



An
Bord
Pleanála

Inspector's Report

ABP-317880-23

Development	Single storey dwelling
Location	Alasty, Kill, Co. Kildare
Planning Authority	Kildare County Council
Planning Authority Reg. Ref.	23636
Applicant	Sean Convey
Type of Application	Planning Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party
Appellant	Sean Convey
Observer(s)	None
Date of Site Inspection	23 October 2023
Inspector	Sinéad O'Connor

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1.0 Site Location and Description

- 1.1. The site is located in the rural area approximately 2.2 kilometres northwest of Kill, County Kildare. The site is on the east side of the road accessed from Barberstown Road. The site has a stated area of 0.21 ha and is rectangular in shape. To the north and east the site adjoins agricultural land, and to the south and west are single storey dwellings. The site is currently under grass and scrub vegetation and the site boundaries are largely defined by hedgerow.

2.0 Proposed Development

- 2.1. The proposed development comprises a detached single storey, 2-bedroom dwelling of 115 sq.m., a secondary treatment wastewater system and soil polishing filter, and a detached single storey garage of 36 sq.m.. It is proposed to replace the existing agricultural gate with a domestic stone wall and gate.

3.0 Planning Authority Decision

3.1. Decision

On the 01 August 2023 Kildare County Council issued their decision to refuse planning permission for the proposed development. 1 no. reason for refusal was given, which states that the applicant does not satisfy the requirements for rural need under the Development Plan and that the proposed development would set an undesirable precedent for residential development in an area under significant development pressure.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planning Authority's decision is derived from the assessment in the Planning Report dated 31 July 2023. The key considerations of this report are summarised below:

- The Appellant does not satisfy the requirements for rural housing need arising from exceptional health circumstances, provided for under Objective HO O47. The

Appellant requires a single storey dwelling with a reasonably sized garden for medical reasons however, these requirements do not mean that he must reside in a rural area. The provision of a dwelling within a settlement and closer to existing services would represent a more sustainable form of development.

- The subject development would fail to protect the countryside in an area under significant development pressure.
- In respect of the carrying capacity of the environment, it is stated that there may be capacity in the area to accommodate the additional dwelling. It is stated that there are 26 no. dwellings within 500 metres of the subject site.
- The proposed development would not affect the transitional lands between the subject site and the settlement of Kill.
- The proposed development would contribute to the proliferation of linear ribbon development in the area.
- The design and siting of the development is considered acceptable.

3.2.2. Other Technical Reports

Assessment of Local Need: The applicant has not demonstrated compliance with Objective HO O47.

Roads, Transportation and Public Safety: No objection subject to conditions.

Area Engineer (Naas Municipal District): No objection subject to conditions.

Environment Section: No objection subject to conditions.

Water Services: No objection subject to conditions.

3.3. Prescribed Bodies

Uisce Éireann: No objection subject to conditions.

3.4. Third Party Observations

None.

4.0 Planning History

The planning history of the site can be summarised as follows:

- P.A. Ref. 14685: On the 30 September 2014, Miriam Brosnan was refused planning permission for the construction of a dormer bungalow (272 sq.m.), wastewater treatment system, and garage (40 sq.m.). 2 no. reasons for refusal were given, which relate to non-compliance with local need criteria and overdevelopment of the surrounding area.
- P.A. Ref. 14954: On the 22 December 2014, Miriam Brosnan was refused planning permission for the construction of a dormer bungalow (272 sq.m.), wastewater treatment system, and garage (40 sq.m.). 2 no. reasons for refusal were given, which relate to non-compliance with local need criteria, and the haphazard and excessive concentration of residential development the surrounding area.
- P.A. Ref. 181478: On the 12 February 2019, Davin Convey was refused planning permission for the construction of a single storey dwelling (115 sq.m.), wastewater treatment system, and garage (36 sq.m.). 3 no. reasons for refusal were given, which relate to non-compliance with local need criteria, the excessive concentration of residential development in the area, and the provision of urban generated housing in an Area Under Urban Influence.
- P.A. Ref. 19479: On the 26 June 2019, Davin Convey was refused planning permission for the construction of a single storey dwelling (115 sq.m.), wastewater treatment system, and garage (36 sq.m.). 2 no. reasons for refusal were given, which relate to non-compliance with local need criteria and the excessive concentration of residential development in the area.
- P.A. Ref. 20713: On the 27 August 2020, Davin Convey was refused planning permission for the construction of a single storey dwelling (115 sq.m.), wastewater treatment system, and garage (36 sq.m.). 3 no. reasons for refusal were given, which relate to non-compliance with local need criteria, the excessive concentration of residential development and pattern of ribbon development in the area.
- I note that the development sought under P.A. Refs 181478, 19479, and 20713 appears identical to the dwelling currently sought.

