



An  
Bord  
Pleanála

## Inspector's Report

### ABP-320001-24

<b>Development</b>	House; new well; waste treatment system and polishing filter; access via farm roadways, landscaping and all associated site works
<b>Location</b>	Coolmine, Saggart, Co. Dublin
<b>Planning Authority</b>	South Dublin County Council
<b>Planning Authority Reg. Ref.</b>	SD24A/0074W
<b>Applicant</b>	Will Lynch
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Refuse Permission
<b>Type of Appeal</b>	First Party
<b>Appellant</b>	Will Lynch
<b>Observers</b>	None
<b>Date of Site Inspection</b>	6 <sup>th</sup> November 2024
<b>Inspector</b>	Jim Egan

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## **1.0 Site Location and Description**

- 1.1.** The appeal site is located off Coolmine Road in the rural townland of Coolmine, c. 1.5km south of Rathcoole Village and c. 2km southwest of Saggart Village. Coolmine Road and surrounding areas south and southwest of Rathcoole and Saggart is mainly characterised by its hilly terrain, rural farmland and one-off rural dwellings.
- 1.2.** The site is part of a larger contiguous agricultural landholding of c. 25.5ha (c. 63 acres) in the ownership of the applicant, comprising a number of farm buildings including a large indoor riding arena associated with an equestrian centre use that previously operated on the land. There is a main entrance on Coolmine Road, providing access to the farm and family home, known as Coolmine House. There is also a second farm entrance off Coolmine Road located on the southeast corner of the dwelling site.
- 1.3.** The site has an overall stated area of c. 0.72ha, of which c. 0.35ha covers the proposed house site with the remainder associated with the construction of an internal access track to connect the proposed dwelling to the abovementioned vehicular entrance via a network of existing farm tracks.
- 1.4.** The proposed house site is situated in the south-west corner of a larger field abutting Coolmine Road to the southeast and a single residential property to the southwest, with both boundaries comprising mature hedgerows. Part of the site also interfaces with a mature coniferous forestry plantation to the northwest.
- 1.5.** The site is elevated, sloping downwards from the southwest corner towards the northeast corner, with submitted drawings indicating a level difference of c. 4.8m, reflecting the continuous downward slope towards the lowlands to the north.
- 1.6.** The red line boundary, where it covers the existing farm track immediately north of the main entrance on Coolmine Road, traverses the zone of notification for 2no. recorded monuments, namely Ref. DU021-041 (Ecclesiastical Remains) and Ref. DU021-042 (Chapel Site). The Ecclesiastical Remains & Chapel Site are also included on South Dublin County Council's Record of Protected Structures.

## **2.0 Proposed Development**

- 2.1.** The proposed development comprises the construction of a part single, part two storey five-bedroom detached dwelling (c. 235sqm), setback c. 22.575m from the

southeastern / Coolmine Road boundary. The two-storey element of the dwelling is storey and a half style with a pitched roof ridge height of 7.2m.

- 2.2. The dwelling would have a finished ground floor level of +188.50mOD, the Coolmine Road where it abuts the dwelling site is at c. +190.734m at the southwestern end, falling to c. +187m at the northeastern end.
- 2.3. The submitted landscape plan indicates that the dwelling would be sited between contours +189.5mOD and +188.55mOD with recontouring works proposed within the vicinity of the dwelling.
- 2.4. The proposal also includes the installation of a wastewater treatment system with polishing filter, soakaways for surface water run-off, a bored well for potable water, landscaping, and construction of an internal track to run c. 100m northwest from the dwelling site to connect to an existing internal farm track network and, in turn, an existing vehicular entrance on Coolmine Road.
- 2.5. The drawings submitted indicate that the existing farm entrance on the southeastern boundary to Coolmine Road would be closed up and replaced with infill native hedging.

### **3.0 Planning Authority Decision**

#### **3.1. Decision**

The Planning Authority refused permission for 2 no. reasons, as follows:

1. *The scale of the property, at c.235 sq.m (figure taken from application form), would be excessive and is substantially above the minimum requirements for a four-bedroom house as outlined in Table 3.20 of the South Dublin County Development Plan 2022-2028. Based on the scale, design and siting of the proposed house, the development has the potential to adversely impact the landscape and the natural beauty of the rural area, materially contravening H23 Objective 1 of the South Dublin County Development Plan 2022 – 2028 and the proposal would contribute to ribbon development having regard to the Sustainable Rural Housing Guidelines 2005. The proposal is therefore contrary to the proper planning and sustainable development of the area.*

2. *The proposed development would front onto a substandard rural road network which lacks public footpath, public lighting and drainage facilities, and would be situated in an area that is saturated with one-off houses. Having regard to this, the proposed development would endanger public safety by reason of traffic hazard. The road network in the area is incapable of catering for the continuation of ribbon development and an intensification of use.*

*The access route for vehicular traffic to serve the site is unusual and involves using an existing vehicular access to the east of the site and then routing westwards through an existing field and then south to the application site. The site would not have a conventional vehicular access on to the road adjacent. It is considered that this route is a poor use of land and potentially could have an adverse impact on agriculture in the vicinity and would lead to an intensification of the existing access. Furthermore, it would give rise to a precedent which would allow future houses off this access. Thus, it is considered that the proposed access arrangements are unacceptable. Having regard to the above, the proposed development would be contrary to the proper planning and sustainable development of the area.*

## **3.2. Planning Authority Reports**

### **3.2.1. Planning Reports**

- National Planning Framework (NPF) and Regional Spatial and Economic Strategy (RSES) for the Eastern and Midland Region seek to direct residential development to existing settlements and require that single houses in rural areas under urban influence be provided on the basis of demonstratable economic or social need.
- The site is subject located in an area zoned 'RU' – 'Rural Amenity', the objective of which is '*to protect and improve rural amenity and to provide for the development of agriculture*', and under which residential development is 'open for consideration'.
- Under Policies CS11 and H16, the Council seeks to restrict the spread of urban generated housing in the 'RU' zone and focus housing into existing settlements in line with the Settlement Hierarchy.

