



An  
Bord  
Pleanála

## Inspector's Report

### ABP 320656-24

#### Development

Teach cónaithe, garáiste/stór a thógáil maraon le córas cóireála fuíolluisce tí agus na hoibreacha forbártha súimh a bhaineann leis an obair

#### Location

Glasbolie, Ballintra, Co. Donegal

#### Planning Authority

Donegal County Council

#### Planning Authority Reg. Ref.

24/60539

#### Applicant

Vanessa McLaughlin

#### Type of Application

Permission

#### Planning Authority Decision

To grant permission with conditions

#### Type of Appeal

Third Party

#### Appellant

Tara Carron

#### Observers

None

#### Date of Site Inspection

10<sup>th</sup> March 2025

#### Inspector

Trevor Rue

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## **1.0 Site Location and Description**

- 1.1. The application site, with a stated area of 0.643 hectares, is in open countryside about 2.4 kilometres to the south west of Ballintra. It is bounded to the north by the public road L-7265-2 and to the east and west by existing houses. The southern site boundary is undefined. The site rises by over 7 metres from north to south. The level of the public road falls noticeably from east to west.

## **2.0 Proposed Development**

- 2.1. Planning permission is sought for the construction of a two-storey dwelling house, a shed/store, a domestic wastewater treatment system and associated works. In response to a request from the planning authority for further information, the applicant omitted the proposal for a double garage attached to the dwelling.
- 2.2. A revised site layout plan submitted as further information shows the dwelling placed 40.875 metres back from the road with a finished floor level about 4 metres above road level adjacent to the proposed site entrance. It would have a floor area of 455 square metres, including an attic. The ridge height of the dwelling would be 9.2 metres above finished floor level. Roofs would be finished in dark grey slate, while external walls would have a smooth-render plaster finish. There would be natural stone cladding to the front of the entrance wall.
- 2.3. The proposed freestanding shed/store would have a total floor area of 104 square metres (including a mezzanine storage area) and a ridge height of 6 metres and would be placed closer to the south-eastern site boundary.
- 2.4. To deal with foul effluent, a new wastewater treatment unit for a population equivalent of seven persons would be installed. It would be followed by a Eurotank TER 3 concrete packaged tertiary treatment system and 60 square metres of polishing disposal infiltration pad with pipeworks set at existing ground level. The percolation area would be centrally located in the front garden of the proposed dwelling, 5.794 to 7.185 metres back from the road.
- 2.5. For surface water disposal, a 2.0-metre by 2.0-metre soak pit would be dug towards the western site boundary roughly 10 metres back from the road.

## 3.0 Planning Authority Decision

### 3.1. Decision

3.1.1. On 15<sup>th</sup> August 2024, Donegal County Council decided to grant permission, subject to 18 conditions.

3.1.2. Condition 1 required adherence to lodged plans and details. Conditions 2 and 3 governed occupancy. Conditions 4 to 6 were to do with visibility and access. Condition 10 restricted road-surfacing materials and private lighting. Condition 11 specified the finished floor level. Condition 12 required services to be undergrounded and specified roof and external wall finishes. Condition 13 restricted the use and timing of construction of the store. Conditions 14 required the retention of trees while Condition 15 required the planting of new trees.

3.1.3. Conditions 7 to 9 read as follows:

*7. Full frontage or roadside drain (whichever is appropriate) shall be piped with concrete pipes of adequate size in accordance with details to be agreed with the Executive Engineer for the area (Telephone: 074 9153900) unless otherwise agreed in writing with the Planning Authority.*

**Reason:** *To preserve road drainage.*

*8. No surface water from site shall be permitted to discharge to public road and applicant shall take steps to ensure that no public road water discharges onto site.*

**Reason:** *To prevent flooding.*

*9. Entrance shall incorporate an acco channel or other similar drainage trap, together with suitable drainage pipework in order to prevent discharge of surface water onto public road. Said works shall be carried out prior to first occupation of the dwelling hereby permitted.*

**Reason:** *To prevent flooding.*

### 3.2. Planning Authority Reports

#### Planning Reports

3.2.1 Reports by a planning officer dated 4<sup>th</sup> June and 12<sup>th</sup> August 2024 provided the reasoning for the authority's decision. The main points were as follows:

