on the visual amenity of the countryside.

Developments shall not be detrimental to archaeological and heritage features of importance.

CPO 9.40 To ensure that agricultural developments do not cause increased pollution to watercourses. Developments will be required to adhere to the Nitrates Directive (91/676/EC), the Nitrates National Action Programme and the EC (Good Agricultural

Practice for Protection of Waters) Regulations 2009 (as amended), with regard to storage facilities, concerning the protection of waters against pollution caused or induced by nitrates from agricultural sources. Developments will be required to comply with relevant measures, which operate to protect water quality from pollution by agricultural sources. The disposal and storage of agricultural waste shall comply with the standards required by Council.

5.1.3. **Chapter 12 – Sustainable Transport**

Section 12.8 Sustainable Transportation Objectives

CPO 12.34 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.

Local Road Objectives

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

5.1.4. **Chapter 17 – Natural Heritage and Biodiversity Wicklow County**

Section 17.3 Landscape

The subject site is located in an Area of High Amenity – Southern Hills

Section 17.4 Natural Heritage & Biodiversity Objectives

CPO 17.1 To protect, sustainably manage and enhance the natural heritage, biodiversity, geological heritage, landscape and environment of County Wicklow in recognition of its importance for nature conservation and biodiversity and as a non-renewable resource.

Woodlands, Trees and Hedgerows

CPO 17.23 To require the retention, wherever possible, of hedgerows and other distinctive boundary treatment in the County. Where removal of a hedgerow, stone wall or other distinctive boundary treatment is unavoidable, provision of the same

type of boundary will be required of similar length and set back within the site in advance of the commencement of construction works on the site (unless otherwise agreed by the Planning Authority).

Landscape, Views and Prospects

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

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

Wicklow Landscape Category Map No.17.09A As Altered – identifies the site as located in an area designated Area of High Amenity.

Volume 3 Appendix 1 Development and Design Standards

Section 2.1.9 Entrances and 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.

5.2 Relevant National or Regional Policy / Ministerial Guidance

Climate Action Plan 2025 (CAP25) is the third statutory annual update to Ireland's Climate Action Plan under the Climate Action and Low Carbon Development (Amendment) Act 2021.

The Plan lays out a roadmap of actions which will ultimately lead us to meeting our national climate objective of pursuing and achieving, by no later than the end of the year 2050, the transition to a climate resilient, biodiversity rich, environmentally sustainable and climate neutral economy. It aligns with the legally binding economy-wide carbon budgets and sectoral emissions ceilings that were agreed by Government in July 2022.

Climate Action Plan 2025 builds upon the previous year's Plan by refining and updating the measures and actions required to deliver the carbon budgets and sectoral emissions ceilings and it should be read in conjunction with Climate Action Plan 2024.

5.1.5. Ireland's 4th National Biodiversity Action Plan 2023–2030 - Ireland's 4th National Biodiversity Action Plan (NBAP) sets the national biodiversity agenda for the period 2023-2030 and aims to deliver the transformative changes required to the ways in which we value and protect nature. The NBAP will continue to implement actions within the framework of five strategic objectives, while addressing new and emerging issues:

- Objective 1 - Adopt a Whole of Government, Whole of Society Approach to Biodiversity,
- Objective 2 - Meet Urgent Conservation and Restoration Needs,

- Objective 3 - Secure Nature's Contribution to People,
- Objective 4 - Enhance the Evidence Base for Action on Biodiversity
- Objective 5 - Strengthen Ireland's Contribution to International Biodiversity Initiatives.

5.3 Natural Heritage Designations

The site is not located within or adjacent to any European sites.

6.0 EIA Screening

- 6.1. The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended. No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of report.

7.0 The Appeal

7.1. Grounds of Appeal

- 7.1.1. A first party appeal against the decision of the PA to refuse permission was lodged by the agent acting on behalf of the applicant.
- 7.1.2. The grounds of appeal can be summarised as follows
- *Traffic* - Dispute proposed entrance would give rise to increased traffic.
 - *Woodlands, Trees and Hedgerows* – Overgrown due to lack of maintenance, danger of fallen trees, proposed entrance would allow maintenance.
 - *Wrong interpretation of the entrance* – Emergency access created to allow drainage works preventing water flows onto the road.
 - *Lack of entrance causes danger in road traffic* – Parking on the roadside is dangerous.