- It is considered that the applicant has not adequately demonstrated a genuine need to reside at this location given the proximity of Rathcoole and the availability of housing at this location. However, given that the applicant has close family ties with the rural community, it is considered that the applicant complies with Policy H18.
- Exceeds minimum house size set out under Table 3.20 of the Development Plan, and proposed scale of the dwelling does not represent a design that is compact and simple (as required by Section 12.6.9) and is significantly in excess of any scale of residential development that may be considered acceptable at the site.
- The proposed development is located on an elevated site, with the fore of the site towards the south-east. While the development would not necessarily impact views or prospects protected by the Development Plan, it would alter the rural appearance of the site when viewed from the wider countryside.
- The contribution of the proposed development to ribbon development would promote an unwelcome precedent for the unsustainable development of a single dwelling at an unsuitable location and would be detrimental to the achievement of broader environmental and sustainable objectives.
- With appropriate landscaping, SuDS and environmental mitigation including bird and bat boxes, it is considered that, at a site-specific level, the impacts to the environment could be minimised. Surface water management by way of natural drainage to be addressed by way of further information request.
- It appears the development has been designed without the need for significant cut and fill, embankments or retaining walls.
- The house is low rise and simple in design however, in the context of the wider area would contribute to ribbon development and this is unacceptable, materially contravening H23 Objective 1.
- The Roads Department recommend refusal as the proposed development would endanger public safety by reason of traffic hazard and intensification of the use of the road. The road network in the area is incapable of catering for the continuation of ribbon development and as such, the proposed development

would be contrary to the proper planning and sustainable development of the area.

- The proposed access arrangements are unacceptable for the reason that the proposed route through the farm is a poor use of land and potentially could have an adverse impact on agriculture in the vicinity and would lead to an intensification of the existing access.
- The Environmental Health Officer raised no concerns with regards the proposal for wastewater treatment.
- Recommends permission be refused.

### 3.2.2. Other Technical Reports

Roads Department: Recommended permission be refused on the following basis:

- The proposed development would front onto a substandard rural road network which lacks public footpath, public lighting and drainage facilities, and would be situated in an area that is saturated with one-off houses. Having regard to this, the proposed development would endanger public safety by reason of traffic hazard.
- The road network in the area is incapable of catering for the continuation of ribbon development and an intensification of use, and as such, the proposed development would be contrary to the proper planning and sustainable development of the area.

Environmental Health Officer: No objection, subject to standard conditions with regards construction hours, air quality and compliance with the EPA's Code of Practice for Domestic Wastewater Treatment Systems.

### 3.3. Prescribed Bodies

The Planning Authority indicated that the following prescribed bodies were consulted.

- Uisce Eireann: No report received.

### 3.4. Third Party Observations

- None received.



- One representation was received from Councillor Shirley O’Hara in support of the application.

## **4.0 Planning History**

### **4.1. Subject site and current appellant**

**Reg. Ref. SD22A/0070:** The Planning Authority refused permission in April 2022 for a new dwelling, for four reasons, summarised as follows:

- rural housing need not demonstrated,
- proliferation of rural housing in an area under strong urban influence,
- impact of house design and removal of roadside hedgerow on the visual amenity of the area,
- proposal is a traffic hazard as the road lacks pedestrian, public lighting and drainage facilities and is already saturated with one-off houses.

The application was broadly similar to the application that is subject to this appeal, with the main difference being that vehicular access was to be gained by way of a new entrance directly abutting the house site on Coolmine Road.

**Reg. Ref. SD11A/0176:** The Planning Authority granted outline permission in January 2012 for a new dwelling. Again, the application was broadly similar to the application that is subject to this appeal, albeit no house plans submitted with outline, with the main difference, as per the 2022 application, being that vehicular access was to be gained by way of a new entrance directly abutting the house site on Coolmine Road. An Extension of Duration was refused by the Planning Authority in March 2015 on the basis that legislation does not allow outline permissions to be extended. An application for permission consequent was not lodged with the Planning Authority and the outline permission subsequently expired.

### **4.2. Overall Landholding – relevant permissions**

**Reg. Ref. 91A/0584:** refers to a 1992 grant of permission to L. Lynch (appellant’s father) for an equestrian centre consisting of indoor arena, stables, foaling boxes,

managers residence, outdoor arena and site works. Subsequent permissions ref. S95A/0558 and S99A/0178 relate to alterations to the indoor arena and stables.

**Reg. Ref. SD05A/0335:** refers to a 2006 grant of permission to Liam Lynch (appellant's father) for a hay and agricultural machinery storage building.

#### **4.3. Surrounding Area**

**SD24A/0058** – Site on Bolger's Lane, c. 1km northwest of the appeal site. Permission refused by the Planning Authority in May 2024. Currently subject to first party appeal (ref. ABP-319917-24).

**SD22A/0402** – Site on Crockaundreenagh Road, c. 900m southwest of the appeal site. Permission refused by the Planning Authority in December 2022. The refusal was subject to a first party appeal and permission granted by the Board in March 2024 (ref. ABP-315489-24).

**SD19A/0194** – Site off Coolmine Road, c. 120m southwest of the appeal site. Permission refused by the Planning Authority in August 2019 for a dwelling.

**SD18A/0248** – Site on Coolmine Road, c. 1km northeast of the appeal site. Permission refused by the Planning Authority in September 2018 for a dwelling.

### **5.0 Policy Context**

#### **5.1. Project Ireland 2040 – National Planning Framework (NPF)**

- 5.1.1. National Policy Objective (NPO) 19 states it is an objective to ensure, in providing for the development of rural housing, that a distinction is made between areas under urban influence, i.e., within the commuter catchment of cities and large towns and centres of employment, and elsewhere.

For rural areas under urban influence, NPO 19 seeks to facilitate the provision of single housing in the countryside based on the core consideration of demonstrable economic or social need to live in a rural area and siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements.

- 5.1.2. NPO 15 seeks to support the sustainable development of rural areas by managing the growth of areas that are under strong urban influence to avoid over-development, while sustaining vibrant rural communities.

