



An
Bord
Pleanála

Inspector's Report ABP-320950-24

Development	Construction of a house and all ancillary works.
Location	Creeragh, Ballingarry, Roscrea, Co. Tipperary
Planning Authority	Tipperary County Council
Planning Authority Reg. Ref.	2460328
Applicant(s)	Liam Murphy and Jade Fielding.
Type of Application	Permission.
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Stuart Platt and Avril Williams. Clara and Mark Platt.
Observer(s)	None.
Date of Site Inspection	15 th January 2025
Inspector	Jennifer McQuaid

Contents

1.0 Site Location and Description	3
2.0 Proposed Development	3
3.0 Planning Authority Decision	3
3.1. Decision	3
3.2. Planning Authority Reports	3
3.3. Prescribed Bodies	4
3.4. Third Party Observations	4
4.0 Planning History	5
5.0 Policy Context	5
5.1. Development Plan	5
5.2. Natural Heritage Designations	9
5.3. EIA Screening	10
6.0 The Appeal	10
6.1. Grounds of Appeal	10
6.2. Applicant Response	11
6.3. Planning Authority Response	12
6.4. Observations	13
6.5. Further Responses	13
7.0 Assessment	13
8.0 AA Screening	18
9.0 Recommendation	19
10.0 Reasons and Considerations	19
Appendix 1 – Form 1: EIA Pre-Screening & Form 2: EIA Preliminary Examination.	

1.0 Site Location and Description

- 1.1. The proposed site (0.59ha) is located in the townland of Creeragh, approximately 5km east of Borrisokane and 2km southwest of Ballingarry. The site is located along the L1069 located road and in open countryside. There are no existing dwellings immediately to the east or west of the subject site. The site is slightly elevated from the public road. A mature hedgerow exists along the northwestern boundary.

2.0 Proposed Development

- 2.1. The proposed development will consist of:

- Two storey dwelling
- Detached garage.
- wastewater treatment system
- site entrance & access roadway
- associated site works.

3.0 Planning Authority Decision

3.1. Decision

Grant subject to 13 conditions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planning Report states the following:

- The applicant complies with Policy 5-11 as they have declared that they have never owned a dwelling and there are no other sites available within settlements within 5km of the site. The site does not constitute ribbon development.

- Further information requested in relation to the final design. The Planner does not consider that the proposed development would result in a loss of privacy to adjoining residents due to the setback and contours.
- Further information requested in relation to site and farm entrance.
- Applicant requested to clarify water connection as public mains terminates at the southeast corner of the landholdings.
- Wastewater assessment is considered acceptable.

3.2.2. Other Technical Reports

- Nenagh MD: the applicant proposes to retain the existing roadside boundary ditches, rather than setting back the alignment of front boundary. It is recommended that the applicant should provide a longitudinal section of the front boundary. This section should demonstrate that sightlines are achievable within an eye height of 1.05m-2m. This section should include the proposed concrete block piers & curved wing walls and adjacent roadside ditches.
- Roads: A shared entrance is preferred for the dwelling house and the agricultural. Sightlines of 160 metres at a setback of 4.5 metres are required. Further information required to show greater setback distance.

3.3. Prescribed Bodies

- Uisce Eireann: No response.

3.4. Third Party Observations

Two observations were submitted. The following concerns were raised:

- Loss of privacy
- Discrepancies between site layout plan and site plan included at the end of the Site suitability Assessment.
- Existing farm access to be blocked up but no indicating of a new farm access.
- Material finish to laneway
- Lack of clarity on location of proposed entrance.

- Date of erection of site notice.
- Location of dwelling/settlement pattern
- Impact on laneway in terms of noise, loss of privacy, dust, disturbance and traffic.
- Potential for future development on site and impact on same.

4.0 Planning History

None on site.

Site to the east:

06511609: Permission granted for a dwelling and all ancillary works.

Site to the west:

ABP Ref: PL92.321013: (PA ref: 2460048) Appeal Outstanding for a dwelling and all ancillary works. Decision due 20th February 2025.

5.0 Policy Context

5.1. Development Plan

Tipperary County Development Plan 2022-2028

The site is located within an “Open Countryside” as defined in the CDP.

