



An
Bord
Pleanála

Inspector's Report

ABP-320165-24

Development	Construction of a farmhouse incorporating a family flat and all ancillary site works.
Location	Routagh, Ballysheedy, County Limerick.
Planning Authority	Limerick City and County Council
Planning Authority Reg. Ref.	24/60383
Applicant	Jonathan Ryan
Type of Application	Planning Permission
Planning Authority Decision	Refusal
Type of Appeal	First Party
Appellant	Jonathan Ryan
Observer(s)	None
Date of Site Inspection	10 th April 2025
Inspector	Gary Farrelly

1.0 Site Location and Description

The subject site has a stated area of 0.7 hectares and is located within the rural townland of Routagh, Ballysheedy, County Limerick, which is located approximately 800 metres south of the settlement boundary of Limerick City. The immediate area is characterised by a high density of one-off housing. Access to the site is via the local road L-1145 which is located within the 60 kph speed limit. The site is set back from the public road and currently comprises of what is described as an agricultural shed (Section 5 declaration).

2.0 Proposed Development

Permission is sought for the construction of a part two storey, part single storey farmhouse incorporating a family flat. The gross floor space of the proposed works are outlined as 374.85sqm. The dwelling is set back approximately 73 metres from the public road. The ridge height of the dwelling will measure 7.65 metres. External finishes will comprise of painted render to the walls with a slate finish to the roof. Permission is also sought for the installation of a wastewater treatment system and percolation area. A site characterisation report has been submitted with the application.

3.0 Planning Authority Decision

3.1. Decision

The planning authority (PA) decided to refuse permission for the development, by Order dated 18th June 2024, for 4 no. reasons.

Reasons for Refusal

- 1. The site of the proposed development is located within the Area of Strong Urban Influence as defined in the Limerick County Development Plan 2022-2028. Having regard to the information submitted on file to date, and the applicant's ownership and occupancy of a dwelling in the rural locality, it is considered the applicant has failed to demonstrate his eligibility for a rural dwelling. The Applicant does not come within the scope of the housing need*

criteria as set out under Objective HO O20 in the Development Plan and as such, the proposed development would materially contravene the objectives of the County Development Plan 2022-2028 in relation to rural settlement, militate against the preservation of the rural environment and be contrary to the proper planning and sustainable development of the area.

- 2. On the basis of the planning history of the site it appears to the Planning Authority that the proposed development relates to a site, the partial use of which is unauthorised for use as an entrance to an adjacent agricultural shed in the same landholding. The granting of permission for the proposed dwelling associated with the unauthorised entrance would facilitate the consolidation and intensification of this unauthorised use. Accordingly, it is considered that it would be inappropriate for the Planning Authority to consider the grant of permission for the proposed development in such circumstances.*
- 3. In the absence of demonstrating appropriate sightlines and stopping sight distances the Planning Authority cannot be satisfied that the proposed development would not endanger public safety by reason of traffic hazard because the traffic movements generated by the proposed development where the sightlines are restricted in a southern direction due to the undulating nature of the road would interfere with the safety and free flow of traffic on the public road.*
- 4. The proposed development would contribute to the already extensive ribbon development and give rise to a build-up of development in this rural area which is lacking in certain services and community facilities. The proposed development, would therefore, be detrimental to the rural character of the area and would be contrary to the proper planning and sustainable development of the area*

3.2. Planning Authority Reports

Planning Report

There is 1 no. area planner (AP) report on file which assessed the development in terms of the applicant's rural housing need, impact on residential amenity, traffic safety and wastewater treatment. A screening for Appropriate Assessment (AA) was

undertaken and determined that an AA was not required. The AP recommended a refusal of the application for 4 no. reasons which was endorsed by the Senior Executive Planner.

Other Technical Reports

Environment Section (*report dated 13/06/2024: Appendix 3 of Planner's report*) – Further information was requested for the applicant to submit design details of the proposed polishing filter.

Roads Section (*report dated 13/06/2024: Appendix 3 of Planner's report*) – Further information was requested to demonstrate achievable sightlines and on how surface water was proposed to be treated.

3.3. Prescribed Bodies

Uisce Éireann – It had no objection in principle to the proposed development.

3.4. Third Party Observations

None

4.0 Relevant Planning History

ABP Ref. 311846-21 / PA ref. 21/1155 (*same site*)

Permission for a house with family flat, agricultural shed, wastewater treatment system and associated works was refused by the Board on the grounds of the applicant not demonstrating an economic or social need for an additional dwelling in the rural area and to the exacerbation of the existing pattern of ribbon development in the area.