## **5.2. Eastern and Midland Regional Assembly Regional Spatial & Economic Strategy (RSES) (2019-2031)**

- 5.2.1. Regional Policy Objective (RPO) 4.80 states that 'local authorities shall manage urban generated growth in Rural Areas Under Strong Urban Influence (i.e. the commuter catchment of Dublin, large towns and centres of employment) and Stronger Rural Areas by ensuring that in these areas the provision of single houses in the open countryside is based on the core consideration of demonstrable economic or social need to live in a rural area, and compliance with statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements.

## **5.3. Sustainable Rural Housing Guidelines for Planning Authorities, 2005**

- 5.3.1. The Sustainable Rural Housing Guidelines note that in 'Areas under Strong Urban Influence' the objective should be, on the one hand, to facilitate the housing requirements of the rural community, as identified by the Planning Authority in the light of local conditions, while on the other hand directing urban generated development to areas zoned for new housing development in cities, towns and villages in the development plan.
- 5.3.2. The guidelines recommend against the creation of ribbon development for a variety of reasons relating to road safety, future demands for the provision of public infrastructure as well as visual impacts. Other forms of development, such as clustered development, well set back from the public road and served by an individual entrance can be used to overcome these problems in facilitating necessary development in rural areas.
- 5.3.3. Circular Letter SP 5/08 was issued on 30<sup>th</sup> September 2009. The letter states that all planning applications for houses in rural area, regardless of where the applicant comes from, or whether they qualify under specific criteria, must continue to be determined on the basis of proper planning and sustainable development of the area, in accordance with Development Plan policies regarding overarching environmental

concerns, including the protection of natural assets, landscape, siting and design, traffic safety, etc.

#### **5.4. South Dublin County Development Plan 2022-2028**

##### **Zoning**

The subject site is zoned Objective 'RU (Rural and Agriculture)', which has the objective 'to protect and improve rural amenity and to provide for the development of agriculture.'

##### **Settlement Strategy (Section 2.7)**

- **Policy CS11** is to recognise that the rural area of South Dublin County is an area under strong urban influence for housing and restrict the spread of dwellings in the Rural 'RU,' Dublin Mountain 'HA-DM,' Liffey Valley 'HA-LV' and Dodder Valley 'HA-DV' zones based on the criteria set out in the Rural Settlement Strategy contained within Chapter 6: Housing.
- The subject site is situated in 'an area under strong urban influence'.

##### **Rural Housing Strategy (Section 6.9)**

- **Policy H16** is in relation to the 'Management of Single Dwellings in Rural Areas' and seeks to restrict the spread of urban generated dwellings in the Rural "RU", Dublin Mountain 'HA-DM', Liffey Valley 'HA-LV' and Dodder Valley 'HA-DV' zones and to focus such housing into existing settlements in line with the Settlement Hierarchy.
- **Policy H17** is in relation to 'Rural Housing Policy and Local Need Criteria'.
  - H17 Objective 2 is to consider persons for a rural house in the RU zone on the basis of their being an intrinsic part of the rural community where such persons have grown up or spent substantial periods of their lives, (12 years), living in the area or have moved away and who now wish to return to reside near to, or to care for, immediate family members and are seeking to build on the family landholding. Immediate family members are defined as mother, father, son, daughter, brother or sister.
- **Policy H18** is in relation to 'Rural Housing in RU Zone'.

- H18 Objective 1 states that new or replacement dwellings within areas designated with Zoning Objective 'RU' (to protect and improve rural amenity and to provide for the development of agriculture) will only be permitted in the following exceptional circumstances:
  - The applicant can establish a genuine need to reside in proximity to their employment (such employment being related to the rural community), or
  - The applicant has close family ties with the rural community.

The above shall also be considered in line with criteria set out under Chapter 12: Implementation and Monitoring.

- **Policy H23** is in relation to 'Rural Housing and Extension Design' and seeks to ensure that any new residential development in rural and high amenity areas, including houses and extensions, are designed and sited to minimise visual impact on the character and visual setting of the surrounding landscape.

- H23 Objective 1 was referred to by the Planning Authority in its reason for refusal. The objective seeks to ensure that all new rural housing and extensions within areas designated within Zoning Objectives Rural (RU), Dublin Mountain (HA-DM), Liffey Valley (HA-LV) and Dodder Valley (HA-DV):

- is designed and sited to minimise impact on the landscape including views and prospects of natural beauty or interest or on the amenities of places and features of natural beauty or interest including natural and built heritage features; and
- will not have a negative impact on the environment including flora, fauna, soil, water (including ground water) and human beings; and
- is designed and sited to minimise impact on the site's natural contours and natural drainage features; and
- retains and reinstates (where in exceptional circumstance retention cannot be achieved) traditional roadside and field boundaries; and
- is designed and sited to circumvent the need for intrusive engineered solutions such as cut and filled platforms, embankments or retaining walls; and

- would comply with the EPA's Code of Practice for Domestic Wastewater Treatment Systems (Population Equivalent less than 10) 2021 except where planning permission was granted prior to 7th June 2021 in which case the EPAs Code of Practice Wastewater Treatment Systems Serving Single Houses 2009 applies; and
- would not create or exacerbate ribbon or haphazard forms of development.

### **Section 12.6.9 (Rural Housing)**

This section provides further guidance for applicants seeking permission for a rural house, including documentation required to be submitted, and also provides a guide to Rural Housing Design.

### **Table 3.20 / Table 12.20 (Minimum Standards for Housing)**

Table 3.20, as referenced in the Planning Authority's reason for refusal, sets out the minimum total floor areas for different house types. For a dwelling with four or more bedrooms, the minimum floor area is 110sq.m.

### **Appendix 9 Landscape Character Assessment (LCA):**

Landscape Character Area 3 (LCA 3) Athgoe and Saggart Hills - Medium to High Sensitivity

## **5.5. Natural Heritage Designations**

- 5.5.1. The site is not within or adjoining any designated site. The nearest European Site is the Glenasmole Valley SAC (Site Code: 001209), which is located c. 6.3 km to the east of the site, whilst the Slade of Saggart and Crooksling Glen pNHA is located c. 1.5km to the southeast of the site.