Policy:

5-9 Require that climate change actions and measures be incorporated in new residential development of all scales to demonstrate how the development will minimise energy use, enhance accessibility, manage waste and support biodiversity.

5-11 Facilitate proposals for dwellings in the countryside outside of settlements in accordance with NPF policy NPO 19 for new Housing in the Open Countryside, and designations illustrated in Section 5.4, and Table 5.2: Rural Housing Technical Principles for Applicants.

In “Open Countryside” areas, the Council will consider single houses for persons where the development meets other relevant policies set out in the Plan, and where the proposed development is in accordance with all the criteria set out hereunder.

- (i) The proposed development must meet the normal planning and environmental criteria and development management standards,
- (ii) The applicant does not, or has never owned a house in the open countryside,
- (iii) To prohibit speculative development in these areas, any application for a single permanent dwelling must be made in the name of the person for whom it is intended. An occupancy condition will be attached to any grant of permission,
- (iv) An alternative site is not available within a settlement within 5km of the proposed site.

5-12 Where 5 houses in total exist or are permitted, within any continuous 250 metre section of roadway thereby constituting “ribbon development” the Council will seek to resist further development in the interest of road traffic safety, visual amenity and groundwater quality. An additional individual dwelling, either within, or extending the existing ribbon pattern, will be facilitated in the following circumstances:

- (i) The applicant can demonstrate an Economic or a Social Need (as outlined in Table 5.3), existing or shared accesses are used where practicable, and it is demonstrated that no alternative exists outside of Ribbon Development.
- (ii) Where the site is a “Gap Site”, defined as a site located within a line of existing and permitted dwellings, one dwelling site only will be accommodated, and other than agricultural access to lands to the rear (if required), the site should fully occupy the gap between existing and permitted dwellings.

Chapter 11 Environment and Natural Assets.

Policy:

11-16 Facilities new development which integrates and respects the character, sensitivity and value of the landscape in accordance with the designations of the

Landscape Character Assessment, and the schedule of Views and Scenic Routes (or any review thereof). Developments which would have a significant adverse material impact on visual amenities will not be supported.

11-17 Ensure the protection of the visual amenity, landscape quality and character of designated “Primary” and “Secondary” amenity areas. Developments which would have a significant adverse material impact on the visual amenities of the area will not be supported. New development shall have regard to the following:

- a) Developments should avoid visually prominent locations and be designed to use existing topography to minimise adverse impacts on the character of primary and secondary amenity areas.
- b) Buildings and structures shall integrate with the landscape through careful use of scale, form and finishes.
- c) Existing landscape features, including trees, hedgerows and distinctive boundary treatment shall be protected and integrated into the design proposals.

Chapter 15 Water & Energy Facilities

Policy:

15-2 Require that all new septic tanks, proprietary effluent treatment systems and percolation areas to be located and constructed in accordance with the Water Services Guidelines for Planning Authorities (and any review thereof) and the Code of Practice for Domestic waste water treatment systems (EPA, 2021) (and any amendment) and the development management standards of this Plan as set out in Volume 3.

Policy 15-4 Collaborate with Irish Water in contributing towards compliance with the European Union (Drinking Water) Regulations Drinking Water Regulations 2014 (as amended) and compliance of water supplies with the parameters identified in these Regulations. Where new developments cannot be served by public water supply, the Council will consider a private water supply where the developer can demonstrate that any new supply is adequate to serve the proposed development and that for domestic use; it is safe to be consumed as drinking water. Groundwater extraction must comply with EPA policies and guidelines.

Policy 15-6 Require development proposals to connect to the public water supply, where such facilities are available.

Policy 15-7 Require all new development to provide a separate foul and surface water management system and to incorporate nature-based water sensitive urban design, where appropriate, in new development and the public realm. New developments, or retrofit/upgrading works, including those contributing to combined drainage systems where streetscape enhancement programmes or resurfacing programmes are planned, will incorporate measures to reduce the generation of storm water run-off, and to ensure that all storm water generated is managed on-site, or is attenuated and treated prior to discharge to an approved storm water system, with consideration to the following:

- (a) Nature-Based Solutions to the Management of Rainwater and Surface Water Runoff in Urban Areas (water sensitive urban design) Best Practice Interim Guidance Document (DHLGH, 2001) and any review thereof,
- (b) The infiltration into the ground through the development of porous pavement such as permeable paving, swales and detention basis,
- (c) The holding of water in storage areas through the construction of green roofs, rainwater harvesting, detention basis, ponds and wetlands etc.
- (d) The slow-down in the movement of water.