ABP Ref. 308532-20 / PA ref. 20/776 (*same site*)

Permission for a house with family flat refused by the Board on the grounds of the applicant not demonstrating an economic or social need for an additional dwelling in the rural area and to the exacerbation of the existing pattern of ribbon development in the area.

PA ref. 20/180 (same site)

Permission for a house incorporating a family flat refused by the PA on grounds of non-compliance with rural housing need, contribution to extensive ribbon development and overlooking.

5.0 Policy Context

5.1. Limerick Development Plan 2022-2028

Objective HO O20 Rural Areas under Strong Urban Influence

It is an objective of the Council to consider a single dwelling for the permanent occupation of an applicant in the area under Strong Urban Influence, subject to demonstrating compliance with one of the criteria below:

1. Persons with a demonstratable economic need to live in the particular local rural area; Persons who have never owned a house in the rural area and are employed in rural-based activity such as farming/bloodstock, horticulture or other rural-based activity, in the area in which they wish to build, or whose employment is intrinsically linked to the rural area in which they build, or other persons who by the nature of their work have a functional need to reside permanently in the rural area close to their place of work (within 10km). (Minimum farm size shall be 12 hectares for farming or bloodstock). The applicant must demonstrate that they have been actively engaged in farming/bloodstock/horticulture or other rural activity, at the proposed location for a continuous period of not less than 5 years, prior to making the application. In the event of newly acquired land, to demonstrate that the proposed activity would be of a viable commercial scale, a detailed 5-year business plan will be required.
2. Persons with a demonstratable social need to live in a particular local rural area; Persons who have never owned a house in the rural area and who wish to build their first home on a site that is within 10km of where they have lived for a substantial period of their lives in the local rural area (minimum 10 years). The local rural area is defined as the area outside all settlements identified in Levels

1-4 of the Settlement Hierarchy. Excluding Level 4 Settlements, where there is no capacity in the treatment plant.

3. Persons with a demonstrable local exceptional need to live in a particular local rural area, examples include:

(a) Returning emigrants who have never owned a house in the rural area, in which they lived for a substantial period of their lives (Minimum 10 years), then moved away or abroad and who now wish to return to reside in the local rural area (within 10km of where they lived for a substantial period of their lives). The local rural area is defined as the area outside all settlements identified in Levels 1-4 of the Settlement Hierarchy. Excluding Level 4 Settlements, where there is no capacity in the treatment plant.

(b) A person who has lived a substantial period of their lives in the local rural area, (at least 10 years), that previously owned a home and is no longer in possession of that home, due to the home having been disposed of following legal separation/divorce/repossession and can demonstrate a social or economic need for a new home in the rural area.

Section 4.4

In all cases the consideration of individual sites, for rural housing will be subject to normal siting and design considerations, which will include, but not necessarily be limited to the following:

- Any proposed vehicular access would not endanger public safety by giving rise to a traffic hazard,
- That any proposed on-site waste water disposal system is designed, located and maintained in a way which protects water quality,
- That the siting and design of new dwellings takes account of and integrates appropriately with its physical surroundings and other aspects of the natural and cultural heritage and,
- That the proposed site otherwise accords with the objectives of the Development Plan in general.

Chapter 11: Development Management Standards

Section 11.8.1 Access to Roads

To protect the integrity of Limerick's road network the following applies: (inter alia)

- All applications seeking access on the road network will be assessed in accordance with national standards and guidance.
- Technical design of access and sightline visibility and stopping distances and general safety. Sight distances and stopping sight distances should be in compliance with current NTA road geometry standards and guidance documents listed above and any subsequent documents.

Limerick Climate Action Plan 2024-2029

This plan is published as required pursuant to Section 16 of the Climate Action and Low Carbon Development (Amendment) Act 2021 and sets out key actions that will support County Limerick in its transition to becoming a climate resilient, biodiversity rich, environmentally sustainable and climate neutral economy by 2050.

5.2. National Policy

- Project Ireland 2040 – National Planning Framework (revised 2025) and National Development Plan 2021-2030

National Policy Objective 24

Support the sustainable development of rural areas by encouraging growth and arresting decline in areas that have experienced low population growth or decline in recent decades and by managing the growth of areas that are under strong urban influence to avoid over-development, whilst sustaining vibrant rural communities.