## **5.6. EIA Screening**

Refer to Form 1 in Appendix 1. Class 12(c) of Schedule 5 Part 2 of the Planning and Development Regulations 2001 (as amended) provides that mandatory EIA is required for a development comprising the construction of more than 500 dwellings.

Refer to 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, therefore, is not required.

## **6.0 The Appeal**

### **6.1. Grounds of Appeal**

A First Party appeal has been submitted on behalf of the Applicant against the Planning Authority's decision to refuse permission.

The appeal does not amend the proposal as lodged with the Planning Authority but rather seeks to provide greater detail for the Board on key aspects relating to the decision of the Planning Authority. In this regard, the appeal includes the following reports to be read in conjunction with the application as lodged:

- Architectural Design Response
- Landscape and Visual Impact Assessment, including Photomontages
- Updated Landscape Plan
- Personal Statement from the Applicant

The Landscape Plan which forms part of the appeal, for all intents and purposes, is the same landscape plan lodged with the planning application, however there is a new section of text added to the written report with regards to the proposed use of permeable gravel for the driveway.

The main grounds of appeal are as follows:

#### **Rural Housing Need**

- Whilst not a reason for refusal, the appellant has requested that the Board review the local need element of the Planning Authority's assessment.
- The planning statement submitted with the appeal contends that the applicant has a demonstrated economic need (owner/ manager of c. 70 acres of farmland) and not just a social need (long standing rural community member), and makes the following points with reference to the suite of documents lodged with the planning application, including a Business Plan dated September 2021:

- The entire landholding is owned by the applicant
  - The applicant does not own his own house
  - Applicant's primary and full-time employment is farming the 70 acres of land and building up a new herd of beef stock
  - Coolmine Equestrian Centre will be reinvigorated and restored as an important rural amenity
  - Applicant has a young family. A family flat to his parent's house is not a viable option.
- The planning statement also refers to two previous grants of permission by the Board, in 2021 and 2023, for rural houses in South Dublin County Council, one of which (ABP-315489-23) is located in Redgap, c. 800m southwest of the site.
  - Personal Statement by the applicant submitted with the appeal seeks to further justify the economic need for a dwelling, and with reference to supporting documentation submitted with the application, makes the following points:
    - Multi-generational livestock farmer of the land
    - Full time presence on the land is required for reasons relating to crop and livestock management, financial benefits and farm security.

Response to Refusal Reason No. 1

- In terms of siting and design, it is submitted that the proposal is consistent with all criteria under H23 Objective 1 and Section 12.6.9 of the County Development Plan, and makes reference to the Cork Rural Design Guide.
- Reference by the Planning Authority to minimum house sizes is out of context as such standards relate only to urban housing development. Architect's Design Response refers to recent decisions for dwellings with similar or greater floor areas.
- It is submitted that the dwelling would not impact negatively on the visual amenity of the area, supported by a Landscape and Visual Impact Assessment.
- The proposal does not constitute ribbon development as per the definition set out in the 2005 Rural Housing Guidelines.



## Response to Refusal Reason No. 2

- The appeal submission includes a Transport Statement and sightline drawing (dwg. no. PIN-XX-DR-D-110-S1-P01), which seeks to demonstrate that suitable sightlines and stopping distances of 90m in both directions are already achieved at the existing vehicular entrance.
- The Transport Statement concludes that the proposal would likely reduce the number of trips to and from the farm.

### **6.2. Planning Authority Response**

In a submission received on 12th July 2024 the Planning Authority confirms its decision, stating that issues raised in the appeal have been covered in the Planner's Report.

## **7.0 Assessment**

Having examined the application details and all other documentation on file, the reports of the local authority, having inspected the site, and having regard to the relevant national, regional and local policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Principle of Development
- Siting and Design
- Ribbon Development
- Access and Traffic
- Other Matters

The issue of Appropriate Assessment screening also needs to be addressed.

### **7.1. Principle of Development**

- 7.1.1. While not included in the reason for refusal, the grounds of appeal have requested this matter be considered. The appeal submits that the applicant has both an economic need and social need for a dwelling at this location and for that reason has requested that the Board review compliance with South Dublin County Council's rural housing policy, notwithstanding the fact that this was not a reason for refusal.

7.1.2. The Planner's Report contains conflicting conclusions with respect to the applicant's local housing need, but local housing need was not a reason for refusal. Under its assessment of the proposal against the 'RU' zoning objective and associated H18 Objective 1 (local need), the Planning Authority concludes that the applicant has not adequately demonstrated a genuine (economic) need to reside at the appeal site, however it does conclude that the applicant complies with Policy H18 on the basis of close family ties with the rural community (social need).

However, under a separate section of the Planner's Report, the Planning Authority, in assessing how the proposal has addressed Reason No. 1 on the previous (2022) refusal of permission, concludes that by virtue of available housing stock in nearby settlements and uncertainty around the applicant's proposed enterprise, that the current application has, again, not established a demonstrable economic or social need to live in this rural area and thus has not overcome that reason for refusal.

On the basis of the above, and for the purposes of consistency and transparency, I will provide an assessment of the local housing need policy. But I would reiterate that compliance with South Dublin County Council's rural housing policy did not form part of the Planning Authority's refusal.

7.1.3. I consider that the reference to the previous refusal is not relevant to the current application. P.A. Ref. SD22A/0070 was assessed under the 2016-2022 County Development Plan. The current proposal is considered in light of the current 2022-2028 Plan and Policy H16 therein.

7.1.4. Section 6.9.1 of the 2022-2028 County Development Plan provides a clear definition of rural and urban generated housing, stating that rural generated housing arises where the applicant has close family links to the rural community and / or the applicant works in a type of employment intrinsic to the rural economy; whereas urban generated housing arises where the applicant has no indigenous links with the rural area, currently lives and works in the urban area and wishes to live in the rural area. I consider therefore that Policy H16 does not apply where an applicant can demonstrate a rural generated housing need for reasons that I shall set out hereunder.