Volume 3, Appendix 6 Relates to Development Management Standards.

Section 4.1 relates to Rural Residential Development

Section 4.3.1 relates to new houses.

Section 6.1 relates to Road Design & Visibility at a Direct Access

Appendix 3 relates to Landscape Character Assessment and Schedule of Views and Routes.

The subject site is located in:

- The Plains (Architypes) Landscape character Area, these areas are working landscapes containing most settlements and services as well as large

continuous areas used for pasture, tillage and peat harvesting. This landscape also contains major rivers and many historic sites.

- Landscape Character Type is defined as A1 Lowland Pasture & Arable – this is the most common type of landscape. It mainly consists of grasslands and tillage enclosed by hedges. These areas also contain areas of woodlands, rivers and settlements – as well as a dense network of roads, utility lines and farm buildings. The character and appearance of these areas can be significantly different depending on proximity to other landscape such as uplands and hills.
- Landscape Character Area is defined as 7. Borrisokane Lowlands. This large, generally low-lying area contains good quality pasture though there are also quite extensive pockets of tillage, largely in the southern part of this LCA. Towards the north, the landcover starts to share characteristics with the Shannon Callows LCA as well as a number of raised bogs. The area is described as Class 2 Transitional Sensitivity. The objective is to facilitate development that continues established patterns of use and settlement. Housing is described as medium compatibility.

5.2. Natural Heritage Designations

The site is not located within a designated site. The nearest sites are:

- Scohaboy (Sopwell) Bog SAC (site code: 002206) is located c.1.8 km south.
- Liskeenan Fen SAC (site code: 001683) is located c.3km north.
- Arragh More (Derrybreen) Bog SAC (site code: 002207) is located c.6.5km north.
- Sharavogue Bog SAC (site code: 000585) is located c.7.8km northeast.
- Kilcarren-Firville Bog SAC (site code: 000647) is located c.6km north.
- Lisduff Fen SAC (site code: 002147) is located c.12.5km northeast.
- Ballyduff/Clonfinane Bog SAC (site code: 000641) is located c.9km northeast.
- Lough Derg, Northeast Shore SAC (site code: 002241) is located c.10km northwest.
- Dovegrove Callows SPA (site code: 004137) is located c.15km northeast.

5.3. EIA Screening

- 5.4. The proposal relates to new dwelling in the rural area of Roscrea, Co. Tipperary with connection to public water and on-site wastewater treatment unit. Having regard to the limited nature and scale of the development and the absence of any significant environmental sensitivity in the vicinity of the site as well as the criteria set out in Schedule 7 of the PDR's and projects listed in Schedule 5, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

The grounds of appeal have been received from 2 neighbours. The concerns raised are:

- Location and size of the dwelling which will result in reduced privacy as the proposed dwelling is located behind the current sightlines and will be overlooking the living and garden areas of adjacent dwellings. The proposed site is elevated.
- Unclear plans, two drawings submitted, one showing no laneway and the second showing a different content with the addition of a laneway drawn beside the proposed dwelling giving field access from the back. Which is correct?
- The noted laneway on the November 2023 drawing could possibly indicate future developments i.e. farm structures, which will further impact on our dwelling and add to traffic volumes.
- No noted finishes on the proposed dwelling lane, road. This may lead to an unsuitable surface finish being applied which may lead to dust pollution which may be detrimental to our site, house and general ventilation of the house via an open window.

- Proposal is not in keeping with the existing building line and it is our opinion that the development should be considered as backland development.
- Entrance: there is only one entrance for the dwelling and no location for an entrance to access the agricultural land. The entrance and laneway are immediately adjacent to the appellant's boundary hedge, and they query noise, lack of privacy, dust, disturbance and volume of traffic.
- Potential for future developments at this location, in particular agricultural buildings/farmyard and the potential consequent increased agricultural activity and high volume of machinery on the road.

