Inspector's Report

PL-501792-GY-26

Development	The provision of an agricultural entrance to lands, including associated works.
Location	Ballyglass, Ballyshrule, Portumna, Co. Galway.
Planning Authority	Galway County Council
Planning Authority Reg. Ref.	26/60352
Applicant(s)	John and Emma Kelly
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party
Appellant(s)	John and Emma Kelly
Observer(s)	None
Date of Site Inspection	01-10-2026
Inspector	Adam Kearney

1.0 Site Location and Description

The appeal site, with a stated area of 1.44 hectares is located in the townland of Ballyglass, Ballyshrule, approximately 7.5 kilometres west of Portumna, Co. Galway. It is agricultural land in grass on the southern side of the R353, a busy regional road, west of Portumna. The site forms part of a larger landholding in the applicants' ownership, outlined in blue on the submitted site location map.

At the site the R353 runs on a straight and broadly level alignment for a considerable distance in both directions. The site is outside any settlement and the general speed limit of 80 km/h for regional roads applies.The road frontage of the site is lined by a continuous band of mature trees

Approximately 25 to 30 metres east of the centreline of the proposed entrance is an existing field gate between a stone pier and the roadside hedge. It opens onto a grassed pathway which runs south between a concrete block wall and hedging to a second gate into the applicants' land. The gate and pathway are on a narrow strip of land outside the applicants' ownership and the site layout plan annotates the gate as an 'existing entrance to adjoining lands'. A row of dwellings on the northern side of the road, opposite and to the east of the site are served by individual entrances onto the R353.

2.0 Proposed Development

2.1. Permission is sought for the provision of an agricultural entrance to lands, including associated works. The application was lodged on 7th March 2026. The submitted drawings show:

- a double galvanised field gate 6.5 metres wide between timber posts, set back 12 metres from the road edge, with post and wire splay fencing to each side;
- an entrance opening of 23.5 metres at the road edge tapering to the gate, with a gravel hardstand apron outside the gate and a 15 metre gravel track inside it, 27 metres deep in all;

- twin 600 millimetre diameter pipes to the roadside drain beneath the entrance, with the apron graded into the land to prevent surface water reaching the road;
- visibility splays of 160 metres to the east and to the west, measured from a point 2.4 metres back from the road edge, achieved by removing hedgerow and maintaining the road verge embankment and boundary at less than 1.0 metre in height.

2.2. Further information was sought on 29th April 2026 on the farm the entrance would serve, the nutrient management, livestock and landscaping. The response stated that the applicants are not farmers, that there is no farm enterprise or livestock, and that most of the holding is to be planted under an afforestation licence, with the entrance used at very low intensity for planting and occasional maintenance for four to five years and then for thinning at years 15 to 20 and harvesting at years 25 to 30. A landscape plan with replacement planting of birch, beech and whitebeam set back within the site, and a pre-approval submission report for afforestation, accompanied the response.

3.0 Planning Authority Decision

3.1. Galway County Council decided to refuse permission by order dated 7th July 2026 for three reasons, as follows:

1. Based on the information submitted, the Planning Authority cannot be satisfied that the principle of development is acceptable at this location as the applicant has not provided robust justification for a new entrance along a regional road. Having regard to the lack of adequate information regarding the use of the subject lands and lands within the control of the applicant within this application, the lack of evidence of approval of use of the lands by Dept. Agriculture Food and the Marine, the admission of existing adequate access to the site within the documentation to the Department and the existing access to the site currently in use by the applicant along the regional road, the Planning Authority are not satisfied with the justification for the proposed development and consider the principle of development unacceptable at this sensitive location. The subject development, as proposed, is therefore not considered

acceptable in principle or in accordance with sustainable planning and development of the area.

2. The Planning Authority is not amenable to the removal of the existing mature trees and hedgerow along the regional road to facilitate the development. This proposal is therefore considered not in accordance with DM Standard 47: Field Patterns, Stone Walls, Trees and Hedgerows of the Galway County Development Plan 2022-2028 and is therefore not considered in accordance with sustainable planning and development.