- The application site is located within an area designated as a Stronger Rural Area in the County Donegal Development Plan 2018-2024. It is claimed that the proposed dwelling would be the applicant's primary, principal, and permanent residence; that she has not been granted planning permission previously on another site; and that she and her family have had a vital link to the rural area for at least seven years. She has submitted a letter from the local parish priest which details her school attendance and demonstrates that she has lived at least seven years in the area. This is acceptable to the planning authority and shows that she has a genuine rural housing need.
- It is proposed that the finished floor level of the dwelling would be achieved by 2 metres of cut and fill. Imposition of a condition requiring this level to be reduced by an additional metre would decrease the fill required at the front and allow greater integration into the hillside. Retention of mature trees along the road frontage would reduce any immediate visual impact. The revised plans are acceptable and the dwelling could be accommodated at the site.
- Considering the physical separation distances between the application site and the neighbouring dwellings no issues arise in relation to loss of privacy, overlooking or residential amenity. The site has sufficient capacity to ensure the development provides for adequate private amenity space.
- Vehicular access to the site is proposed off the adjoining local road with vision lines of 70 metres in each direction. A traffic survey has been submitted in support of the application which states that the 85<sup>th</sup> percentile speed of vehicles along this road is 44.16 kilometres per hour. As a speed of less than 50 kilometres per hour has been recorded, safe vision lines can be achieved. A letter from the landowners has been submitted confirming their consent to the achievement and maintenance of the required vision lines.

- The application provides for the installation of a packaged wastewater treatment system and percolation area with polishing filter. The submitted site suitability assessment confirms that the subsoil is suitable to treat and dispose wastewater. The planning authority is satisfied that subject to conditions, the proposal can efficiently dispose of effluent.
- A storm drainage report was submitted by consulting engineers as further information. It found that a constructed soak pit 2 metres by 2 metres by 1 metre deep and stone filled would be adequate to restrict the rate of runoff from the site area. Runoff at the site entrance would connect to existing drainage. These proposals are considered to be satisfactory.
- The applicant proposes to make a new connection to the public water mains. No objections subject to Irish Water capacity and connection agreements.

#### Other Technical Reports

3.2.2. No response was received from the Area Roads Engineer.

### 3.3. Prescribed Bodies

3.3.1. No response was received from Uisce Éireann.

### 3.4. Third Party Submission

3.4.1. The present appellant made a submission to the planning authority, the substance of which was repeated in her appeal to the Board.

## 4.0 Planning History

4.1. There is no record of any planning history relating to the application site.

## 5.0 Policy Context

### 5.1. Development Plan

5.1.1. The application site is included in the Structurally Weak Rural Area depicted on Map 6.3.1 of the County Donegal Development Plan 2024-2030. Policy RH-P-3 of the Plan

is to consider proposals for new one-off housing within such areas from any prospective applicants for a dwelling house, subject to siting and design considerations and compliance with all other relevant policies of this Plan including Policy RH-P-9.

5.1.2. Policy RH-P-9 requires proposals for individual dwellings to be sited and designed in a manner that is sensitive to the integrity and character of rural areas as identified in Map 11.1, and that enables the development to be assimilated into the receiving landscape.

5.1.3. The site is shown within an Area of High Scenic Amenity on Map 11.1 of the Plan. It is stated in Section 11.2.2 on Page 209 of the Plan that these are landscapes of significant aesthetic, cultural, heritage and environmental quality. Policy L-P-2 says that within these areas, only development of a nature, location and scale that integrates with, and reflects the character and amenity of the landscape may be considered, subject to compliance with other relevant policies of the Plan.

5.1.4 Chapter 16 of the Development Plan sets out technical standards, including those pertaining to entrances to public roads. A paragraph headed “Surface Water and Roadside Drainage” on Page 253 of the Plan reads as follows:

*Existing roadside drainage shall be maintained and surface water road gullies or alternative suitable system shall be provided to cater for run off from the public road. The entrance shall be designed to prevent discharge of water from site on to public road or footpath. Surface water systems shall preferably be routed to discharge to a suitable watercourse, capable of accommodating the anticipated volume of water (soak pits shall not normally be encouraged). All proposed road works shall include fully designed drainage systems to the final outfall and shall include attenuation systems where necessary particularly on steep sites or at outfalls which may be deemed to be at or near capacity.*

## **5.2. Natural Heritage Designations**

5.2.1. The application site is not in or near any National Heritage Area (NHA) or proposed NHA. The nearest NHAs are Lough Fad Bog NHA, about 15 kilometres to the west, designated for its relatively intact blanket bog; and Aghavoghil Bog NHA about 18 kilometres to the south in Co. Leitrim, designated for upland blanket bog. The nearest

proposed NHA is at Erne Estuary / Finner Dunes, about 7.5 kilometres to the south west, an important feeding area for wildfowl.