6.2. Applicant Response

The following comments were made:

- The location of the dwelling has taken account of the rural design guidelines for rural housing which states that new site should avoid contributing to existing patterns of linear roadside ribbon development along roads.
- The existing roadside hedgerow will be maintained each side of the proposed site entrance. The proposed dwelling is set back into the field and as such it will have a lesser impact on the rural pattern than locating the house closer to the public road and extending a pattern of ribbon development.
- The dwelling will work with the topography of the field rather than creating excessive cutting and filling of a sloping site.
- The proposed dwelling will not be backland development, the dwelling will be located 148 metres from the permitted neighbouring dwelling and not to the rear of the dwelling.
- As part of the further information response, a revised site layout plan was submitted indicating that the existing agricultural entrance gate will be blocked up and the proposed site entrance will be a shared entrance to access the proposed dwelling house and agricultural lands.
- The entrance will provide 160 metre sightlines in both directions, measured 4.5 metre back from the road edge.

- The surface finish for the proposed access roadway and driveway will be permeable gravel.
- The proposed development does not include agricultural buildings and/or a farmyard.
- The proposed dwelling will be set back over 215 metres from the public road and located 148 metres from the permitted neighbouring dwelling and 254 metres from the neighbouring constructed dwelling. The dwelling will be positioned behind the highest point of the field. There will be no issue of overlooking due to the distance from the dwelling to the permitted neighbouring dwelling, the existing natural hedgerow, trees and the topography of the land will screen the proposed dwelling from the neighbouring permitted dwelling.
- Revised drawing submitted indicating the location of the nearest permitted and constructed dwellings.

6.3. Planning Authority Response

The Planning Authority have made the following comments:

- The location of the proposed dwelling and the potential impact on 3rd party properties was considered by the Planning Authority and it was considered the development would not result in a loss of privacy to adjoining dwellings.
- The discrepancy between the site layout plan and the site layout drawing included with the site suitability assessment has been addressed by way of further information request by the Planning Authority.
- Any future development proposal that requires planning permission will be fully considered any impacts on nearby properties and traffic will be considered.
- In relation to the roadway finishes, condition 7(b) states all hard surfaced areas within the site shall be surfaced using permeable finishes.
- The Planning Authority request An Bord Pleanála to uphold the decision.

6.4. Observations

- None

6.5. Further Responses

- None

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/national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Principle of Development
- Siting, Overlooking and Design
- Site Entrance and Laneway
- Procedural Issues
- Appropriate Assessment

7.2. Principle of Development

7.3. The subject site is located in an area zoned as “Open Countryside”; therefore, the applicant must comply with policy 5-11 of the CDP. This means the applicant must meet the normal planning and environmental criteria and development management standards, including demonstrating that the applicant does not, or has never owned a house in the open countryside, and that no other alternative site is available within a settlement within 5km of the proposed site.

7.4. The principle of development or local needs is not questioned by the Planning Authority. However, I will provide discuss the principle of development and local needs for clarity.

7.5. I note the applicant has provided a birth certificate and confirmation of national school attendance from 1998. In addition, the applicant has submitted Part B, rural

housing needs supplementary information. The applicant has confirmed that he owns the site and has since 2010, and currently lives in the family home approximately 5km from the subject site. He has also confirmed that he does not own another dwelling. I note that no availability of alternative sites within settlements within 5km radius as there are no noted settlements. I am satisfied that the applicant has provided sufficient information and complies with the development plan criteria.

- 7.6. Having regard to policy 5-11 of the CDP and the information submitted by the applicant. I consider that the applicant complies with the local needs criteria for “open countryside”. Therefore, the principle of development is acceptable.