3. The Planning Authority are not satisfied that the proposed development of a new entrance onto the regional road meets sightline requirements of the Galway County Development Plan 2022-2028 and therefore poses a road and traffic safety risk as the sightline measurements/exit visibility checks were not taken from 2.4m from the edge of the carriageway. The proposal therefore is not in accordance with DM Standard 28: Sight Distances Required for Access onto National, Regional, Local and Private Roads and poses a road and traffic safety risk and is therefore not considered in accordance with sustainable planning and development of the area.

4.0 Planning Authority Report Summary

4.1. The first planning report, dated 27th April 2026, recommended further information. The second, signed by the Executive Planner on 6th July 2026 and endorsed by the Senior Executive Planner on 7th July 2026, assessed the response and recommended refusal. The reports noted the following:

4.2. The site is in a Class 1 Low Landscape Sensitivity area and a Structurally Weak Area. It is not within or adjacent to a European site, and there are no protected structures or recorded monuments on it.

4.3. No satisfactory justification was given. The pre-approval report was not evidence that the afforestation had been approved; it stated that there is an adequate existing access to the site, and its land parcels had not been shown to be within the applicants' control. Having regard also to the existing access in use by the applicants along the regional road, the principle was found unacceptable.

4.4. The first report recorded an existing agricultural entrance with no change proposed to it, and that sightlines had not been shown. The second report found the new entrance contrary to DM Standard 28 and Policy Objective NNR 2, having regard to the immediately adjacent access in use by the applicants, the restrictions on new entrances onto regional roads and the lack of demonstrated sightlines.

4.5. The regional road is lined with mature vegetation and trees. The landscape plan was noted, but the removal of the mature trees and hedgerow was found contrary to DM Standard 47.

4.6. No flood risk issue arises. EIA was excluded at preliminary examination and Stage 2 Appropriate Assessment was not required.

5.0 Other Technical Reports

5.1. None.

5.2. The planning report records internal referrals to the Loughrea/Portumna Area Office and the Council's Roads Department, none of which responded.

5.3. **Prescribed Bodies:** Transport Infrastructure Ireland made a submission dated 20th March 2026 in standard terms, raising no objection. No national road is affected.

6.0 Third Party Observations

6.1. None.

7.0 Planning History

7.1. The planning report records no recent planning history associated with the site and no enforcement history is recorded on the file.

8.0 Policy Context

8.1. Galway County Development Plan 2022-2028

8.1.1. The site is in a rural area classified as Class 1 Low Landscape Sensitivity. The R353 is a regional road but is not one of the Restricted Regional Roads listed in Table 6.3

of the Plan, to which Policy Objective NNR 1 and the access restrictions in DM Standards 26 and 27 apply.

8.1.2. Section 6.5.3.2 (Non-National Roads) states

In order to maintain the efficiency and functionality of the regional road network it is important that the number of new accesses and the intensification of existing accesses are restricted. These restrictions minimise risks to road safety as new entrances can result in additional stopping and turning movements, which give rise to the potential for additional traffic accidents.

8.1.3. Policy Objective NNR 2 (Safeguard Regional and Local Roads):

To safeguard the carrying capacity and safety of the County's regional and local road network.

8.1.4. DM Standard 28 (Sight Distances Required for Access onto National, Regional, Local and Private Roads) provides, in part:

Vehicular entrances and exit points must be designed by the developer as part of a planning application with adequate provision for visibility so that drivers emerging from the access can enjoy good visibility of oncoming vehicles, cyclists and pedestrians. Where a new entrance is proposed, the Planning Authority must consider traffic conditions and available sight lines.

8.1.5. Splays are measured a minimum of 2.4 metres from the carriageway edge and are to be provided within the site, on lands in the applicant's control or on lands in public ownership. Table 15.3 requires 160 metres at a design speed of 85 km/h and 215 metres at 100 km/h.

8.1.6. DM Standard 47 (Field Patterns, Stone Walls, Trees and Hedgerows) sets out four requirements for new development. Under a) Existing Features and b) Intervention it provides as follows:

Retain and incorporate existing field patterns and associated stone walls, trees and hedgerows into new development layouts wherever feasible.

In general, only the minimum interference with existing field patterns, stone walls, trees and hedges shall be permitted.

8.1.7. Policy Objective TWHS 1 (Trees, Hedgerows, Natural Boundaries and Stone Walls) seeks, in part, to:

Protect and seek to retain important trees, tree clusters and tree boundaries, ancient woodland, natural boundaries including stonewalls, existing hedgerows particularly species rich roadside and townland boundary hedgerows, where possible and replace with a boundary type similar to the existing boundary.