- 5.2.2. The site is not in or near any Natura 2000 site of European nature conservation importance. The nearest such sites are the Durnesh Lough Special Area of Conservation (SAC) and the Durnesh Lough Special Protection Area (SPA), both about 1.7 kilometres to the west. The SCA is designated for coastal lagoons and molinia meadows, while the SPA is designated for whooper swan and Greenland white-fronted goose.
- 5.2.3. Expressing the opinion that the development may have significant effects in relation to the Durnesh Lough SPA, the Board requested the Development Applications Unit of the Department of Housing, Local Government and Heritage, the Heritage Council and An Taisce to make submissions or observations in relation to the appeal. None of these bodies responded within the specified period.

## **6.0 Environmental Impact Assessment Screening**

- 6.1. Please see Appendix 1, EIA pre-screening and Appendix 2, preliminary examination. I have concluded, having regard to the nature, size and location of the proposed development and to the criteria set out in Schedule 7 to the Planning and Development Regulations 2001, that there is no real likelihood of significant effects on the environment and that EIA is not required.

## **7.0 The Appeal**

### **7.1. Grounds of Appeal**

- 7.1.1. The appellant lives in a house to the north west of the application site shown on the map attached to her evidence. Her appeal statement may be summarised as follows:
- The appellant has no objection in principle to a dwelling house, septic tank and entrance. Her concern is that the roadside drainage and water disposal from the site are not fit for purpose. Her street and domestic garage have been flooded several times because the drainage system on and adjacent to the application site cannot deal with heavy rainfall. Due to the sloped nature of the site and the large hillside to the south of it, within the applicant's family land, all



the rainwater gathers at the north-western corner of the site, breaches the hedge and roadside drain and floods her driveway.

- To demonstrate the inadequacy of the current drainage network, the appellant provided a memory stick containing recent video footage of flooding adjacent to the north-western corner of the application site (in the vicinity of Point A on her map). The video was taken during heavy rainfall and shows the flooding of her driveway and domestic garage, with muck coming from the application site.
- It is the appellant's understanding that soak pits for storm water are not generally allowed. The Council's Condition 9 means that water would be piped to the roadside drain which is clearly unable to cater for any additional loading. The applicant's current proposals would only exacerbate the problem and lead to more flooding of the appellant's property.
- Storm water from the application site, whether from roofs, paths or the proposed driveway, must not be allowed to enter the existing drainage network. It is requested that a new drainage system, designed by an engineer, is installed on the site to capture rainfall and runoff water. Storm water must be brought by way of piped, adequately sized, drains, across the public road in a northerly direction through the applicant's family land past the level of the appellant's house to dispose into the adjacent stream.

## **7.2. Applicant Response**

7.2.1. The response submitted on behalf of the applicant may be summarised as follows:

- The applicant has attempted to speak to the appellant on a number of occasions to discuss the applications and the concerns raised in the third-party submission to the Council but the appellant has refused to engage. The issues she raised at application stage were addressed by the submission of further information, which led to the Council's decision to grant permission. This appeal raises no new issues. It has placed financial strain on the applicant and will further delay construction of the dwelling. It is considered that the appeal was submitted on vexatious grounds and the Board is requested to dismiss the appeal pursuant to Section 138(1) of the Planning and Development Act 2000.