Relevant planning history of sites in the immediate vicinity can be summarised as follows:

- P.A. Ref. 14854: On the 16 February 2015, Paul Treacy was granted planning permission for the construction of a bungalow, wastewater treatment system, and garage on lands circa 25 metres to the south of the subject site. I note that the applicant in this case was found to meet the criteria for local need, having lived within 200 metres of the site for over 12 years. Condition 2 of this permission required that the dwelling be first occupied by the Applicant for a minimum of 7 years.

5.0 Policy Context

5.1. Development Plan

The Kildare County Development Plan 2023-2029 is the relevant Statutory Plan. Policies and objectives of relevance to the proposal include the following:

- The site is not within a settlement or an area subject to land use zoning objectives and is, therefore, rural.
- Section 3.13.2 describes 2 no. rural area types; Zone 1- Areas under Strong Urban Influence and Zone 2 – Stronger Rural Areas. Map Ref. V1-3.1 shows that the site, and much of County Kildare, is in Zone 1 – Areas under Strong Urban Influence. It is stated that rural dwellings will be facilitated in Zone 1 subject to a demonstrable economic or social need to live in the rural area and to compliance with siting, environmental and design criteria for rural housing.
- Table 3.4 ‘Schedule of Local Need Criteria in accordance with the NPF (NPO19)’ of the Plan describes the criteria for local needs assessment under 2 no. headings; Category A – Economic or Category B – Social. I note that this table does not include provisions for those with a medical need for rural housing.
- Section 3.14 seeks to control the density of development in the rural area. Where the Single Rural Dwelling Density exceeds 30 units per square kilometre there will be a presumption against further one-off houses. Where these higher densities arise, additional one-off housing would only be acceptable in very exceptional

circumstances. Using the Single Rural Dwelling Density Toolkit in Appendix 11 of the Plan, I found that the area surrounding the subject site has a residential density of 31 units per square kilometre.

- Map Ref: V1-13.1 shows that the site is in the Northern Lowlands Landscape Character Area (LCA). As per Table 13.1 of the Plan, this LCA has a 'Low Sensitivity' and has capacity to accommodate a wide range of uses. The Northern Lowlands LCA has a 'High' capacity to accommodate Rural Housing development, as per Table 13.3.

Relevant Rural Housing Need Policies and objectives include the following:

- Policy HO P11 It is the policy of the Council to facilitate, subject to all appropriate environmental assessments proposals for dwellings in the countryside outside of settlements in accordance with NPF Policy NPO 19 for new Housing in the Open Countryside in conjunction with the rural housing policy zone map (Map 3.1) and accompanying Schedule of Category of Applicant and Local Need Criteria set out in Table 3.4 and in accordance with the objectives set out below. Documentary evidence of compliance with the rural housing policy must be submitted as part of the planning application.
- Objective HO O47 It is an objective of the Council to recognise that exceptional health circumstances, supported by relevant documentation from a registered medical specialist, may require a person to live in a particular environment. Housing in such circumstances will generally be encouraged in areas close to existing services and facilities and in Rural Settlements. All planning permissions for such housing granted in rural areas shall be subject to a ten-year occupancy condition.

Relevant development management Policies and Objectives include the following:

- Policy HO P12 It is the policy of the Council to ensure that the siting and design of any proposed dwelling shall integrate appropriately with its physical surroundings and the natural and cultural heritage of the area whilst respecting the character of the receiving environment. Proposals must comply with Appendix 4 Rural House Design Guide and Chapter 15 Development Management Standards.

- Policy HO P13 It is the policy of the Council to restrict further development which would exacerbate or extend an existing pattern of ribbon development, defined as 5 or more houses along 250 metres on one side of any road.
- Policy HO P27 requires that proposed on-site wastewater systems accord with the EPA Code of Practice for Wastewater Treatment Systems for single houses (2021).
- Objective HO O59 It is an objective of the Council to carefully manage Single Rural Dwelling Densities to ensure that the density of one-off housing does not exceed 30 units per square kilometre, unless the applicant is actively engaged in agriculture, or an occupation that is heavily dependent on the land and building on their own landholding. It is stated that the sq. km. shall be measured from the centre point of the application site.
- Policies HO P30, HO P32 and Objectives HO 051 and HO52 require the provision of safe and appropriate entrances to rural dwellings, and to prevent extensive removal of hedgerow. Rural boundaries should be retained or replaced, where necessary.