7.1.5. The subject site is located in an area zoned 'RU' Rural. An applicant for a new rural dwelling must demonstrate compliance with H17 Objective 2 in the first instance, that is, demonstrate that they were reared or have lived in the area for at least 12 years

and are building on the family landholding, and, secondly, the proposal must constitute an exceptional circumstance as defined under H18 Objective 1, that is, the applicant must either establish a genuine need to reside in proximity to a rural based employment or the applicant has close family ties with the rural community.

- 7.1.6. The applicant submitted supporting documentation in the form of letters from primary and secondary schools, which confirm dates of attendance and confirm Coolmine as the applicant's home address during the time of attendance, showing 12 years of living locally as required by H17 Objective 2, and by direct association, demonstrate close family ties with the rural community, complying with H18 Objective 1.
- 7.1.7. The applicant has also submitted various correspondence pertaining to his direct role in managing the land including letters from the Irish Farmers' Association (IFA), Teagasc and local Community Alert Committee. The landholding extends to c. 25ha / 60 acres, the ownership of which, apart from the family home, was transferred to the applicant from his parents in 2022. In my opinion, this further demonstrates the applicant's embedded family ties with the rural community.
- 7.1.8. Based on the foregoing, I consider that the Applicant complies with the provisions of H17 Objective 2, and H18 Objective 1, of the County Development Plan, by virtue of being reared on the landholding and by association, his close family ties with the rural community, thereby consistent with National Policy Objective (NPO) 19. Furthermore, by virtue of the applicant complying with H17 Objective 2 and H18 Objective 1 the proposal constitutes a rural-generated housing need, therefore not conflicting with Policy H16, which seeks to resist urban generated housing in the Rural zone.
- 7.1.9. Whilst H18 Objective 1 does not require an applicant to demonstrate both an economic and social need for a house in the Rural zone, the appeal places much emphasis on its argument that the applicant has a need in both respects.
- 7.1.10. With regards to an economic need, H18 Objective 1 requires an applicant to establish a genuine need to reside in proximity to their employment, with such employment being related to the rural community. The planning statement submitted with the appeal refers to the applicant's primary and full-time employment in farming the c. 25ha of land on which the dwelling would be built, with the land all being within his ownership. The applicant's personal statement submitted as part of the appeal is based around the current beef stock enterprise and outlines that by reason of crop

and livestock management, financial benefits and farm security, a full-time presence is required on the land. The application also includes details of agricultural qualifications obtained and copies of correspondence from the Department of Agriculture relating to herd number and animal testing. At the time of inspecting the site, I observed cattle grazing in a paddock and a tractor in use on the farm.

7.1.11. In addition to the current beef enterprise, it is the applicant's intention to set up an agri-tourism facility on the landholding, comprising a farm shop, pet farm and café. It would appear that this enterprise would replace a previous equine related tourism business operated by the applicant's family on the land. The application, as lodged, includes a Business Plan, dated September 2021, which contains detailed information including a marketing strategy, financing plan and a 3-year budget forecast.

7.1.12. Having reviewed the documentation, I consider that the establishment of an agri-tourism facility relates to potential future development that may be reliant on separate consents and assessments which do not form part of the current proposal. Notwithstanding, I am of the view that by reason of the applicant's existing beef stock enterprise, the size of the landholding in terms of potential and the family history in farming the land, I consider that the applicant has demonstrated compliance with H18 Objective 1 and the criteria set out within and, by association, National Policy Objective (NPO) 19. Again, I would reiterate that compliance with South Dublin County Council's rural housing policy, in particular H18 Objective 1, did not form part of the Planning Authority's reason for refusal.

## **7.2. Siting and Design**

7.2.1. The Planning Authority's first reason for refusal relates to the design and siting of the proposed dwelling in terms of its potential to adversely impact the landscape and the natural beauty of the rural area.

7.2.2. The appeal seeks to address this reason for refusal through the submission of an Architect's Design Response, a computer-generated image (CGI) of the proposed dwelling, Landscape and Visual Impact Assessment with Photomontages and an updated Landscape Plan.

7.2.3. Section 6.9.7 of the Development Plan stipulates that the design of new dwellings in rural areas should respond appropriately and sensitively to its surrounding rural

context and that dwellings should be designed to be inconspicuous and compact in design particularly in areas of high visual amenity and with a steep topography.

Section 12.6.9 requires that the shape and form of residential development in rural areas, including roof structures, should be compact and simple with external building finishes that reflect the local character of the area including vernacular buildings and traditional building materials.

- 7.2.4. H23 Objective 1 sets out design criteria for dwellings in the Rural zone. The site located within Landscape Character Area 3 (LCA 3) – ‘Athgoe and Saggart Hills’, as per the Landscape Character Assessment contained in Appendix 9 of the County Development Plan. LCA 3 is categorised as being of Medium to High Sensitivity.
- 7.2.5. The proposed dwelling is part single, part two storey with a floor area of c. 235sq.m, a max height of c. 7.2m and to be setback c. 22.575m from the Coolmine Road boundary. Referring to the Architect’s Design Response submitted with the appeal, external finishes include nap plaster to the walls, Aluclad windows and natural slate to the roof. The description of material finishes differs slightly on the drawings submitted. If the Board is minded to grant permission, a condition could be included requiring material finishes to be agreed with the Planning Authority prior to development commencing. The proposal also comprises landscaping, to include a native woodland on the north-east side of the site.
- 7.2.6. The reason for refusal refers to Table 3.20 of the Development Plan, which relates to minimum floor areas for dwellings. I consider the dwelling to be of an appropriate design for the rural area. It is compact with a simple form, including roof profile, well-proportioned and material finishes that are sympathetic to the rural environment, consistent with the requirements of Section 12.6.9 of the County Development Plan.
- 7.2.7. In my opinion, the pertinent issue to be the siting of the dwelling in the context of the visual amenity of the area. The appellant submits that the proposed site is the most suitable location within the landholding from a farm management perspective in addition to the shelter and screening provided by the established boundary hedgerow and trees in the vicinity of the site. The Landscape and Visual Impact Assessment submitted with the appeal includes an assessment of views towards the proposed dwelling from Coolmine Road within the vicinity of the dwelling site and main

landholding entrance and concludes that the proposal would not result in a significant or negative impact on the visual amenity of the area.