7.7. Siting, Overlooking and Design

- 7.8. The subject site is in a rural area and within “Open Countryside” as defined in the CDP. The site is located along a local road and set back 215 metres. The site rises to the rear away from the road to a max contour of 83.000m before falling back to a plateau of c.80.000m. The dwelling is sited in the plateau. The nearest proposed dwelling (currently under appeal & appellants proposed property) is located to the southwest at a distance of 148 metres and the nearest dwelling to the southeast is located at 254 metres (appellant).
- 7.9. The proposed dwelling is two storeys with a floor area of 230sqm and ridge height of 8.6 metres. The finished floor level is 80.8m and the site entrance is at 75.5m, thereby providing a difference of 5.3m in height levels set back at over 215 metres.
- 7.10. The grounds of appeal query the location on an elevated site and size of the dwelling as it will result in reduced privacy for the adjacent dwelling and will be overlooking the living and garden areas. The proposal is not in keeping with the existing building line and the development should be considered as backland development.
- 7.11. The applicant has responded stating the location of the dwelling has taken account of the rural design guidelines. The existing roadside hedgerow will be maintained on the northwestern boundary and a new hedgerow will be planted on each side of the proposed site entrance where required. The dwelling will work with the topography of the field rather than creating excessive cutting and filling of a sloping site.
- 7.12. I have reviewed the proposed location of the dwelling and garage, the dwelling will be set back over 215 metres from the public road and set on a plateau of a sloping

hill. The proposed dwelling is not in keeping with the existing pattern of development along the local road which can lead to ribbon development and a suburban type of development in a rural area. I note the Tipperary Rural Design Guide, Appendix 4 of the CDP and in particular section 2.4 Ribbon Development which states that new sites should avoid contributing to existing patterns of linear roadside ribbon development along roads. The Design Guide is set out as a principle for development under Table 5.2, section 5.5.2 Rural Housing Policy of the CDP. A drawing is also provided in figure 4 of the guide and illustrates a two-storey dwelling set back into the field behind the next field with extensive landscaping. The illustration highlights how existing hedgerows, and landscaping can integrate a dwelling into the landscape. The applicant has stated the proposed development represents this scenario, as the dwelling will be positioned over 200 metres back from the public road and set behind the highest contour on the site on a plateau. There is also a mature hedgerow and trees along the northwestern boundary. The position of the dwelling also avoids ribbon development. Although in my opinion, the applicant has demonstrated a social need to live in this area, therefore ribbon development is not an issue as per policy 5-12 (i) of the CDP. Therefore, I consider, the applicant has taken account of the rural design guide, however I have concerns regarding the slope and height of the proposed site in relation to the surrounding lands and I believe this hasn't been considered sufficiently. The site rises significantly from the public road and is exposed from southerly and eastern views. I note the applicant proposes to site the dwelling on the plateau of the slope and the slight rise in land will help to integrate the proposed dwelling. However, it is my opinion that the overall height of the proposed dwelling at 8.6m and the significant rise in the site, the proposed dwelling will dominate the site and the surrounding views and appear as if it is breaking the skyline.

- 7.13. In relation to the design of the dwelling, the applicant has proposed a traditional style two storey dwelling with an overall height of 8.6 metres, a hipped roof is proposed with small narrow windows to the front elevation. A side return is proposed, and this is set back from the front building line. I consider, the proposed house design is in keeping with the traditional rural design form. However, I do not consider that the proposed house type and design are suitable for the proposed site. Given the

elevated nature of the site and the exposed nature, a single storey may be more suitable and acceptable on the site.

- 7.14. I note the appellants concerns in relation to overlooking, the proposed dwelling is located at a distance of 148 metres from the nearest proposed dwelling (currently under appeal) which is located to the southwest. The nearest existing dwelling to the southeast is located at 254 metres. Given the distance between the proposed and the existing dwelling, I do not consider that overlooking will be an issue. In addition, the applicant has proposed additional hedgerow planting with native species and native trees throughout the site, this will provide privacy to the proposed dwelling and further displace any potential overlooking to nearby properties.
- 7.15. I do not consider that the proposed dwelling should be considered as backland development, the dwelling will be located 254 metres from existing dwelling to the southeast and is not located directly behind any building.
- 7.16. Having regard to the location, siting, and design of the proposed dwelling, I do not consider the development complies with Table 5.2: Rural Housing Technical Principles for Applicants and in particular point 1. Site and Design which requires the applicant to apply the Development Management Standards and the “Tipperary Rural Housing Design Guidelines” as set out in Volume 3 of the CDP. The proposed site is elevated with exposed views, the proposed house design does not adequately consider the subject site and will dominate this exposed, high site and surrounding area.
- 7.17. **Site Entrance and Laneway**
- 7.18. The proposed site will be accessed from a new entrance along the L1069 local road. The site layout submitted indicates sightlines of 160 metres in both directions at a setback of 4.5 metres from the road edge. There is an existing farm entrance, and this will be closed up. The new entrance will cater for the dwelling and as farm access to the adjoining lands. The proposed entrance and laneway will comprise of a permeable surface.
- 7.19. The grounds of appeal outline that there is only one entrance for the dwelling and no location for an entrance to access the agricultural land. The entrance and laneway are immediately adjacent to the appellant’s boundary hedge, and they query noise, lack of privacy, dust, disturbance and volume of traffic. The appellant also queries