5.2. **Sustainable Rural housing Guidelines for Planning Authorities (2005)**

The Kildare County Development Plan 2023-2029 refers to the provisions of the Sustainable Rural housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April 2005. The following provisions are relevant in this instance:

- Section 4.3 states that a planning authority should consider granting planning permission for rural dwellings where exceptional health circumstances require a person to live in a rural area or close to family support. This type of application should be accompanied by documentation from a registered medical practitioner and a disability organisation.
- Appendix 4 of the Guidelines recommends against ribbon development for reasons of road safety, demands for public infrastructure and visual impacts. The example for ribbon development given in these Guidelines is the provision of 5 or more houses on one side of a given 250 metres of road frontage.

5.3. Natural Heritage Designations

The subject site is not within or immediately adjacent to any designated areas or Natura 2000 sites. The Grand Canal pNHA (Site Code 002104) is the closest protected area to the subject site and is located approximately 550 metres to the northwest. The Killeel Wood pNHA (Site Code 001394) is circa 6 km to the southeast of the site, the Red Bog (Kildare) Special Area of Conservation (SAC) and proposed Natural Heritage Area (pNHA) (Site Code 000397) is approximately 9 km to the southeast, and the Ballynafagh Bog SAC (Site Code 000391) and Ballynafagh Lake SAC (001387) are approximately 11 km to the west.

5.4. EIA Screening

See completed Form 1 and Form 2 in Appendix 1. Having regard to the nature, size and location of the proposed development and to the criteria set out in Schedule 7 of the Regulations I have concluded at preliminary examination that there is no real likelihood of significant effects on the environment arising from the proposed development. EIA or an EIA determination, therefore, is not required.

6.0 The Appeal

6.1. Grounds of Appeal

The First Party's grounds of appeal are summarised below as follows:

- The Sustainable Rural Housing Development Guidelines (2005) facilitate rural residential development in circumstances of exceptional health needs.
- In their assessment, the Planning Authority did not appreciate the seriousness of the First Party's medical condition.
- The 3 no. letters from medical professionals submitted with the application indicate that the First Party suffers from a serious and chronic medical condition. It is stated that the subject dwelling is necessary to maintain the First Party's quality of life as his medical condition requires him to live in a single storey house with a sufficiently large garden to support his planting/seed business and in a rural setting.

- It is stated that the First Party's current dwelling in Kill does not meet his needs.
- It is stated that the First Party has family support in the locality. The Planning Statement submitted to Kildare County Council shows that the Appellant's family live approximately 1 kilometre to the east of the subject site, on the Straffan Road, Alasty.
- It is stated that the site is reasonably close to the Appellant's medical practitioners.
- The appeal statement provides evidence of successful applications for rural dwellings that were permitted on the basis of the applicant's exceptional health/medical needs.

6.2. Planning Authority Response

A response has been received from the Planning Authority dated 21 September 2023. This submission states that the grounds of appeal raised by the First Party had been addressed in the Planner's Reports, and requests that An Bord Pleanála upholds their decision.

7.0 Assessment

Having examined the application details and all other documentation on file, including all submissions received in relation to the appeal, and inspected the site, and having regard to relevant local policies and objectives, I consider that the main issues in this appeal are as follows:

- Rural Housing Need
- Compliance with Development Standards

7.1. Rural Housing Need

- 7.1.1. The Kildare County Development Plan describes 3 no. separate categories under which rural residential development should be assessed. Table 3.4 lists Category A – Economic and Category B - Social and the assessment criteria relevant to these categories. Separate to these, is the category of rural housing need due to

exceptional health circumstances provided for under Objective HO O47. The only assessment criterion under Objective HO O47 is the provision of documentation from a registered medical specialist. In this regard, the submitted documentation includes 3 no. letters from registered medical professionals that describe the Appellant's health circumstances and his need for a single storey dwelling with a sufficiently large garden, located within a quiet rural setting.