- 7.2.8. The Planning Authority concluded that the proposed dwelling is located on an elevated position within the landscape while the development would not necessarily impact views or prospects protected by the Development Plan, it would alter the rural appearance of the site when viewed from the wider countryside.
- 7.2.9. Having visited the site and surrounding area, I observed that views of the site from the public domain within the wider countryside are limited by the natural terrain and the nature of the local road network. The closest public road within the lowlands northwest of the site is Stoney Lane, c. 750m away, running southwest / northeast, a similar alignment to Coolmine Road. The intervening land comprises farmland, field boundaries and one-off dwellings along the southeastern side of Stoney Lane. I visited this road and observed that there are no open views southeast towards the dwelling site, with views screened by mature hedgerows, natural terrain and roadside residential properties. On this basis, I consider that the sensitivities with respect to visual amenity are contained along Coolmine Road within the immediate environs of the site.
- 7.2.10. On approaching the site from the southwest on Coolmine Road, views towards the dwelling site are screened by mature trees and hedgerows. On the approach from the northeast, and by virtue of the open boundaries within the field on the northeast side of the dwelling site, and until proposed tree planting has matured, the dwelling would be partially visible in the short to medium term. However, due to the meandering nature of the road and the existing built environment, this view is contained within the stretch of road between the family home and the dwelling site itself.
- 7.2.11. Referring to the contours shown on the Landscape Plan submitted with the appeal, the dwelling would have a finished ground floor level of +188.50mOD, which would be c. 3m below the highest contour at the southwestern boundary of the site, shown at +191.7m, which, in my opinion, allows the dwelling to sit comfortably within the site and surrounding landscape. While the site is elevated by reference to the applicant's overall landownership, the landscape continues to rise towards the southwest, with the land in that direction comprising significant mature hedgerows and trees, including a coniferous plantation. In my view this backdrop, together with the finished floor level

of the dwelling, allows the proposed development to be sufficiently absorbed from a visual perspective.

- 7.2.12. Having regard to the foregoing, I consider that the proposal would not adversely impact on the landscape nor cause an unacceptable loss of visual amenity to the area, and therefore complies with H23 Objective 1.

### **7.3. Ribbon Development**

- 7.3.1. The Planning Authority's first reason for refusal states that the proposal would contribute to ribbon development having regard to the Sustainable Rural Housing Guidelines 2005.
- 7.3.2. H23 Objective 1 of the County Development Plan seeks to ensure that all new rural housing within the Rural zone would not create or exacerbate ribbon or haphazard forms of development, whilst the Councils 'Rural Housing Design' guidance under Section 12.6.9 requires that a minimum road frontage of 60 metres should be provided for all new dwelling sites in rural areas and states that a proliferation of housing along stretches of road in a manner that creates ribbon development should be avoided.
- 7.3.3. The current Development Plan does not contain a definition for ribbon development however the reason for refusal refers specifically to the Sustainable Rural Housing Development Guidelines (2005). As referenced above, Appendix 4 of the Guidelines defines ribbon development as being '*5 or more houses exist on any one side of a given 250 metres of road frontage.*' In addition to this definition, the Guidelines recommend considering other criteria including the type of rural area and circumstances of the applicant and the degree to which existing ribbon development would be extended or whether distinct areas of ribbon development would coalesce as a result of the development.
- 7.3.4. The Planning Authority finds that the proposed dwelling would be the fifth in a row of single houses located to the north of Coolmine Road and would effectively join two strips of housing, thereby creating ribbon development by reference to the definition contained in the Rural Housing Guidelines.
- 7.3.5. The appeal submits that the proposed dwelling, whilst no road frontage created, would constitute a fifth house within a 400m stretch of the northern side of Coolmine Road, therefore not contributing to ribbon development.

7.3.6. The dwelling would be located on the northeastern end of a row of four existing dwellings which front onto northern side of Coolmine Road, however the four dwellings cover a road frontage of c. 335m. The proposed dwelling would represent the fourth dwelling within a 250m stretch on the northwestern side of Coolmine Road, therefore, by reference to the basic definition contained in the Guidelines, does not constitute ribbon development. I do not consider that the proposal creates or exacerbates ribbon development and therefore does not conflict with H23 Objective 1 in this regard.

#### **7.4. Access and Traffic**

7.4.1. Access is proposed via an existing entrance off Coolmine Road, c. 180m north-east of the dwelling site. The entrance is the main access point for the farm and also provides access to the applicant's parent's dwelling. An existing farm entrance to Coolmine Road located on the boundary of the proposed dwelling site would be closed up as part of the proposal.

7.4.2. The Planning Authority's second reason for refusal is on the basis that the proposed development would endanger public safety by reason of traffic hazard and intensification of the use of the road, and that the road network in the area is incapable of catering for the continuation of ribbon development.

7.4.3. The entrance has a maximum width of c. 20m and the gate is c. 10m back from the road edge. The applicant is not proposing any works to the existing entrance. A Transport Statement, submitted with the appeal, includes dwg. no. PIN-XX-DR-D-110-S1-P01 which shows that the existing entrance achieves sightlines of 90m in both directions at a setback of 2.4m from the road edge, which it states, is in accordance with the relevant technical standard.

7.4.4. The section of road in the vicinity of the existing entrance is in good condition. All utility poles and associated cables are on the opposite side of Coolmine Road. The existing entrance is located on the outside of a very slight bend in the road, with the road running relatively straight within the required sightline distance in both directions. By reason of the layout of the existing entrance, particularly the wide splay, and alignment of the road, I consider that the sightlines indicated on the Site Plan are achievable in both directions.