- While the Development Plan says soak pits will not normally be encouraged, the consulting engineers' storm drainage report confirms that the proposed development, including a soak pit, could adequately deal with anticipated drainage, and this was accepted by the Council.
- The report uses rainfall data recorded by Met Éireann at Donegal and takes account of run off from roof, roads and path areas. It calculates the infiltration rate in metres per second at a trial hole excavated in the vicinity of the proposed soak pit. It concludes that the soak pit would have sufficient rectangular storage to provide for storm events with return periods of 10 or 30 years.
- At present there is no management on site for surface water and storm water. The proposed soak pit would alleviate the impact of storm water on the existing drainage infrastructure and mitigate flooding as a result of surface water in the surrounding area. The proposed mitigation efforts, coupled with the Council's Conditions 7 and 9, would reduce the impacts of flooding from the site.
- The applicant is within her rights to propose discharging storm water from the site to the existing drainage network. It is unnecessary to revise the proposals for management of surface water and storm water.

### **7.3. Planning Authority Response**

- 7.3.1 The planning authority noted that the appellant has no objections to the proposed dwelling *per se* as it is for a local person who is building beside her family home and has established a social need to build in the rural area. The authority considers that the proposed surface water methodology is appropriately engineered and would deal with disposal of water from the site area. Any past incidents of flooding in the locality were on the public roadway and due to the topography of the locality.
- 7.3.2. The planning authority wishes to rely on the planning officer's reports on 4<sup>th</sup> June and 12<sup>th</sup> August 2024 in which all pertinent matters were considered.

## **8.0 Assessment**

### **8.1. Issues**

8.1.1. Having inspected the site and considered in detail the documentation on file for this Third Party appeal, it seems to me that the main issues are:

- whether the appeal should be dismissed summarily, as the applicant requests;
- whether the development is acceptable in principle at this location;
- whether the development as proposed would lead to increased flooding of the appellant's property; and
- whether the development is acceptable in all other respects.

### **8.2. Summary Dismissal**

8.2.1. Section 138(1)(a) of the Planning and Development Act 2000 empowers the Board to dismiss an appeal where it is of the opinion that (i) it is vexatious, frivolous or without substance or foundation, or (ii) is made with the sole intention of delaying the development or the intention of securing the payment of money, gifts, consideration or other inducement by any person.

8.2.2. It seems to me that the possibility of the applicant's drainage proposals resulting in additional flooding to the appellant's property, whether substantiated or not, is a legitimate concern which she is entitled to raise by way on an appeal to the Board. It is a matter which requires careful analysis and is not, on its face, vexatious, frivolous or without substance or foundation. While it is desirable that disputes are resolved through dialogue, where possible, the appellant's reported unwillingness to engage in discussion with the applicant does not, in itself, render her appeal vexatious.

8.2.3. It is an inevitable consequence of the statutory provision for third-party appeals that some would-be developers are put to increased expense and subjected to further delay. However, there is no persuasive evidence that this appeal was made with the sole intention of delaying the development or of securing the payment of money, gifts, consideration or other inducement. In my opinion, the circumstances of this appeal do not warrant its summary dismissal.

### **8.3. Acceptability in Principle**

- 8.3.1. As the application site is in a Structurally Weak Rural Area under the 2024-2030 County Development Plan, there is no longer a requirement to demonstrate a need to live in the locality. The development is acceptable in principle in accordance with Policy RH-P-3 of the Plan and the Council's Conditions 2 and 3 are not necessary.

### **8.4. Flooding**

- 8.4.1. The County Development Plan expresses a preference for surface water systems to be routed to discharge to a suitable watercourse and states that soak pits will not normally be encouraged. I do not interpret this as an outright ban on the use of soak pits. I consider that where a proposal for dealing with surface water which involves a soak pit is put forward, it should not be rejected out of hand provided it can be shown to produce a workable solution.
- 8.4.2. The appellant's video shows several streams of water converging on a large roadside opening outside her house. One stream is running along the eastern boundary of her property and on to the road. Another stream, clearer in hue, is flowing westwards down the northern side of the road. A third stream, discoloured and moving more slowly, appears to emanate from the application site. As the opening is swamped, flood water has entered the forecourt of the appellant's property. The video confirms that the application site is not the only source of flood water affecting the property.
- 8.4.3. In the absence of the proposed development and of any improvements to the public drainage system, the appellant's property is likely to continue to be at risk from flooding. The solution put forward by the applicant is intended to capture storm water from the application site as well as water from the impermeable surfaces of the development. The detailed calculations presented by the applicant's engineering consultant have been accepted by the Council and have not been contradicted by the appellant. She has not explained why she believes the applicant's solution would lead to more flooding of her property.
- 8.4.4. I am satisfied that the installation of the proposed soak pit, together with suitably specified and adequately sized pipework and a drainage trap would, at the very least, result in no net increase in flood risk to the appellant's property. By alleviating existing flooding from the application site, the drainage solution may significantly reduce that risk. Consequently, I do not consider that the appellant's concerns are well founded.