- *Purpose of buying and usage of the land* – Intended use as an organic farm for vegetables and a small orchard for personal family use required for access and use of a light tractor.
- *Land insurance problems* – Unable to take out insurance due to the lack of an entrance.
- *Access* - Submits it is unreasonable to not have an access onto the local road, and proposed sightlines and set back have been designed taking account of the drainage in the area.
- *Use* – Reason for refusal was on basis of insufficient information, but further information was not requested. The proposed development will not affect the landscape.

7.2. Planning Authority Response

- None.

7.3. Observations

- None.

8.0 Assessment

The main issues are those raised in the planning application and the grounds of appeal, and I am satisfied that no other substantive issues arise. The issues can be dealt with under the following headings:

- Need for proposed entrance at this location
- Rural Landscape/Visual Impact
- Traffic Safety/Sightlines

8.1. Need for proposed entrance at this location

- 8.1.1. Part of the reason for refusal refers to the lack of justification/details provided to support the need for the proposed entrance. This in my opinion is the crux of the appeal.

- 8.1.2. It is submitted in the grounds of appeal that the intended use of the site by the applicant is as an organic farm for vegetables and a small orchard as well as an outdoor amenity space for personal family use. The applicant states that the proposed entrance is required for access and use of a light tractor for use to prepare soil and plant vegetables.
- 8.1.3. I can confirm from my site visit that some site clearance works have already taken place including the excavation of the western corner area located at the highest part of the site. The only machinery on site included a trailer typically used for the movement of materials on site.
- 8.1.4. The appeal site is not currently in agricultural use as previously noted by the PA. I can also confirm from my site inspection that I saw no evidence of vegetable or fruit tree planting, crops or for use as grazing for animals.
- 8.1.5. In terms of recreational/amenity uses on site I note the number of outdoor temporary structures. The applicant has stated in the grounds of appeal that they live 15km away from the site, however, have provided no further details. It is unclear therefore how this land relates to the applicants current place of residence.
- 8.1.6. The proposal to create a new entrance, is in my opinion not justified by the applicant in the application or in the grounds of appeal. I concur with the PA reason for refusal which states that the proposed development would not represent a necessary entrance on this local road and would set a precedent for further entrances along this narrow local road in the absence of a genuine need.
- 8.1.7. I note that it is the policy of the council to protect rural local roads and to discourage inappropriate development, and that road capacity shall be reserved for necessary rural development. I consider that the proposed development would conflict with CPO 12.54 of the Wicklow County Development Plan 2022-2028 and set a precedent for similar developments.
- 8.1.8. The stated purpose of the proposed access is not set out in the application. I am not satisfied that the reason stated in the appeal is sufficient justification having regard to the area of the site and the extent of works proposed to achieve the required sightlines. This is discussed in more detail below

- 8.1.9. Having regard to the circumstances outlined above, I consider that the applicant has not adequately justified the proposed entrance at this location. The proliferation of entrances onto a local road would set an undesirable precedent and would be contrary to Policy CPO 12.54 of the Wicklow County Development Plan 2022-2028.
- 8.1.10. I am satisfied therefore, that the decision of the PA to refuse permission should be upheld.

8.2. Rural Landscape/Visual Impact

- 8.2.1. It is proposed to create new entrance and set back existing boundary to achieve sightlines.
- 8.2.2. The site is located within a rural area, on an elevated site in the Southern Hills, which is designated as Landscape Category 3 – High Amenity in the Wicklow County Development Plan 2022-2028.
- 8.2.3. Part of the reason for refusal refers to the loss of roadside bank/vegetation which form part of the natural boundary, which would set a precedent for further entrances along this narrow local road.
- 8.2.4. The proposed new entrance would have a 3.66m wide gate located 6m from the edge of the tarmac public road, with the distance between the road tarmac and the gate to be filled with a concrete slab with a top surface to be set at the slope not exceeding gradient of 1 in 40. The spayed entrance at the edge of the of the local road would be 8m in width.
- 8.2.5. The applicant has indicated that to prevent surface water run-off from the entrance and driveway onto the public road, it is proposed to install an Eco-drain. This would be connected to 225mm diameter concrete drainage pipe located under the concrete entrance slab and laid at the bottom of the existing open ditch which stretches along the road.
- 8.2.6. I can confirm from my site visit that part of the existing sod/stone front boundary and associated vegetation has already been removed to provide access to the site. I can also confirm there is an open roadside ditch. I did note a metal grate located inside the entrance which presumably is used by light vehicles to bridge/cross over the drainage ditch/entrance from the local road to the appeal site.

