

**LAOIS COUNTY COUNCIL
PLANNING DEPARTMENT**

PLANNING REPORT

PLANNING REF: 26/60287



Applicant Name:	David & Lisa Walsh-Kemmis
Development Description:	Construct an agricultural entrance (cow crossing), necessary signage and associated site work
Development Address:	Ballykilcavan, Stradbally, Co. Laois
Type of Permission:	Permission
Date of Site Inspection:	16/06/2026
Decision Due Date:	13/07/2026
Recommendation:	Further Information

Site Description

The site of the proposed development is located along the R428 Strategic Regional Road in the rural townland of Ballykilcavan. The development site is on the landholding of “Ballykilcavan House” situated c.1.14 km due south-west. The site has a stated area of 0.013ha.

Proposed Development

Planning permission is sought to construct an agricultural entrance (cow crossing), necessary signage and associated site work.

AA Screening

A screening for Appropriate Assessment Report was prepared and is appended to this report. It concludes that no likely significant impacts are predicted due to the nature of the proposed development.

EIA Screening

The proposed development is not specified in Part 2 of Schedule 5 of the Planning and Development Regulations 2001(as amended). In any event, it is considered, having regard to nature, size and location, the proposed development would not be likely to have significant effects on the environment. Therefore, EIA is not required.

Flood Risk

The site is outside the confines of the Flood Zone.

Archaeological and Architectural Heritage

The site does not fall within any archaeological areas and there are no Monuments on, or adjacent to, the site. The development site is on the landholding of “Ballykilcavan House” situated c.1.14 km due south-west..

“Ballykilcavan House” is included in the County Laois Record of Protected Structures under reference RPS 600. Completed in the mid 1800’s, it comprises a seven-bay, two storey with dormer attic build. It has a regional rating in the National Inventory of Architectural Heritage.

Landscape Character

The site is within the Lowland Agricultural Landscape Character Area.

Planning History

None on the subject site

Pre-planning

No pre-planning discussions have taken place in relation to this proposal.

Submissions/ Representations

Last date for receipt of submissions / representations was 22/06/2026. None received by the Planning Authority.

Referrals

MD Engineer: No report received

Road Design: No report received

Policy

Laois County Development Plan (LCDP) 2021 – 2027

Assessment

There is an existing field entrance on the subject landholding and the applicant is seeking permission to create a new entrance the opposite side of the R428 Strategic Regional Road to create a cow crossing. The R428 is a heavily trafficked route where traffic travels at significant speeds. Policy TRANS 22 seeks to “*Prohibit unnecessary access onto strategic regional routes in areas where speed limits in excess of 50kmph applies*”. The proposed development is within an area where maximum speed limits apply. The applicant owns the land on the opposite side of the carriageway and, therefore, a crossing at this location could be considered appropriate subject to relevant safety standards being met.

Sight lines of 3m x 180m are required onto this road in accordance with the Laois County Council Roads & Parking Standards 2007. The applicant has indicated that 3m x 180m sight lines are available at the location of the site entrance. However, I have inspected the site and I note that the sight distances are severely restricted to the south due to the presence of vegetation that impact sight visibility. Further information is, therefore, required from the applicant in relation to this matter including details of the types of vehicles (if any) that will utilise the entrance and details of an adequately sized set down area to cater for such vehicles at the entrance.

Contributions

Should planning permission be granted, it is considered given the nature of the development that a financial contribution is not applicable, as per the Councils adopted Development Contribution Scheme (DCS), 2025-2031.

Recommendation

In light of the foregoing, it is recommended that the following further information be requested:

1. The Planning Authority notes that the development site is proposing an access onto a heavily trafficked section of Strategic Regional Route R428, where the maximum speed limit applies. Sight distance requirements for this status of road are **3 x 180 metres** in both directions at the proposed entrance. Upon inspection, it was noted by the Planning Authority that sight distances are currently severely restricted to the south. In this regard you are requested to submit:

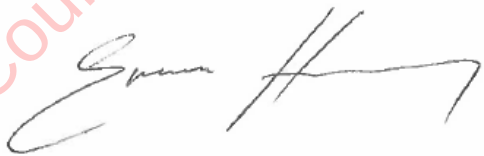
[a] a 1:500 site layout plan and annotated photographic and topographic survey clearly showing sight distances of **180 metres achievable** on either side of the site entrance without any constraints impeding the required visibility. The layout plan and survey shall be in strict accordance with Laois County Council document *Roads and Traffic Standards, Figure 2.1.a*. The existing margin, the existing road carriageway and the existing front boundaries shall be clearly indicated. The sight distances shall be measured **from a point 3 metres in from the metalled edge of the road**. Also, the required sight distances shall be shown to the **nearside** edge of the carriageway.