8.1.8. Policy Objective TWHS 2 (Planting of Trees and Woodlands), cited by the applicants, encourages and promotes the planting of trees and woodlands.

8.2. **S28 Ministerial Guidelines**

8.3. No section 28 Ministerial guidelines bear directly on an access onto a regional road. DM Standard 28 adopts TII publication DN-GEO-03060, Geometric Design of Junctions, for visibility at accesses onto rural roads. The Development Management Guidelines for Planning Authorities (2007) set out the basic criteria for planning conditions at section 7.3, including that a condition should be enforceable and capable of being complied with (section 7.3.3).

9.0 EIA Screening

9.1. 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, or Part V of the 1994 Roads Regulations. I have considered Part 2, Class 1(a), restructuring of rural land holdings, and it is not engaged for the reasons given in Form 1. 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 this report.

10.0 The Appeal

10.1. First Party Appeal

10.2. A first party appeal was received by the Commission on 28th July 2026, lodged online by Brian England on behalf of the applicants. It comprises grounds of appeal which respond to each reason for refusal, with the following enclosures:

- an arboricultural report by Tipp Top Tree Surgery Ltd (inspection 23rd July 2026), which records 14 to 15 mature trees in the splay, mostly ash with advanced dieback, with one beech and two oak in better condition;
- a letter from The Forestry Company dated 22nd July 2026, which states that access at present is by verbal consent through the existing gate and pathway and is adequate for establishment of the woodland, and that a forest road using the new access would be sought at year 14;
- the further information response of 30th May 2026 from BRIMECC Consultants Ltd, with the landscape plan and the Department's Pre-Approval Submission Report for afforestation;
- the application drawings, including the site layout plan showing splays of 160 metres to the east and west measured 2.4 metres back from the road edge;
- the planning authority's request for further information, notification of decision and planning reports.

10.3. Land Registry details were uploaded separately. Folio GY139513F records the applicants as full owners, since 28th May 2025, of 12.66 hectares at Ballyglass. Folio GY106529F, held by another owner on a possessory title, shows a series of narrow parcels fronting the road, and the grounds confirm that the existing gate is on this land.

10.4. The grounds are summarised as follows.

10.5. **Reason 1: Need for the entrance.** The applicants' 12.66 hectare holding has no entrance of its own. The existing gate is on land in other ownership and is used under an informal verbal agreement. An independent entrance is needed for the

future use of the land, whether forestry or grazing, the holding has no other road frontage, and its size justifies one.

10.6. **Use of the land.** The further information and the afforestation application make the intended use clear. The land is to be planted in native woodland, with about 2 hectares left to naturalise, and may be grazed in the meantime. Farm practice and nutrient management have no bearing on an entrance. Under forestry the entrance would be used for about a week each quarter in the first four years, then for occasional monitoring, with thinning from year 15.

10.7. **Forestry licence and existing access.** The Department's licence decision is expected by the end of 2026 and is not a planning matter. The forestry advisor's reference to adequate access was made without knowing the status of the gate, and has since been clarified.

10.8. **Sensitive location.** The planning report places the site in a Class 1 Low Landscape Sensitivity area with no other constraints, which is at odds with the reference in the reason to a sensitive location.

10.9. **Reason 2: Trees and hedgerow.** Most of the trees are ash in decline from ash dieback and would have to be removed for safety in any event. The landscape plan provides replacement trees and native hedgerow.

10.10. **Reason 3: Sightlines.** The site layout plan shows sightlines of 160 metres from a 2.4 metre setback, in line with DM Standard 28. Sightlines were not raised in the further information request and there is no engineer's report on file.

10.11. **Planning report and wider benefits.** The first planning report wrongly states that the blue line, the sightlines and surface water disposal were not shown. The native woodland would benefit biodiversity and the climate, and the loss of roadside trees should be weighed against it.