- 8.2.7. While I accept that there is currently no vehicular entrance to the site to allow access for heavy machinery or parking of cars, I do not accept as outlined in section 8.1 of my report above that the proposed entrance is justified at this location.
- 8.2.8. The applicant has outlined that to ensure adequate visibility on both sides of the proposed new entrance an unobstructed sightline distance of 70m is required. To achieve this, it is proposed to setback existing roadside hedges and remove and replace several small trees to create a wider grass verge on both sides.
- 8.2.9. I have had regard to the Site Layout Plan submitted with the application which indicates the removal of existing roadside frontage for a length of approx. 70m to the left of the proposed entrance and for a length of approx. 12.5m to the right to as far as the eastern site boundary. This extent of roadside frontage removal is significant.
- 8.2.10. The applicant recognises the need to preserve the natural and rural character of the surrounding area and minimise the visual impact on the landscape of the proposed development. Proposed planting includes a mix of indigenous hedges (Ilex (Holly), white/black Thorn, Beech, and Hazel). It is also proposed to plant a mixture of indigenous deciduous (2m high) and evergreen trees (1m high) and include (Pine, Oak, Birch, Willow, Mountain Ash, Larch, Holly, Hawthorn, Sycamore, Cedar, Beech, Hazel and Spruce) as indicated on the Site Layout Plan Cross Section Drawings submitted.
- 8.2.11. I can confirm that the existing roadside bank is densely planted with native hedgerows and mature trees. While I note the proposed replacement planting outlined by the applicant, I share the concerns of the PA in relation to the loss of the existing natural boundary. I do not concur with the appellants case that the proposed development will not affect the landscape.
- 8.2.12. Having regard to the location of the site within an area designated as high amenity, and the extent of works proposed to facilitate the proposed entrance and sightlines, I would have serious concerns regarding the need/environmental/visual impact of such works. In my opinion the scale and extent of works proposed requiring the removal of existing roadside planting has not been justified in the current application. I concur with the PA that the proposed works would lead to the degradation of the rural landscape and would be contrary to policies to protect Woodlands, Trees and Hedgerows.

- 8.2.13. I am satisfied, that the proposed creation of an entrance, and removal of existing roadside planted boundary is excessive and is unacceptable in this rural area. In my opinion the impact of the proposed works would be injurious to the visual amenity of the area.
- 8.2.14. I note that it is the policy of the council to require the retention, wherever possible, of hedgerows and other distinctive boundary treatment in the County. I consider that the proposed development would conflict with CPO 17.23 of the Wicklow County Development Plan 2022-2028 and set a precedent for similar developments.
- 8.2.15. I am satisfied therefore that the decision of the PA to refuse permission should be upheld.

8.3. Traffic Safety/Sightlines

- 8.3.1. The proposed development comprises the creation of a new field entrance with access gate from the local road L6200, where a speed limit of 60km p/h applies (as of the 7th of February 2025).
- 8.3.2. As outlined above an unobstructed sightline distance of 70m is required to provide adequate visibility on both sides of the proposed new entrance.
- 8.3.3. Reason for refusal no. 1 refers to the proposed development which would endanger public safety by reason of serious traffic hazard given the level of excavations required to provide sightlines and lack of necessary uses.
- 8.3.4. The appeal site is located on a local road which connects the R747 to the east and Rednagh Road to the west. I can confirm from my site visit that the local road is very narrow and is substandard in terms of horizontal and vertical alignment. I can also confirm that the existing entrance to the site provides restricted sight visibility splays in both directions exiting the site.
- 8.3.5. Details of the proposed entrance, existing boundary set back, and sightline distances are identified on the Site Layout Plan and Cross Section Drawings prepared by M.W. Engineering. This requires the removal of the existing roadside boundary for a length in total of approx. 82.5m.
- 8.3.6. While I note the District Engineers report of the PA recommended no objection, I also have had regard to the planning history on this site which includes two refusals of permission in 1994 for dwelling houses on the grounds of traffic safety on a road

of inadequate width and alignment. I would share the concerns raised by the PA in relation to the level of excavations required to provide sightlines, and the purpose of this entrance particularly given the planning history on the site.