## **8.5. Acceptability in Other Respects**

- 8.5.1. Neither the applicant nor the appellant has expressed disagreement with the planning authority's assessment that, subject to a further reduction of 1 metre in the finished floor level, the proposed dwelling could be satisfactorily integrated into the landscape. It is not disputed that private amenity space would be adequate, that the privacy of neighbouring properties would not be affected; that the proposed access arrangements are acceptable; and that foul effluent could be efficiently disposed of. Subject to suitably worded conditions, I see no obstacle to a grant of permission.

## **9.0 Appropriate Assessment Screening**

- 9.1. Having considered the nature, location and modest scale of the proposed development, the nature of the foreseeable emissions therefrom, the distance from the nearest European site and the absence of any known direct hydrological link between the application site and any European site, I am content on the basis of objective information that the development is not likely to have a significant effect on any European site, either alone or in combination with other plans or projects. I therefore conclude that the carrying out of an appropriate assessment under Section 177V of the Planning and Development Act 2000 is not required.

## **10.0 Recommendation**

- 10.1. I recommend to the Board that planning permission be granted subject to the conditions set out below.

## **11.0 Reasons and Considerations**

- 11.1. Having regard to the location of the site in a Structurally Weak Rural Area and to Policies RH-P-3, RH-P-9 and L-P-2 of the County Donegal Development Plan 2024-2030, it is considered that subject to compliance with the conditions below, the development would not injure the visual or residential amenities of the area, would not endanger public safety by reason of a traffic hazard, and would not be prejudicial to public health. It is therefore considered that the development would be in accordance with the proper planning and sustainable development of the area.

## 12.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on 31<sup>st</sup> July 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 writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p><b>Reason:</b> In the interest of clarity.</p>
2.	<p>The proposed development shall be amended so that the finished floor level of the dwelling is no more than 61 metres relative to the existing ground level at the centre line of the public road adjacent to the proposed site entrance, at the point where a temporary benchmark of 58.808 metres is shown on the site layout plan submitted on 31<sup>st</sup> July 2024. A revised site layout plan (including cross section) showing compliance with this requirement 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>
3.	<p>Prior to the commencement of development the developer shall enter into an agreement with Uisce Éireann to provide for a service connection to the public water supply.</p> <p><b>Reason:</b> To ensure adequate water facilities in the interest of public health.</p>
4.	<p>The dwelling shall not be occupied until a soak pit, 2 metres by 2 metres in area and 1 metre in depth, has been provided in the position indicated on the site layout plan submitted on 31<sup>st</sup> July 2024 and in accordance with the drainage design report submitted on the same date, to the satisfaction of the planning authority.</p> <p><b>Reason:</b> To prevent flooding and in the interest of sustainable drainage.</p>

5.	<p>Arrangements for surface water drainage on the roadside in the vicinity of the site frontage shall comply with the requirements of the planning authority for such services and works. The arrangements shall be designed to prevent the discharge of surface water on to the public road and to ensure that no water from the public road discharges on to the site. Prior to the commencement of development, the developer shall submit detailed proposals for roadside surface water drainage for the written agreement of the planning authority and the agreed arrangements shall be implemented to the satisfaction of the planning authority before the dwelling is first occupied.</p> <p><b>Reason:</b> To prevent flooding and in the interest of sustainable drainage.</p>
6.	<p>(a) The packaged wastewater treatment system and percolation area with polishing filter hereby permitted shall be installed in accordance with the recommendations included within the site suitability assessment report submitted on 18<sup>th</sup> April 2024 and shall be in accordance with the standards set out in the document entitled "Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10) " – Environmental Protection Agency, 2021.</p> <p>(b) Within three months of the first occupation of the dwelling, the developer shall submit a report to the planning authority from a suitably qualified person (with professional indemnity insurance) certifying that the wastewater treatment system and associated works are 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>
7.	<p>All service cables associated with the proposed development (such as electrical, telecommunications and communal television) located outside buildings or not attached to buildings shall be located underground.</p> <p><b>Reason:</b> To preserve the visual amenity of the area.</p>