National Policy Objective 28

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:

- In rural areas under urban influence, 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;

- In rural areas elsewhere, facilitate the provision of single housing in the countryside based on siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements.
- Climate Action Plan (CAP) 2025 / CAP 2024
Climate Action Plan 2025 builds upon last year's Plan by refining and updating the measures and actions required to deliver the carbon budgets and sectoral emissions ceilings and it should be read in conjunction with Climate Action Plan 2024.

5.3. Regional Policy

- Regional Spatial and Economic Strategy for the Southern Region

RPO 27 Rural

To support rural economies and rural communities through implementing a sustainable rural housing policy in the Region which provides a distinction between areas under urban influence and other rural areas through the implementation of National Policy Objective 19 regarding Local Authority County Development Plan Core Strategies. Local authorities shall:

b. Have regard for the viability of smaller towns and rural settlements; Core Strategies shall identify areas under urban influence and set the appropriate sustainable rural housing policy response which facilitates the provision of single housing in the countryside based on the core consideration of demonstrable economic, social or local exceptional need to live in a rural area and siting, environmental and design criteria for rural housing in statutory guidelines and plans;

5.4. National Guidelines

- Sustainable Rural Housing, Guidelines for Planning Authorities (April 2005)
Chapter 4: Rural Housing and Planning Applications
Appendix 4: Ribbon Development

Whether a given proposal will exacerbate such ribbon development or could be considered will depend on:

- The type of rural area and circumstances of the applicant,
- The degree to which the proposal might be considered infill development, 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.

5.5. Natural Heritage Designations

The subject site is not located within any designated site. The nearest designated site is the Lower River Shannon Special Area of Conservation (SAC) (Site Code 002165) which is located approximately 3.5km northwest of the subject site.

5.6. Environmental Impact Assessment (EIA) Screening

Having regard to the nature, size and location of the proposed development, comprising the construction of a single house and wastewater treatment system, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for EIA can, therefore, be excluded at preliminary examination and a screening determination is not required. I refer the Board to Appendix 1 regarding this preliminary examination.

6.0 The Appeal

6.1. Grounds of Appeal

A first party appeal was lodged to the Board on the 15th July 2024. The grounds of appeal are summarised as follows:

- The local authority has not adequately or accurately considered the application and there are concerns regarding the validity of the process undertaken.
- The applicant has clearly demonstrated that he is a farmer who has constructed an agricultural shed which encompasses the main farm complex. As the

applicant lives 1.5km away the farm is unworkable from a practical point of view and therefore there is a housing need. The policy of the Council recognises that a farmer living remotely from the farm generates a housing need even when the applicant already owns a house. This was not recognised by the Board in the previous appeals.

- There have been numerous break-ins to the shed onsite which have been reported to the Gardaí (pulse reports provided). Security is a very real and serious issue for the safety and security of the farm as well as the economic viability of the farm.
- The issue of an unauthorised entrance was settled with the enforcement section of the Council and the matter is closed. There are adequate sightlines at the entrance as demonstrated by photographic evidence.
- The definition of ribbon development is ambiguous. The development does not lead to ribbon development as it comprises the fourth house in a row after the junction leading to Ashville. Planning permission was previously granted on this site.
- The applicant has worked on the family farm all of his life and has now taken over full working operation of the farm. The farm complex onsite includes new cattle crushes and handling facilities and a new farm storage shed. The applicant's agricultural/horticultural business now employs nine local employees. The farm is being diversified into horticultural tree and hedging production with works completed over the last few years. There is a social and economic need to live and work at the subject site to protect his livelihood.
- The current house is unsuitable due to its remoteness and because it was not built as a working farmhouse as it is not suitable for the safe storage and operation of such machinery due to the scale and length.
- An example of a late night emergency is provided detailing how it takes the applicant 5-10 minutes to reach the farm, however, living on the farm would reduce the time requirement.

- There is an economic need as nine staff are employed between the agricultural and horticultural business, however, the security issues are holding back growth in the business.
- There is a medical and social need and part of the application is for a 'granny' flat to provide an option for ageing family members to alleviate the burden on the health system.
- There is an environmental need for the dwelling as the farm will become carbon neutral over time as cattle stock reduce and tree stocks increase. The applicant can travel up to 21km per day from his house 1.5km away which makes no sense from a carbon point of view. This is in direct opposition to the Limerick Climate Action Plan. The tree production is supporting the natural rural environment as per the Limerick Climate Action Plan.
- A number of photographs are provided showing sightlines from the entrance. A letter from the adjacent landowner is also provided consenting to any remedial works required to the roadside hedgerow.
- A farm succession and diversification plan is provided.