[b] You are advised that at the proposed entrance the driver joining the road or turning right into the entrance shall be able to have full-unobstructed vision along the required sight line distance, in strict accordance with Laois County Council document *Roads and Traffic Standards, Figure 2.2*. The line of vision must, without exception, lie within the curtilage of the site and the public road. The driver must be able to have full vision along the required sight line distance of 180 metres [in both directions] from a driver's eye height of 1.05m to an object height of 1.15m.

[c] To achieve the required sight distances may involve works to property, including front boundary ditches and vegetation, not in your ownership or under your control. Submit your comments and proposals in this regard including appropriate written consents from affected third party landowners.

[d] Provision shall be made for an extended pull-in or set-down area to accommodate one vehicle in the access, clear of the main running lane. The vehicle to be accommodated should be of the largest type to use the access on a regular basis [which in the case of farm vehicles may include a trailer]. Gates should open away from the highway and where this is not possible, the setback should be increased to allow for this.

2. Indicate the [a] type and [b] amount of traffic likely to be generated on a daily basis by the proposed development.



Emma Hennessy
A/Senior Executive Planner
23rd June 2026

Agreed
D.J. O'Hara
Senior Planner

23/06/26

DB 24/06/2026

APPROPRIATE ASSESSMENT SCREENING REPORT

Laois County Council Planning Authority, Viewing Purposes Only!

**APPROPRIATE ASSESSMENT SCREENING REPORT
AND
CONCLUSION STATEMENT**

(A) Project Details

Planning File Ref	26/60287
Applicant name	David & Lisa Walsh-Kemmis
Development Location	Ballykilcavan, Stradbally, Co. Laois
Site size	0.013ha
Application accompanied by an EIS (Yes/NO)	No
Distance from Natura 2000 site in km	There are no Natura 2000 sites at or in the immediate vicinity of development site. The nearest such site is the River Barrow and River Nore SAC [site code 2162] which is c. 636 metres distant to the north-west.

Description of the project/proposed development

Agricultural Entrance

(B) Identification of Natura 2000 sites which may be impacted by the proposed development

			Yes/No
			If answer is yes, identify list name of Natura 2000 site likely to be impacted.
1	Impacts on sites designated for freshwater habitats or species. <u>Sites to consider:</u> River Barrow and River Nore SAC	<i>Is the development within a Special Area of Conservation whose qualifying interests include freshwater habitats and/or species, or in the catchment (upstream or downstream) of same?</i>	No
2	Impacts on sites designated for wetland habitats - bogs, fens, marshes and heath.	<i>Is the development within a Special Area of Conservation whose</i>	No

	<u>Sites to consider:</u> River Barrow and River Nore SAC	<i>qualifying interests include wetland habitats (bog, marsh, fen or heath)</i>	
3	Impacts on designated terrestrial habitats. <u>Sites to consider:</u> River Barrow and River Nore SAC	<i>Is the development within a Special Area of Conservation whose qualifying interests include woodlands, dunes or grasslands, or within 100m of same?</i>	No
4	Impacts on birds in SPAs <u>Sites to consider:</u> River Nore SPA	<i>Is the development within a Special Protection Area?</i>	No

Conclusion:

If the answer to all of the above is **No**, significant impacts can be ruled out for habitats and bird species.

No further assessment in relation to habitats or birds is required.

If the answer is **Yes** refer to the relevant sections of **C**.

(G) SCREENING CONCLUSION STATEMENT

Selected relevant category for project assessed by ticking box.

1	AA is not required because the project is directly connected with/necessary to the conservation management of the site	
2	No potential significant affects/AA is not required	X
3	Significant effects are certain, likely or uncertain. Seek a Natura Impact Statement Reject proposal. (Reject if potentially damaging/inappropriate)	

Justify why it falls into relevant category above (based on information in above tables)

Having regard to the proximity of the nearest SAC/SPA and given the nature and extent of the proposed development, with no direct connections to the hydrology of the SAC/SPA, it is not considered there would be potential for significant effects on the Natura 2000 network.

Name:	Emma Hennessy
Position:	A/ Senior Executive Planner
Date:	23/06/2026