8.	<p>Prior to the commencement of any building works, visibility splays of 70 metres shall be provided in each direction to the nearside road edge at a point 2.4 metres back from road edge at the location of the vehicular entrance. Visibility in the vertical plane shall be measured from a driver's eye height of 1.05 metres and 2 metres positioned at the setback distance in the direct access to an object height of between 0.26 metres and 1.05 metres. The visibility splays shall be permanently maintained.</p> <p><b>Reason:</b> In the interest of traffic safety</p>
9.	<p>Precise details of (i) the materials, colours and textures of all the external finishes of both proposed buildings; and (ii) the surface and edge finishing of the proposed access driveway, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The development shall be carried out in accordance with the agreed details.</p> <p><b>Reason:</b> In the interest of visual amenity.</p>
10.	<p>Construction of the shed/store shall not commence until construction of the dwelling is under way. The shed/store shall be used solely for domestic purposes ancillary to the residential enjoyment of the dwelling.</p> <p><b>Reason:</b> To cater for orderly development.</p>
11.	<p>Prior to the commencement of development, the developer shall submit for the written agreement of the planning authority a landscape plan providing for the retention of the mature trees along the road frontage (except where their removal is required for access) and of all other sound trees, shrubs and hedgerows on the site; and for planting the lateral and southern site boundaries with hedgerows of semi-mature species native to the area. The scheme of planting, as finally approved, shall be carried out during the first planting season after the commencement of development. Any trees and hedging that are removed, die or become seriously damaged or diseased within five years of the commencement of development shall be replaced within the next planting season by trees or hedging of similar size and species, unless otherwise agreed by the planning authority.</p> <p><b>Reason:</b> In the interest of visual amenity.</p>



12.	<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. The contribution shall be paid prior to the 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 the Board 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 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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**TREVOR A RUE**

Planning Inspector

20<sup>th</sup> March 2025

## Appendix 1 - Form 1

### EIA Pre-Screening

[EIAR not submitted]

<b>An Bord Pleanála Case Reference</b>	320656-24		
<b>Proposed Development Summary</b>	Construction of a dwelling, a shed/store, a domestic wastewater treatment system and associated works		
<b>Development Address</b>	Glasbolie, Ballintra, Co. Donegal		
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b> (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	✓
<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>			
Yes	✓	Part 2, Class 10(b)(i)	Proceed to Q3.
<b>3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?</b>			
No	✓		Proceed to Q4.
<b>4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?</b>			
Yes	✓	Threshold: More than 500 dwelling units Size of development: One dwelling unit	Preliminary examination required
<b>5. Has Schedule 7A information been submitted?</b>			
No	✓	Please see preliminary examination below.	

Trevor A Rue

**TREVOR A RUE**

Planning Inspector

20<sup>th</sup> March 2025

## Appendix 2 - Form 2

### EIA Preliminary Examination

<b>An Bord Pleanála Case Reference</b>	320656-24
<b>Proposed Development Summary</b>	<i>Construction of a dwelling, a shed/store, a domestic wastewater treatment system and associated works</i>
<b>Development Address</b>	<i>Glasbolie, Ballintra, Co. Donegal</i>
<b>Characteristics of the 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)	<i>The development would have a modest footprint, comes forward as a standalone project and would not require demolition works or the use of substantial natural resources. It would not give rise to a significant risk of pollution or nuisance. The development, by virtue of its type, does not pose a risk of major accident and/or disaster and is not vulnerable to climate change. It presents no risks to human health.</i>
<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)	<i>The application site is in a rural area on improved agricultural land which is abundant in the area. The site is removed from sensitive natural habitats, centres of population and designated sites.</i>
<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)	<i>Having regard to the modest nature of the proposed development, its location removed from sensitive habitats and features, the 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 Planning and Development Act 2000.</i>

Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
<i>There is no real likelihood of significant effects on the environment.</i>	<i>EIA is not required.</i>




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**TREVOR A RUE**

Planning Inspector

20<sup>th</sup> March 2025