the proposed finishes for the laneway, as an unsuitable surface finish may lead to dust pollution, and this may be detrimental to the neighbouring dwelling and general ventilation of the house. The potential for future development is also queried in relation to farm buildings.

- 7.20. I have reviewed the location of the proposed site entrance, and I note only one entrance is proposed to serve the proposed development of a dwelling. The applicant has clarified the entrance will also be used to access the adjoining farmlands. Taking into account the dual purpose of the entrance to serve the dwelling and the farmlands, the Roads Section of Tipperary County Council (TCC) requested sightlines of 160 metres at a setback of 4.5 metres. The applicant has provided this by way of further information response. The entrance is set approximately 110 metres from the proposed entrance for the proposed dwelling to the northwest and approximately 130 metres from the existing dwelling entrance to the southeast. Given the distance between the proposed entrance and the existing entrances, I do not consider there will be any issues in relation noise or dust. The proposed entrance and existing entrances are located along a local road which already experiences traffic movements and associated noise, the proposed entrance will not exacerbate the current situation.
- 7.21. I note the appellants concern in relation to the proposed access roadway, which will sweep from the proposed entrance to the boundary to the northwest. The access roadway is set back from the boundary and there is an existing hedgerow along this boundary. The applicant purposes to finish the proposed access roadway and driveway in permeable gravel. Therefore, I do not consider that dust or lack of privacy will be an issue to the proposed finish and the existing natural screening along the hedgerow to the northwest and the proposed native boundary hedgerow to the eastern boundary along the access roadway.
- 7.22. However, I do have concerns regarding the length of the proposed access roadway to the proposed dwelling on an exposed site. I note the existing hedgerow and the proposed additional planting either side of the proposed access road, nonetheless, the roadway will be exposed until the hedgerow mature. It is my opinion, which given the elevated and exposed nature of the site, the extensive roadway of c. 200metres is excessive for a rural site and will be visual intrusive on the landscape.

- 7.23. Having regard to the separation distance of the proposed entrance and access roadway to the proposed and existing dwellings along the local roadway, in addition to the proposed surface finishes and existing and additional hedgerow screening, I do not consider the proposed entrance and access roadway will create a dust, noise or privacy issue. However, the length of the roadway on an exposed site will be visually intrusive on the landscape.
- 7.24. The proposed development consists of a dwelling and domestic garage, any future developments will be subject to standard planning and possible a separate planning application, and for that reason will not be considered as part of this application.
- 7.25. **Procedural Issues**
- 7.26. In terms of procedural matters, and the discrepancy between the site layout plan and the On-Site Wastewater Treatment Site Suitability report. I note this matter was clarified by way of further information request by the Planning Authority, the applicant submitted an updated On-Site Wastewater Treatment Site Suitability Report. The proposed access is directly to the dwelling and does not include an additional access road along the boundary. The applicant has clarified that the proposed entrance will be used as dual entrance for the proposed dwelling and to access the adjoining agricultural lands.
- 7.27. I am satisfied that this error did not prevent the concerned party from making representations. The above assessment represents my de novo consideration of all planning issues material to the proposed development.