10.12. **Planning Authority Response**

10.13. No response to the first party appeal was received from the planning authority.

10.14. **Observations**

10.15. None.

11.0 Assessment

11.1. Having inspected the site, examined the application details, the reports of the planning authority, the appeal and all other documentation on file, and having regard to the relevant provisions of the Galway County Development Plan 2022-2028 and to national policy and guidance, I consider the substantive issues in this appeal to be as follows:

- Justification for a new entrance
- Traffic safety on the R353
- Visibility
- Roadside trees and hedgerow
- Other matters

11.2. **Justification for a New Entrance**

11.2.1. The further information and the grounds confirm that the applicants are not farming the land, that it may be grazed under a casual agreement in the short term, and that the entrance is intended to serve afforestation. The physical development is unchanged and forestry is a rural land use which Policy Objective TWHS 2 encourages. The question is whether a new access onto the R353 is justified where the lands are already accessible.

11.2.2. The site location map shows the applicants' landholding in blue, and folio GY139513F confirms their title to 12.66 hectares containing the site and the proposed afforestation area. With regard to the Department's approval, forestry is licensed under a separate code and an applicant is not obliged to obtain one consent before seeking another. I also agree with the appellants that farm practice and nutrient management have little bearing on an entrance of this kind.

11.2.3. The applicants' own evidence answers that question. The grounds say that the forestry advisor's reference to adequate access was made without knowing the status of the gate, and rely on a letter of clarification. That letter, from The Forestry Company, records that the gate is used by verbal consent, and still states:

Access at present is by verbal consent through the existing gate and pathway and this is adequate for the establishment of the Forest.

11.2.4. The pre-approval report records site access as ‘Yes - Adequate Access’ and, under its contract level operational proposal details, records road access as ‘Provided’. That is the basis on which the afforestation has been put to the Department. On the applicants’ own advice, therefore, the existing access is adequate for planting and establishment, and the need for a new entrance would arise at thinning stage, from around year 15 of a planting which has not begun and for which no licence has been issued.

11.2.5. The grounds confirm that the gate is on land in other ownership and that it originally served the whole of the landholding. I accept that an access held by verbal consent is weaker than an access of right, and that an owner contemplating forestry has a legitimate interest in securing one. The further information described the gate as substandard, but no evidence of its condition or visibility has been submitted, and as it would remain in use the proposal would bring no safety gain there. Nor is there evidence that the consent is under threat, or that the applicants have sought to formalise a right of way over the gate and pathway or to agree an improvement of that entrance with its owner. Should the consent be withdrawn, that could be put forward in a fresh application. The size of the holding does not, on its own, justify a second entrance where the land is already served.

11.2.6. The proposal would not replace the existing entrance either. That gate is outside the applicants’ control and is not proposed to be closed. The proposal would add a second access onto the R353 within about 30 metres of the first. I accept that use of the new entrance would be infrequent, as the grounds set out, but low frequency does not justify an additional entrance where the lands are already served. The vehicles that would use it at thinning and harvesting, timber lorries and forestry machinery, are mostly articulated and slow to turn, and once built the entrance would be available for any agricultural use of the holding, including grazing, as the grounds acknowledge.

11.2.7. I conclude that an adequate justification for an additional entrance onto the regional road at this location has not been demonstrated. To that extent I agree with the first reason of the planning authority. The grounds point out that the site is in a Class 1 Low Landscape Sensitivity area, and I accept that it is not sensitive in landscape terms. The sensitivity here is that of the regional road, which I deal with below.

11.3. **Traffic Safety on the R353**

11.3.1. The R353 is not a Restricted Regional Road. Section 6.5.3.2 of the Plan and Policy Objective NNR 2 applies to the regional road network as a whole, and seek to restrict new accesses because they give rise to additional stopping and turning movements and the potential for additional accidents. DM Standard 28 requires the traffic conditions on the road and not only the sight lines be considered. The existing access and traffic safety were raised in the planning authority's first and third reasons, and NNR 2 was relied on in its planning report, so this is not a new issue.

11.3.2. The traffic conditions as stated are those of a busy regional road with a straight alignment where the general speed limit of 80 km/h applies and the broken centre line permits overtaking. Traffic speeds on an open, straight section of this kind can be expected to be high and close to the limit. A vehicle turning right into the site would have to stop in the carriageway and wait for a gap in oncoming traffic, with the following traffic approaching at speed and free to overtake. Any vehicle emerging from the site would need to cross or join a traffic stream from a standing start. Each movement would interrupt the free flow of traffic on the road.