6.2. Planning Authority Response

The PA did not issue a response to the grounds of appeal.

7.0 Assessment

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

- Rural Housing Need
- Ribbon Development
- Traffic Safety

7.2. It should be noted that this is the applicant's third appeal before the Board following refusal of appeal refs. 308532-20 and 311846-21. However, I acknowledge that this appeal represents the first application since the adoption of the Limerick Development Plan 2022-2028 (CDP). Therefore, my assessment below will determine whether or not there has been a significant change in policy within the CDP to warrant a grant of permission.

Rural Housing Need

7.3. The Board should note that the subject site is located within an area of strong urban influence as illustrated by the rural housing strategy map (Map 4.1) of the CDP. There is a requirement under objective HO O20 of the CDP (Rural Areas under Strong Urban Influence) for an applicant for a single dwelling to demonstrate compliance with one of three criteria. The PA considered that the applicant failed to demonstrate eligibility with these criteria. I note the applicant's grounds of appeal regarding the economic and social need for a dwelling at this location and the security concerns of the existing shed onsite.

7.4. I note that a number of documents were submitted with the application and appeal to support the applicant's housing need arguments including documentary evidence of security issues onsite. The Board should note that I have had regard to these documents, however, I will not summarise these in the interest of the general data protection regulation (GDPR). I will now proceed to assess the applicant's case against the criteria of objective HO O20.

Criterion 1 of Objective HO O20

- 7.5. I note that this relates to a demonstrable economic need to live in the rural area. Having reviewed the documentation provided by the applicant including the 'succession development and diversification plan' provided as part of the appeal documentation, I note that the site is part of a substantial family landholding (in excess of 12 hectares) and the applicant has stated that he will manage the current dry/suckler herd and diversify into organic nursery tree and hedging stock production.
- 7.6. However, Criterion 1 of objective HO O20 clearly states that it relates to "*persons who have never owned a house in the rural area*". The Board should note that the applicant is already in ownership of a dwelling approximately 1km from the site (300 metres west of the site as the crow flies) in the rural area. Therefore, having regard to this and on the basis of the information submitted with the application, I consider that the applicant does not comply with this criterion. Whilst I acknowledge the security issues raised regarding the existing shed onsite, I do not accept the arguments of the applicant that he is living remotely from the farm due to his current dwelling being c. 1km from the site. It should also be noted that the criterion describes such a site being close to a place of work as within 10km.

Criterion 2 of Objective HO O20

- 7.7. I note that this relates to a demonstrable social need to live in the rural area. However, again, this criterion also specifies "*persons who have never owned a house in the rural area*" together with the following stipulation; "*who wish to build their first home*". Whilst I accept that the applicant has lived in the area for a substantial period of his life, the proposed development does not represent his first home and, as already highlighted above, the applicant already owns a home in the rural area. Therefore, I consider that the applicant does not comply with this criterion.

Criterion 3 of Objective HO O20

- 7.8. I note that this criterion relates to exceptional need to live in the rural area for returning emigrants who have never owned a house in the rural area or persons who have had their home disposed of following legal separation or repossession. Based on the information provided as part of the application and appeal, I note that the applicant does not come under this criterion.

- 7.9. Additionally, I note that section 4.3 of the Sustainable Rural Housing Guidelines for Planning Authorities (2005) references exceptional health circumstances. Whilst the applicant has outlined the reasoning for the provision of a family flat is to provide care for ageing family members, I note that no documentation has been provided from a registered medical practitioner or disability organisation as referenced by the Guidelines. Notwithstanding the absence of this information, it is my view that as the applicant already owns a home in the local rural area that such family flat provision could be accommodated within the existing dwelling. Therefore, I consider that there is no exceptional health circumstance to justify permission for a new dwelling in this regard.
- 7.10. Overall, I consider that the applicant has not demonstrated an economic, social or local exceptional housing need for a dwelling within this area under strong urban influence and therefore the proposed development would contravene objective HO O20 of the CDP. Therefore, it is my recommendation to the Board that permission should be refused in this regard.
- 7.11. The Board should also note that the PA's reason for refusal specified a 'material' contravention of objectives of the CDP in relation to rural settlement. Whilst I consider that the applicant has not demonstrated compliance with objective HO O20 of the development plan, it is not, in my view, sufficiently specific so as to justify the use of the term 'materially contravene' in terms of normal planning practice. The Board should not, therefore, consider itself constrained by Section 37(2) of the Planning and Development Act 2000, as amended.