8.0 AA Screening

- 8.1. Having regard to the proposed development of a dwelling and on-site wastewater treatment system with connection to public water on a greenfield site. The nearest European Site is the Scohaboy (Sopwell) Bog SAC (site code: 002206) lies c.1.8km south of the subject site. It is considered that no Appropriate Assessment issues arise as the proposed development would not be likely to have a significant impact individually or in combination with other plans or projects on a European site.

9.0 Recommendation

I recommend that planning permission should be refused for the reason and consideration as set out below.

10.0 Reasons and Considerations

10.1. The site of the proposed development is located within 'Open Countryside' as set out in the Tipperary County Development Plan 2022-2028 for the area, where emphasis is placed on the importance of designing with the landscape and of siting of development to minimise visual intrusion as set out in the current Tipperary Rural Housing Design Guide. Having regard to the topography of the site, the elevated positioning of the proposed development, together with its height, the resulting extensive driveway, it is considered that the proposed development would form a discordant and obtrusive feature on the landscape at this location, would seriously injure the visual amenities of the area, would fail to be adequately absorbed and integrated into the landscape, would militate against the preservation of the rural environment and would set an undesirable precedent for other such prominently located development in the vicinity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Jennifer McQuaid
Planning Inspector

20th January 2025

Form 1

EIA Pre-Screening

An Bord Pleanála Case Reference	ABP-320950-24		
Proposed Development Summary	Construction of a house and all ancillary works		
Development Address	Creeragh, Ballingarry, Roscrea, Co. Tipperary		
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	
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	Class 10b(i) Construction of more than 500 dwelling units.	Proceed to Q3.
No			
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes			
No	X	Class 10b(i) Construction of more than 500 dwelling units.	Proceed to Q4
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			

Yes	X	Class 10b(i) Construction of more than 500 dwelling units. The proposal is for 1 dwelling on a site area of 0.59ha.	Preliminary examination required (Form 2)
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5. Has Schedule 7A information been submitted?		
No	X	Pre-Screening determination remains as above (Q1 to Q4)
		Screening Determination required

Inspector: _____ **Date:** _____

Form 2
EIA Preliminary Examination

An Bord Pleanála Case Reference	ABP-320950-24
Proposed Development Summary	Construction of dwelling, domestic garage and associated works.
Development Address	Creeragh, Ballingarry, Roscrea, Co. Tipperary
<p>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.</p> <p>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</p>	
<p>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>	<ul style="list-style-type: none"> • The development consists of development of 1 no. dwelling, detached garage, wastewater treatment system, site entrance, access roadway and all ancillary site works. • The development site measures 0.59 hectares. The size of the development is not exceptional in the context of the existing rural environment. • The development will consist of generally typical construction and related activities and works. • The site is a greenfield and does not require any demolition. • Surface water will be discharged to an on-site BRE soakaway.

	<ul style="list-style-type: none"> • Wastewater will be discharged to an on-site wastewater treatment system. • The development will not result in significant waste, emissions or pollutants
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 of historic, cultural or archaeological significance).	<ul style="list-style-type: none"> • The site is located in a rural area on a greenfield site. • The subject site is not located within any designated site. The nearest sites are: <ul style="list-style-type: none"> ○ Scohaboy (Sopwell) Bog SAC (site code: 002206) & NHA (site code: 000937) lies c.1.8km south of the subject site. ○ Lough Nahinch pNHA (site code: 000936) lies c.2.3km southeast of the subject site. ○ Fiagh Bog pNHA (site code: 000932) lies c.2.5km north of the subject site. ○ Liskeen Fen SAC (site code: 001683) & pNHA (site code: 001683) lies c.3.2km north of the subject site.

	<ul style="list-style-type: none">○ Fiagh Bog pNHA (site code: 000932) lies c4km northwest of the subject site.	
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).	There are existing dwellings adjacent to the proposed site, and dwellings under consideration, however, there is no real likelihood of significant cumulative effects with the existing and permitted projects in the area.	
Conclusion		
Likelihood of Significant Effects	Conclusion in respect of EIA	No
There is no real likelihood of significant effects on the environment.	EIA is not required.	
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.		
There is a real likelihood of significant effects on the environment.		

Inspector: _____ **Date:** _____
DP/ADP: _____ **Date:** _____
(only where Schedule 7A information or EIAR required)