11.3.3. This stretch already carries the existing gate to the east and the entrances to the dwellings opposite. The proposal would add a further point of conflict close to the existing gate, which would remain in use. That is the proliferation of accesses that section 6.5.3.2 and NNR 2 seek to prevent, and on the evidence is not justified by any need that the existing access cannot meet.

11.3.4. I conclude that the proposed entrance would lead to a proliferation of entrances onto the R353, would generate additional stopping and turning movements by slow moving agricultural and forestry vehicles where traffic speeds can be expected to be high, would interfere with the safety and free flow of traffic, and would endanger public safety by reason of traffic hazard. It would therefore conflict with Policy Objective NNR 2.

11.4. **Visibility**

11.4.1. The third reason states that the sightline measurements were not taken from 2.4 metres from the edge of the carriageway. The site layout plan lodged on 7th March 2026 annotates both splays as '160m @ 2.4m set back from road edge', and the planning authority has not explained why it considered otherwise. There is no report

from the Council's Roads Department on the file. The grounds add that sightlines were not raised at further information stage. The Commission considers the matter de novo, and I have assessed the splays as shown.

11.4.2. On the merits, the applicants have applied 160 metres, which Table 15.3 gives for a design speed of 85 km/h, and no speed survey has been submitted. Within the site frontage the splays could be achieved by removing the roadside trees and hedgerow. Beyond it, the eastern splay crosses the frontage of the strip containing the existing gate, which the grounds confirm is in other ownership, and both splays run to points outside the red line boundary. DM Standard 28 requires visibility to be provided within the site, on land in the applicant's control or on land in public ownership, with letters of consent from adjoining owners where needed and, where substantial works are required, a formal agreement with the adjacent landowner. No consent or agreement has been submitted.

11.4.3. Without that consent, I am not satisfied that the splays shown could be provided or, more importantly, maintained. Section 7.3.3 of the Development Management Guidelines (2007) advises that it is doubtful that a condition requiring the maintenance of sightlines by the removal or trimming of hedges or trees on a neighbour's property is within the applicant's power to fulfil, since even where consent is given it may later be withdrawn, and it notes the Law Society's advice that an easement be obtained in such cases. Section 7.3.2 adds that a condition may regulate adjoining land only where that land is under the applicant's control. The deficiency could not therefore be overcome by condition, and it is a further reason why the entrance would endanger public safety. It is not, however, the main issue. The main difficulty is that the entrance would add an unjustified point of conflict on a busy regional road, and the straight alignment does not overcome that, since it is the straight alignment that encourages higher speeds.

11.5. Roadside Trees and Hedgerow

11.5.1. DM Standard 47 applies to rural roadside boundaries of this kind, and the removal of 14 to 15 mature trees and the hedge across a 23.5 metre opening, with vegetation cut back along both splays, is a substantial intervention. The arboricultural report is a general statement rather than a tree survey. It has no tree schedule, no plan locating

individual trees and no measurements, and it makes no case for removing the beech and the two oak, which it describes as in better condition.

11.5.2. Against that, dead and bare limbs are visible in the crowns of some of the frontage trees, consistent with the report's account of ash dieback. Ash in that condition overhanging a public road is likely to require management for safety. The landscape plan offers replacement native planting, and DM Standard 47 itself envisages native hedgerow along roadside frontages where hedgerow is removed. I do not consider that the loss of the trees and hedgerow would, of itself, warrant refusal, and I do not recommend that the second reason be included.

11.6. **Other Matters**

11.6.1. **Surface water and forestry consent:** The drainage arrangements could have been addressed by condition had permission been recommended. The afforestation is regulated by the Department of Agriculture, Food and the Marine under the Forestry Act 2014, including its own environmental assessment, and is not before the Commission.

11.6.2. **Planning report:** The grounds point to errors in the first planning report on the blue line, the sightlines and surface water disposal. The lodged drawings show all three, and I have assessed the proposal on that basis.

11.6.3. **Afforestation benefits:** I accept that native woodland would benefit biodiversity and carbon storage. On the applicants' own evidence, however, the planting does not depend on the new entrance.