Ribbon Development

- 7.12. The PA's fourth reason for refusal related to the proposed development contributing to an already extensive ribbon development and to a rise in the build-up of development in the area which is lacking in certain services and community facilities. I note that the applicant considers that the development does not lead to ribbon development as it comprises the fourth house in a row after the junction to the north of the site. The applicant also states that this issue was previously dealt with as part of previous applications.
- 7.13. Having regard to the planning history of the site, I note that the refusal reason of appeal ref. 311846-21 specifically stated that "*having regard to the substantial amount of one-*

off housing already existing in this rural area which is not zoned for development, it is considered that the proposed development would contribute to the development of random rural housing in the area, would exacerbate the existing pattern of ribbon development (my emphasis), and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure". Having regard to this and to the content of the PA's reason for refusal, I consider that the issue has not been dealt with as part of previous applications.

- 7.14. The Board should note that Appendix 4 of the Sustainable Rural Housing Guidelines for Planning Authorities (2005) states that areas characterised by ribbon development will in most cases be located on the edges of cities and towns and will exhibit characteristics such as high density of almost continuous road frontage type development, for example where 5 or more houses exist on any one side of a given 250 metres of road frontage. I note the subject site is located approximately 800 metres south of the settlement boundary of Limerick City and Suburbs and the immediate area comprises of a high density of continuous road frontage development. Furthermore, the Board should note that there are c.45 one-off dwellings within 350 metres of the subject site.
- 7.15. Whilst I acknowledge the conflicting views of the 'ribbon' terminology, it is my view that the fundamental issue with the proposed development is whether the rural area has capacity to accommodate a further residential dwelling in accordance with siting and design considerations referenced in Section 4.4 of the CDP. I note that the subject site does not represent an infill development site and I consider that it would result in the extension of existing linear development in the area thereby contributing to the further suburbanisation of this rural area. Having regard to this and to the housing circumstances of the applicant as assessed above, it is my view that the proposed development would give rise to an excessive density of random housing development in a rural area which would give rise to demands for the provision of further public services and community facilities and which would militate against the preservation of the rural environment. Therefore, it is my view that permission should be refused for this reason.

Traffic Safety

- 7.16. The PA's third reason for refusal related to restricted sightlines from the entrance at the public road. Whilst I note that the issue of sightlines was addressed in the Inspector's report for appeal ref. 308532-20 and did not form a reason for refusal on the Board's Order, on the date of my site inspection I did observe restricted sightlines to the south on exiting the site. I note that the submitted plans do not illustrate achievable sightlines on exiting the site and the submitted photographs at appeal stage appear to be taken from the road edge and not 2 metres back from the edge of the carriageway in accordance with Transport Infrastructure Ireland (TII) publication DN-GEO-03060. I am satisfied that no traffic safety issues arise regarding sightlines on entering the site having regard to the horizontal and vertical alignment of the road.
- 7.17. The Board should note that a letter of consent has been provided with the application outlining the approval for the removal of hedgerow. Ordinarily, I would recommend a request for further information to illustrate achievable sightlines on exiting the site and the extent of hedgerow required to be removed, however, having regard to the substantive reasons for refusal set out below, I do not consider it necessary to pursue this issue. Additionally, on the matter of the PA's second reason for refusal the Board should note that the matter of enforcement falls under the jurisdiction of the PA.

Other Issues

- 7.18. I note that the applicant seeks to justify the construction of a new house due to the duration and number of daily trips required from his current house being in direct opposition to the Limerick Climate Action Plan (CAP) 2024-2029. However, due to the current housing circumstances of the applicant, the close proximity of the current dwelling to the site, the nature of the development and subsequent emissions associated with such a development and to its location within a rural area with no services or footpaths, I do not consider the proposed development would be consistent with the objectives of the Limerick CAP.
- 7.19. I also note that the Environment Section of the PA sought further information regarding the design of the proposed polishing filter which the PA did not request due to its decision to refuse. Furthermore, it should be noted this application was submitted to the PA on 24th April 2024, however the site characterisation form details that the assessment was completed in 2019 with the report dated 2020 and therefore is not in

accordance with the Environmental Protection Agency's (EPA) 2021 Code of Practice for Domestic Waste Water Treatment Systems. Again, the Board should note that I would ordinarily seek further information in this regard, however, having regard to the substantive reasons for refusal set out below, I do not consider it necessary to pursue this issue.