- 7.1.2. I note that the wording of Objective HO O47 refers to exceptional circumstances that "may require a person to live in a particular environment" (emphasis added). Aside from the Appellant's ownership of the site, the submitted documentation does not demonstrate the need for the Appellant to reside at this specific location. I note that the Appellant has family residing 1 kilometre to the east of the site. The Appellant's current dwelling is only 2.5 kilometres from this family dwelling and, therefore, the subject development would not significantly reduce the travel time or distance to existing family support. It is my opinion that the submitted documentation does not describe why the Appellant's particular housing requirements could not be achieved in another location that is not under Strong Urban Influence or within an existing settlement. Similarly, the Appellant has not illustrated that his medical needs require the construction of a new dwelling in this locality. Drawing from the above, I do not accept that the Appellant's medical condition requires him to reside in this particular locality and, therefore, it is my opinion that the Appellant does not meet the criteria for rural housing need provided for under Objective HO O47. I recommend that planning permission is refused on this basis.

7.2. Compliance with Development Standards

- 7.2.1. The area in the vicinity of the subject site accommodates a significant number of rural dwellings. The Rural Density Toolkit provided in Appendix 11 of the Development Plan indicates that this area has a Rural Residential Density of 31 dwellings per square kilometre. The Plan only facilitates residential densities in excess of 30 units per sq.km. in exceptional circumstances, specifically where a person is engaged in agriculture or is heavily dependent on the land and building on the land. The submitted documentation states that the Appellant is reliant upon the lands at the subject site for health reasons and for his seed/plant business however, at the time of my site visit the land was not in use and was overgrown with scrub vegetation. The submitted documentation does not suggest that the Appellant's

seed/plant business is reliant upon any special characteristic at the subject site, outside of site ownership. In this way, it is not apparent that the Appellant's business could not be established at another rural or urban area. Drawing from the above, I do not consider that the Appellant is heavily dependent on the lands at the subject site and, therefore, the Appellant does not meet the criteria for exceeding rural residential density standards. I recommend that planning permission is refused on this basis.

7.2.2. The Planner's Report dated 31 July 2023 states that there may be capacity for additional residential development in the area on the basis that the site is within a semi enclosed area. In this regard, I note that the site is in the Northern Lowlands LCA, which is stated to have a high capacity to assimilate residential development. Owing to the character and quantity of development that has already occurred in the vicinity of the subject site it is my opinion that there is limited capacity for additional residential development in this area. There are currently 21 no. rural dwellings on the same road as the subject site, which has created an inappropriate suburban character in the locality. Technically the subject dwelling would not cause Ribbon Development on the east side of the road however, I consider that the proposal would contribute to the existing pattern of haphazard residential development. It is my opinion that the proposed dwelling would exacerbate the existing pattern of piecemeal development and would contribute to the further erosion of the area's rural character. On this basis, I recommend that planning permission is refused.

7.2.3. Owing to its' small size relative to the subject site, its' limited height and scale and the established site boundaries, I consider that the proposed development largely aligns with the provisions of the Rural House Design Guide. The dwelling has a double deep plan however, I note that the rooms are orientated to maximise solar gain and light penetration to the living areas. I consider that the design of the dwelling would more closely align with the Rural House Design Guide if the windows on the east and west elevations had a vertical emphasis. In respect of materiality, it is unclear from the drawings submitted whether the building would have a painted render or timber clad finish and the materials proposed for the windows, doors and rainwater goods are unspecified. If the Board is minded to grant planning permission for the proposed dwelling I recommend that a condition is attached to provide surety on these design matters.