- 7.4.5. The Transport Statement submitted with the appeal includes a basic level analysis of trips to and from the farm concluding that the proposal would likely reduce the number of trips to and from the landholding. In my opinion, by reason of the nature of the proposal for a single dwelling, the proposal would not lead to a material intensification of traffic movements to and from the existing entrance.
- 7.4.6. In conclusion, and in having regard to the condition and alignment of the road, along with location and layout of the existing entrance, proposal to close up an existing farm entrance on Coolmine Road, and the information provided as part of the first party appeal, it is my opinion that the proposed development would not give rise to a traffic hazard.
- 7.4.7. The second part of Reason for Refusal No. 2 relates to the internal access arrangement. The dwelling would be located c. 180m southwest of the entrance, with access to the dwelling to be provided via an existing internal network of farm tracks. The proposal would require the construction of a c. 100m section of track, aligned along the property boundary running northwest of the dwelling site.
- 7.4.8. The appeal submits that the use of internal farm tracks for access to the dwelling is indicative of the fact that the applicant is a genuine farmer, and that the use of an existing entrance rather than creation of a new entrance on Coolmine Road is a better solution.
- 7.4.9. The internal farm tracks are established and in good condition, therefore, in my opinion, are suitable for providing access to the proposed dwelling, and the use of the tracks for accessing a single dwelling associated with the farm would not adversely impact the agricultural use of the land.
- 7.4.10. Furthermore, I do not consider that utilising an existing entrance creates a precedent for further dwellings on the land. Individual planning applications are assessed on their own merits. The planning statement submitted with the appeal advises that the applicant would be willing to enter an agreement with the Planning Authority pursuant to Section 47 of the Planning and Development Act 2000 (as amended) under which further residential development on the land is restricted. Any future development would be assessed on their own merits.

## 7.5. Other Matters

### Surface Water Management

The Planning Authority concluded that the site's natural drainage should be used to manage surface water run-off. The site layout plan submitted with the application shows a network of soakaways within the site. The landscape plan which forms part of the appeal indicates that the driveway would be constructed of permeable gravel material. I consider the proposed drainage arrangement to be acceptable by virtue of the limited building envelope, retention of the roadside boundary and comprehensive tree planting scheme proposed within the curtilage of the dwelling site.

### Wastewater Treatment

It is proposed to install a new on-site secondary wastewater treatment system with soil polishing filter, with design capacity of PE7. I have reviewed the content of the Site Characterisation Form submitted with the application against the requirements of the EPA's Code of Practice for Domestic Wastewater Treatment Systems, 2021. I consider the proposed wastewater treatment system would be acceptable. The Council's Environmental Health Officer did not object to the proposal in respect of wastewater management.

### Built Heritage

The existing internal farm roadway is within 50m of the remnants of a Christian chapel site, comprising 2 no. recorded monuments, namely Ref. DU021-041 (Ecclesiastical Remains) and Ref. DU021-042 (Chapel Site), with the remaining intact stone structure included on South Dublin County Council's Record of Protected Structures. The red line boundary for the application, where it covers the existing farm roadway immediately north of the main entrance on Coolmine Road, traverses the zone of notification for the recorded monuments. There are no works proposed within these zones of notification and on that basis I consider the proposal will have not cause any adverse impact on the recorded monuments nor on the integrity of the remaining built form as a protected structure.

## 7.6. Appropriate Assessment

Refer to Appendix 2. Having regard to the nature and small scale of the proposed development, which is for a single dwelling, installation of an effluent treatment system with polishing filter. and associated site works, and the distance from the nearest European site, intervening land uses and topography, and absence of ecological pathways to any European Site, it is concluded that no Appropriate Assessment issues arise as the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

## 8.0 Recommendation

I recommend that planning permission be granted for the reasons and considerations set out below.

## 9.0 Reasons and Considerations

Having regard to the provisions of the South Dublin County Development Plan 2022-2028, the nature, scale and form of the proposed development, it is considered that the applicant satisfies the relevant policies and guidelines for a rural dwelling in this area, and that, subject to the conditions set out below, the proposed development would not seriously injure the amenities of the area, would not endanger public safety by reason of traffic hazard and would constitute an appropriate use in this rural location. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 10.0 Conditions

1.	The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by plans and particulars received by An Bord Pleanála on the 25 <sup>th</sup> day of June, 2024, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in
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	<p>writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed.</p> <p><b>Reason:</b> In the interest of clarity.</p>
2.	<p>a) The proposed dwelling, when completed, shall be first occupied as a place of permanent residence by the applicant, members of the applicant's immediate family or their heirs, and shall remain so occupied for a period of at least seven years thereafter unless consent is granted by the planning authority for its occupation by other persons who belong to the same category of housing need as the applicant. Prior to commencement of development, the applicant shall enter into a written agreement with the planning authority under section 47 of the Planning and Development Act, 2000 to this effect.</p> <p>b) Within two months of the occupation of the proposed dwelling, the applicant shall submit to the planning authority a written statement of confirmation of the first occupation of the dwelling in accordance with paragraph (a) and the date of such occupation. This condition shall not affect the sale of the dwelling by a mortgagee in possession or the occupation of the dwelling by any person deriving title from such a sale.</p> <p><b>Reason:</b> To ensure that the proposed house is used to meet the applicant's stated housing needs and that development in this rural area is appropriately restricted to meeting essential local need in the interest of the proper planning and sustainable development of the area.</p>
3.	<p>Details of the materials, colours and textures of all the external finishes to the proposed dwelling shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development.</p> <p><b>Reason:</b> In the interest of visual amenity.</p>
4.	<p>The developer shall ensure that the development is served by adequate water supply.</p>

	<p><b>Reason:</b> In the interest of public health and to ensure adequate water facilities.</p>
5.	<p>All surface water generated within the site boundaries of the dwelling shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road or adjoining properties.</p> <p><b>Reason:</b> In the interest of traffic safety and to prevent flooding or pollution.</p>
6.	<p>The landscaping scheme shown on drawing number 21-099-100 Rev. A, as submitted to An Bord Pleanála on the 25th day of June, 2024 shall be carried out within the first planting season following substantial completion of external construction works.</p> <p>All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of ten years from the completion of the development shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.</p> <p><b>Reason:</b> In the interest of residential and visual amenity.</p>
7.	<p>a) The wastewater treatment system hereby permitted shall be installed in accordance with the recommendations included within the site characterisation report submitted with this application on [date] and shall be in accordance with the standards set out in the document entitled “Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent <math>\leq 10</math>)” – Environmental Protection Agency, 2021.</p> <p>b) Treated effluent from the wastewater treatment system shall be discharged to a percolation area/ polishing filter which shall be provided in accordance with the standards set out in the document entitled “Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent <math>\leq 10</math>)” – Environmental Protection Agency, 2021. (c) Within three months of the first occupation of the dwelling,</p>