- 8.3.7. I would concur with the PA that the scale and extent of works proposed in order to create the proposed entrance and removal of existing roadside boundary appears excessive given the nature of the proposed development which is ostensibly for a new entrance and gate to a field that is not in agricultural use. I am not convinced that the proposed development to provide an access gate warrants an entrance of this nature.
- 8.3.8. I further note references by the applicant nature of the local road as lightly trafficked, however the application was not accompanied by any traffic surveys to support this assertion.
- 8.3.9. I inspected the site mid-morning at a time when the road was less busy, and outside morning and evening commuter traffic times. I am also mindful of the proximity of the site to the village of Annacurra and the town of Aughrim which during school term time or evening sports and recreational uses in these locations would generate additional traffic on a daily basis on the surrounding local road network.
- 8.3.10. Notwithstanding the above I am of the opinion that the creation of a vehicular entrance to this site will generate additional traffic on a very narrow local road which would generate a traffic hazard and obstruction of road users.
- 8.3.11. I am satisfied therefore that the decision of the PA to refuse permission should be upheld.

9.0 AA Screening

- 9.1. Having regard to the nature and small scale of the proposed development and the distance from the nearest European site, no Appropriate Assessment issues arise, and it is not considered that the proposed development would be likely to have a significant effect, individually, or in combination with other plans or projects, on a European site.

10.0 Water Framework Directive

- 10.1. The nearest water body is the Derry Water River (IE_EA_10A020200) c.650m to the east of the site (moderate water body status) and the groundwater body is Wicklow IE_EA_G_076. The site is located c.80m uphill/south of a tributary to the Derry Water River.
- 10.2. This groundwater body is stated as being 'Good' in relation to meeting their Water Framework Directive objectives. The proposed development is detailed in section 2.0 of my report. I have assessed the proposed development works and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration.
- 10.3. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.
- 10.4. The reason for this conclusion is as follows:
- Small scale and nature of the development
 - Location-distance from nearest water bodies and/or lack of hydrological connections.
- 10.5. I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

11.0 Recommendation

- 11.1. I recommend that permission be refused.

12.0 Reasons and Considerations

1. Having regard to the documentation submitted with the planning application and the appeal, the Commission is not satisfied that there are sufficient details to justify the proposed development at this location. The development would generate a significant volume of traffic, which the road network in the vicinity of the site is not capable of accommodating safely due to the restricted width and capacity of the local road. The proposed development would, therefore, give rise to traffic congestion and would endanger public safety by reason of traffic hazard and would be contrary to CPO 12.54 of the Wicklow County Development 2022-2028 which seeks to protect local roads from inappropriate development.

Furthermore, the proposed development would constitute an excessive removal of roadside boundary to serve a field in a rural area designated as a High Amenity Landscape in the Wicklow County Development Plan 2022-2028. The proposed development would therefore be contrary CPO 17.23 of the Wicklow County Development 2022-2028, would be detrimental to the visual amenities of the area and would, therefore, be contrary to the proper planning and sustainable development of the area.

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.

Susan McHugh
Senior Planning Inspector

28th August 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-501405-WW
Proposed Development Summary	Installation of a field access gate at the proposed entrance and all associated site works.
Development Address	Kilballyowen, Ballinacor South Annacurra, Aughrim, 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.	State the Class here
☒ 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.	The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended or Part V of the 1994 Roads. In reaching this conclusion I have considered if the proposal comes within the class of restructuring rural lands greater than 100 hectares (Part 2, class 1(a)). Having regard to the submitted details I do not consider it falls within this category even at subthreshold levels.
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	State the Class and state the relevant threshold
☐ Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	State the Class and state the relevant threshold
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: _____