- 7.2.4. The development includes the provision of a secondary treatment system and a soil polishing filter. The submitted Site Characterisation Report concludes that the site is suitable for a wastewater treatment system. Due to site conditions, including the presence of mottling at 800 mm below ground level, the report recommends the installation of a secondary wastewater treatment unit and soil polishing filter with an outlet 100mm above ground level. I note that the 'Proposed Waste Water Treatment Plant Section' in drawing no. P-0-002 'Proposed Site Section, Contextual Elevation and Waste Water Treatment Plant Section' does not match the specifications of Section 5.0 of the Site Characterisation Report, which requires a 100 mm layer of soil from the site, 200mm bed of gravel, and a covering of 100mm of gravel. In this regard, I note that drawing no. P-0-002 'Proposed Site Plan' states that the wastewater treatment system and percolation area will be constructed to meet the specifications of the submitted report. I note that the concentration of existing domestic wastewater treatment systems in the vicinity of the subject site does not exceed 6 no. units per hectare and the proposed separation distances align with the provisions of the EPA Code of Practice. The Environment Section of Kildare County Council had no objection to the proposed development subject to conditions regarding the proper design, installation and maintenance of the proposed wastewater treatment system and soil polishing filter. If the Board is minded to grant planning permission for the proposed development I recommend that a similar condition is attached.
- 7.2.5. It is proposed to replace the existing agricultural gate with 1.2-metre-high walls, 4 no. 1.4-metre-high pillars and a 1.1-metre-high gate. The majority of the existing vegetation at the road frontage would be retained and the proposed entrance has a simple design that would not be visually obtrusive, in my opinion. I note that the Roads, Transportation and Public Safety section of Kildare County Council had no objection to the proposed development subject to conditions. In this way, I consider that the proposed development would not give rise to traffic hazard at this location.

8.0 Appropriate Assessment Screening

- 8.1. The Red Bog (Kildare) SAC and pNHA (Site Code 000397) is the nearest designated site to the subject site. The Red Bog (Kildare) is located circa 9 kilometres to the southeast of the subject site, and areas are separated by urban and agricultural

development. The Ballynafagh Bog SAC (Site Code 000391) and Ballynafagh Lake SAC (001387) are approximately 11 kilometres to the northwest of the site. The site is located within 500 metres of 2 no. tributaries of the River Liffey and is circa 550 metres to the east of the Grand Canal that connects to the estuary of the River Liffey approximately 27 kilometres to the northeast. The River Liffey flows into the North Dublin Bay SAC (site code 000206), North Bull Island SPA (site code 004006), South Dublin Bay and River Tolka Estuary SPA (site code 004024) and the South Dublin Bay SAC (site code 000210).

Natura 2000	Site Code	Qualifying Interests	Conservation Objectives
Red Bog, Kildare, SAC	000397	Transition mires and quaking bogs [7140]	To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.
Ballynafagh Bog SAC	000391	Active raised bogs [7110] Degraded raised bogs still capable of natural regeneration [7120] Depressions on peat substrates of the Rhynchosporion [7150]	To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.
Ballynafagh Lake SAC	001387	Alkaline fens [7230] Vertigo moulinsiana (Desmoulin's Whorl Snail) [1016] Euphydryas aurinia (Marsh Fritillary) [1065]	To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.

- 8.2. During the site inspection I did not see any waterbodies at the subject site and the EPA mapping does not show any waterbodies within or immediately adjoining the site. I note that mapped waterbodies nearest to the subject site flow northwards, in the opposite direction of the Red Bog (Kildare). In this way, there is no source receptor pathway between the subject development and the Red Bog (Kildare). EPA mapping indicates that the Ballynafagh Bog SAC and Ballynafagh Lake SAC are fed by waterbodies that flow westwards as part of the Slate River, therefore, there is no direct hydrological connection between these sites and the subject site. Given the separation distance between the subject site and the River Liffey and the magnitude of dilution provided by the river, I do not consider that the subject development would have likely impacts on the North Dublin Bay SAC (site code 000206), North Bull Island SPA (site code 004006), South Dublin Bay and River Tolka Estuary SPA (site code 004024) and or the South Dublin Bay SAC (site code 000210).
- 8.3. The proposed development was considered in light of the requirements of Section 177U of the Planning and Development Act 2000 as amended. Having carried out Screening for Appropriate Assessment, it has been concluded that the proposed development individually or in combination with other plans or projects would not be likely to have a significant effect on the Red Bog (Kildare) SAC, or any other European site, in view of the site's Conservation Objectives, and Appropriate Assessment (and submission of a NIS) is not therefore required.
- 8.4. This determination is based on the following: the lack of hydrological connection between the subject site and the designated areas, and the separation distance between the subject site and any designated sites.
- 8.5. This screening determination is not reliant on any measures intended to avoid or reduce potentially harmful effects of the project on a European Site.

9.0 Recommendation

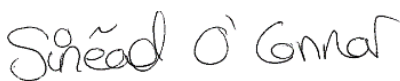
- 9.1. I recommend that planning permission be refused for the reasons and considerations as set out below.