8.0 **Appropriate Assessment (AA) Screening**

8.1. I have considered the project in light of the requirements of Section 177U of the Planning and Development Act 2000, as amended. The subject site is located approximately 3.5km from the Lower River Shannon Special Area of Conservation (SAC) (Site Code 002165).

8.2. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European site. The reason for this conclusion is as follows:

- To the scale and nature of the proposed development.
- Having regard to the absence of any hydrological connection to any European site, having reviewed the Environmental Protection Agency's AA Mapping Tool and having inspected the site.
- To the distance from the nearest European sites regarding any other potential ecological pathways and intervening lands.
- To the screening determination of the PA.

8.3. I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore AA, under Section 177V of the Act, is not required.

9.0 **Recommendation**

I recommend to the Board that permission is **Refused**, for the reasons and considerations set out below.

10.0 Reasons and Considerations

1. Taken in conjunction with existing residential development in the area, the proposed development would give rise to an excessive density of random housing development in a rural area outside lands zoned for residential development and lacking certain public services and community facilities. The proposed development would, therefore, give rise to demands for the provision of further public services and community facilities, would militate against the preservation of the rural environment and accordingly would be contrary to the proper planning and sustainable development of the area.
2. Having regard to the location of the site within a 'Rural Area under Strong Urban Influence', as identified in the Limerick Development Plan 2022-2028, and on the basis of submissions made in relation to the planning application and appeal, it is considered that a rural housing need has not been satisfactorily demonstrated by the applicant given the fact the applicant already lives in a rural house proximate to the site of the proposed development. It is considered that the proposed development would contravene Objective HO O20 of the Limerick Development Plan 2022-2028 in this regard and would, therefore, be contrary to the proper planning and sustainable development of the area.

Declaration

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.

Gary Farrelly
Planning Inspector

24th June 2025

Appendix 1

(a) Form 1: EIA Pre-Screening

An Bord Pleanála Case Reference	ABP-320165-24			
Proposed Development Summary	The construction of a dwelling house, family flat, installation of wastewater treatment system and associated site works			
Development Address	Routagh, Ballysheedy, County Limerick			
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)?				
Yes	X	Part 1, Class 13: Wastewater treatment plants with a capacity exceeding 150,000PE Part 2, Class 10(b)(i): Construction of more than 500 dwelling units. Part 2, Class 11(c): Wastewater treatment plants with a capacity greater than 10,000PE		Proceed to Q.3
No				No further action required
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?				
Yes				EIA Mandatory EIAR required
No	X			Proceed to Q.4

4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	X	<ul style="list-style-type: none"> The development is for a single dwelling unit. The development is for a domestic wastewater treatment unit for a capacity of 10PE. 	Preliminary examination required (Form 2)
4. Has Schedule 7A information been submitted?			
No	X	Pre-screening determination conclusion remains as above (Q1 to Q4)	
Yes		Screening Determination required	

(b) Form 2 - EIA Preliminary Examination

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. This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (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>The development site measures 0.7 hectares. The size of the development is not exceptional in the context of the existing environment.</p> <p>The development is for a single dwellinghouse within a rural area. Localised construction impacts expected, topsoil removal etc.</p> <p>Wastewater treatment unit proposed; subsurface percolation value calculated at 42.5min/25mm in accordance with EPA Code of Practice.</p> <p>There is no real likelihood of significant cumulative effects with existing and permitted projects in the area.</p>
Location of development (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	<p>The subject site is not located within any designated site and is located approximately 3.5km from the Lower River Shannon SAC. My appropriate assessment screening above concludes that the proposed development would not likely result in a significant effect on any European Site.</p> <p>The subject site is located outside Flood Zones A and B for coastal or fluvial flooding.</p>

of historic, cultural or archaeological significance).		
Types and characteristics of potential impacts (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 scale of the proposed development (i.e. a single dwelling unit, incorporating family flat and domestic wastewater treatment system) and limited nature of construction works associated with the development, to its location removed from any environmentally sensitive sites, to the absence of any cumulative effects with existing or permitted projects in the area, there is no potential for significant effects on the environment.	
Conclusion		
Likelihood of Significant Effects	Conclusion in respect of EIA	
There is no real likelihood of significant effects on the environment.	EIA is not required.	X
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.	