12.0 AA Screening

12.1. I have considered the proposed development in light of the requirements of section 177U of the Planning and Development Act 2000, as amended. The site is not within or adjacent to a European site. The planning report records the nearest site as Barroughter Bog SAC (site code 000231) c.1.9 km, Slieve Aughty Mountains SPA (004168) c.2km, Lough Derg, North-east Shore SAC (002241) c. 3km, and Lough Derg (Shannon) SPA (004058) c. 3km with nine further European sites within 15km. The works would not affect habitat used by the special conservation interests of either SPA. No nature conservation concerns were raised in the appeal.

12.2. 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 small scale and nature of the works, a field entrance with a gravel apron and track;
- the distance from the nearest European site and the absence of any direct hydrological or ecological connection, any connection through the roadside drain being remote, indirect and diluted;
- taking into account the screening determination of the planning authority, which reached the same conclusion.

12.3. 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 (stage 2), under section 177V of the Planning and Development Act 2000, as amended, is not required.

13.0 **Water Framework Directive**

13.1. The works include twin 600 millimetre pipes carrying the roadside drain beneath the entrance, with surface water disposal to a watercourse. The nearest river on file is the Cappagh River, which bounds the holding to the south-west on the folio map. The Department's pre-approval form records the afforestation area as within or upstream of the sub-basin of a river water body of 'Bad' or 'Moderate' status, but the afforestation is not part of this development. No water deterioration concerns were raised by any party.

13.2. I have considered the objectives set out in Article 4 of the Water Framework Directive, which seek to protect and, where necessary, restore surface and ground water bodies in order to reach good status, meaning both good chemical and good ecological status, and to prevent deterioration. 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 or groundwater body either qualitatively or quantitatively, for the following reasons:

- the small scale and short construction period of the works, with no wastewater and a gravel surface graded to retain surface water within the site;
- the pipes would maintain the flow of the roadside drain, and there is no direct connection to any river or lake water body at the site.

13.3. I conclude, on the basis of objective information, that the proposed development will not result in a risk of deterioration of 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 it can be excluded from further assessment.

14.0 Recommendation

14.1. I recommend that permission be refused for the reason and considerations below.

15.0 Reasons and Considerations

15.1. Having regard to the location of the site on a straight section of the R353 regional road, which is a busy road where the general speed limit of 80 km/h applies and overtaking is permitted, to the existing field entrance a short distance to the east through which the applicants' landholding is presently accessed and which, on the applicants' own evidence, is adequate for the planting and establishment of the proposed forest, and to section 6.5.3.2 (Non-National Roads) of the Galway County Development Plan 2022-2028, which seeks to restrict the number of new accesses onto the regional road network, it is considered that an adequate justification for an additional entrance onto the regional road at this location has not been demonstrated. Furthermore, the sightlines shown extend across the roadside frontage of land outside the applicants' ownership and, in the absence of the consent of the adjoining landowners, it has not been demonstrated that they could be provided and maintained as required by DM Standard 28 (Sight Distances Required for Access onto National, Regional, Local and Private Roads) of the Plan. The proposed development would lead to a proliferation of entrances onto the R353 and would generate additional stopping and turning movements by slow moving agricultural and forestry vehicles at a point where high traffic speeds can be expected. It would conflict with Policy Objective NNR 2 (Safeguard Regional and

Local Roads) of the Plan, would interfere with the safety and free flow of traffic on the regional road, would endanger public safety by reason of traffic hazard, 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.

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Adam Kearney

Planning Inspector

11th October 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-501792-GY-26
Proposed Development Summary	The provision of an agricultural entrance to lands, including associated works.
Development Address	Ballyglass, Ballyshrule, Portumna, Co. Galway.
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? (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)	☒ Yes, it is a 'Project'. Proceed to Q2. ☐ No, No further action required.
2. Is the proposed development of a CLASS specified in <u>Part 1</u>, 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 <u>Part 2</u>, 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, a field entrance and associated works, is not of a class in Part 2 of Schedule 5. Class 1(a), restructuring of rural land holdings, is not engaged: no restructuring of the holding is proposed, and the works would remove a short length of roadside boundary, far below the 4 kilometre threshold. The afforestation referred to on file is subject to separate consent under the Forestry Act 2014 and is not part of the proposed development.
☐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. **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 ☐	
No ☒	**Pre-screening determination conclusion remains as above (Q1 to Q3)**

Inspector: _____ **Date:** _____