10.0 Reasons and Considerations

It is Policy HO P11 of the Kildare County Development Plan 2023-2029 that development in the countryside outside of settlements should be strictly limited to those with demonstrable need. The proposed development, which does not cater for locally derived housing need and does not meet the criteria for rural housing need set out in Objective HO O47, would conflict with the Policy HO P11 and would be contrary to the proper planning and sustainable development of this rural area under Strong Urban Influence.

Taken in conjunction with existing development in the vicinity, the subject development contributes to the excessive density of development and overdevelopment of a rural area and would, therefore, contravene Policy HO P26 and Objective HO O59 of the Kildare County Development Plan 2023-2029. The proposed development would 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, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.



Sinead O'Connor
Planning Inspector

6 November 2023

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference	ABP-317880-23		
Proposed Development Summary	Single storey dwelling.		
Development Address	Alasty, Kill, Co. Kildare		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	X
		No	No further action required
2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) or does it equal or exceed any relevant quantity, area or limit where specified for that class?			
Yes		Class.....	EIA Mandatory EIAR required
No	X		Proceed to Q.3
3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?			
		Threshold	Comment (if relevant)
No		N/A	No EIAR or Preliminary Examination required
Yes	X	10. Infrastructure Projects (b) (i) Construction of more than 500 dwelling units.	Proceed to Q.4

4. Has Schedule 7A information been submitted?

No	X	Preliminary Examination required
Yes		Screening Determination required

Inspector: Sinead O'Gara

Date: 01/11/2023

Form 2

EIA Preliminary Examination

An Bord Pleanála Case Reference	ABP-317880-23	
Proposed Development Summary	Single Storey Dwelling	
Development Address	Alasty, Kill, Co. Kildare	
<p>The Board carries out a preliminary examination [Ref. Art. 109(2)(a), Planning and Development Regulations 2001 (as amended)] of, at least, the nature, size or location of the proposed development having regard to the criteria set out in Schedule 7 of the Regulations.</p>		
	Examination	Yes/No/ Uncertain
<p>Nature of the Development</p> <p>Is the nature of the proposed development exceptional in the context of the existing environment?</p> <p>Will the development result in the production of any significant waste, emissions or pollutants?</p>	<p>The subject dwelling is within a rural area that accommodates similar rural residential development. In this way, the existing dwelling is not exceptional in the context of the existing environment.</p> <p>Due to the limited scale of the development, being a single house, I do not consider that the operation of the proposal would result in any significant waste, emissions or pollutants.</p>	No
<p>Size of the Development</p> <p>Is the size of the proposed development exceptional in the context of the existing environment?</p>	<p>The subject dwelling is not exceptionally large with reference to existing dwellings in the vicinity.</p> <p>Owing to its limited size and height, and the findings of the Site Characterisation Report, I do not consider that there are significant cumulative considerations having regard to existing and/or permitted projects.</p>	No

Are there significant cumulative considerations having regard to other existing and/or permitted projects?		
<p>Location of the Development</p> <p>Is the proposed development located on, in, adjoining or does it have the potential to significantly impact on an ecologically sensitive site or location?</p> <p>Does the proposed development have the potential to significantly affect other significant environmental sensitivities in the area?</p>	<p>The proposed development is not located within, or immediately adjoining, any designated ecological site (ie. SAC, SPA or pNHA). The Grand Canal pNHA (Site Code 002104) is located 538 metres to the northwest and is the closest protected area to the subject site. The Killeel Wood pNHA (Site Code 001394) is circa 6 km to the southeast of the site, the Red Bog (Kildare) Special Area of Conservation (SAC) and proposed Natural Heritage Area (pNHA) (Site Code 000397) is approximately 9 km to the southeast, and the Ballynafagh Bog SAC (Site Code 000391) is approximately 11 km to the west.</p> <p>Owing to the separation distance between the subject site and any designated sites, I do not consider that the proposed development would have the potential to significantly affect other significant environmental sensitivities in the area.</p>	No
Conclusion		
<p>There is no real likelihood of significant effects on the environment.</p> <p>EIA not required.</p> <p>X</p>	<p>There is significant and realistic doubt regarding the likelihood of significant effects on the environment.</p> <p>Schedule 7A Information required to enable a Screening Determination to be carried out.</p>	<p>There is a real likelihood of significant effects on the environment.</p> <p>EIAR required.</p>

Inspector: Sinead O'Garra

Date: 01/11/ 2023

DP/ADP: _____ Date: _____

(only where Schedule 7A information or EIAR required)