	<p>the developer shall submit a report to the planning authority from a suitably qualified person (with professional indemnity insurance) certifying that the septic tank/ wastewater treatment system and associated works is constructed and operating in accordance with the standards set out in the Environmental Protection Agency document referred to above.</p> <p><b>Reason:</b> In the interest of public health and to prevent water pollution</p>
8.	<p>All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground.</p> <p><b>Reason:</b> In the interests of visual amenity.</p>
9.	<p>Site development and building works shall be carried out between the hours of 0700 to 1900 Mondays to Friday inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.</p> <p><b>Reason:</b> To safeguard the amenity of property in the vicinity.</p>
10.	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.</p>

	<p><b>Reason:</b> It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.</p>
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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.

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Jim Egan  
Planning Inspector

28<sup>th</sup> November 2024

## Appendix 1 - Form 1

### EIA Pre-Screening

<b>An Bord Pleanála Case Reference</b>	ABP-320001-24		
<b>Proposed Development Summary</b>	House; new well; waste treatment system and polishing filter; access via farm roadways, landscaping and all associated site works		
<b>Development Address</b>	Coolmine, Saggart, Co. Dublin		
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b> <small>(that is involving construction works, demolition, or interventions in the natural surroundings)</small>	<b>Yes</b>	√	
	<b>No</b>		
<b>2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?</b>			
<b>Yes</b>			
<b>No</b>	√		
<b>3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?</b>			
<b>Yes</b>			
<b>No</b>	√		Proceed to Q4
<b>4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?</b>			
<b>Yes</b>	√	Class 10 - Construction of more than 500 dwelling units	Preliminary examination required (Form 2)
<b>5. Has Schedule 7A information been submitted?</b>			
<b>No</b>	√	<b>Screening determination remains as above (Q1 to Q4)</b>	
<b>Yes</b>			

Inspector: \_\_\_\_\_

Date: \_\_\_\_\_



## Appendix 1 - Form 2

### EIA Preliminary Examination

<b>An Bord Pleanála Case Reference Number</b>	ABP-320001-24
<b>Proposed Development Summary</b>	House; new well; waste treatment system and polishing filter; access via farm roadways, landscaping and all associated site works
<b>Development Address</b>	Coolmine, Saggart, Co. Dublin
<p><b>The Board carried 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.</b></p> <p><b>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</b></p>	
<p><b>Characteristics of proposed development</b> (In particular, the size, design, cumulation with existing/proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).</p>	<p>Site measuring 0.72 ha in a rural area.</p> <p>There are no other developments under construction in the proximity of the site.</p> <p>The proposed development comprises the construction of a dwelling (c. 235sqm) to be used in association and to support an existing agricultural enterprise. It also includes installation of a wastewater treatment system with polishing filter, soakaways for surface water run-off, a bored well for potable water, landscaping, including</p>

	<p>recontouring works, and construction of an internal track to run c. 100m northwest from the dwelling site to connect to an existing internal track network and in turn an existing vehicular entrance on Coolmine Road.</p> <p>The development has a modest footprint, comes forward as a standalone project, does not require the use of substantial natural resources, or give rise to significant risk of pollution or nuisance. The development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change. It presents no risks to human health.</p>
<p><b>Location of development</b> (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).</p>	<p>The site is not located within or adjacent to any European Site. The closest European Site is the Glenasmole Valley SAC (Site Code: 001209), which is roughly 6.3km to the east of the subject site.</p> <p>It is considered that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on a European Site and</p>

	appropriate assessment is therefore not required.	
<b>Types and characteristics of potential impacts</b> (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	Having regard to the modest nature of the proposed development, its location removed from sensitive habitats/features, likely limited magnitude and spatial extent of effects, and absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act	
<b>Conclusion</b>		
<b>Likelihood of Significant Effects</b>	<b>Conclusion in respect of EIA</b>	<b>Yes or No</b>
There is no real likelihood of significant effects on the environment.	EIA is not required.	Yes
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	Schedule 7A Information required to enable a Screening Determination to be carried out.	
There is a real likelihood of significant effects on the environment.	EIAR required.	

Inspector: \_\_\_\_\_

Date: \_\_\_\_\_

## **Appendix 2**

### **AA Screening**

I have considered the proposed development in light of the requirements of S177U the Planning and Development Act 2000 as amended.

The site is not located within or adjacent to any European Sites. The closest European Sites, part of the Natura 2000 Network, is the Glenasmole Valley SAC (Site Code: 001209), which is located c. 6.3 km to the east of the site.

The proposed development comprises the construction of a dwelling (c. 235sqm) to be used in association and to support an existing agricultural enterprise. It also includes installation of a wastewater treatment system with polishing filter, soakaways for surface water run-off, a bored well for potable water, landscaping, including recontouring works, and construction of an internal roadway to run c. 100m northwest from the dwelling site to connect to an existing internal farm road network and in turn an existing vehicular entrance on Coolmine Road. The character of the surrounding area is rural with a presence of one-off dwellings.

Having considered the nature, scale and location of the proposed development, and having regard to the AA Screening Report submitted with the planning application and AA Screening carried out by the Planning Authority, I am satisfied that it can be eliminated from further assessment because it could not have any appreciable effect on a European Site.

The reason for this conclusion is as follows:

- Nature and scale of the proposed development,
- The distance from European Sites,
- Intervening land uses and topography,
- Absence of ecological pathways to any European Site.

I consider that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on a European Site and appropriate assessment is therefore not required.