



An
Coimisiún
Pleanála

Inspector's Report ABP-321148-24

Development	Construction of 36 no. dwellings and all ancillary site works. An NIS was submitted at the further information stage.
Location	Stonebridge Estate, Drumahaire/Drumlease, Dromahair, Co. Leitrim
Planning Authority	Leitrim County Council
Planning Authority Reg. Ref.	2360147
Applicant	GDM Construction Ltd
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Rosemary Uí Chonaill & Eoghan Ua Conaill
Observer(s)	None
Date of Site Inspection	19 th February 2025
Inspector	Matthew O'Connor

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Appendix 1: Form 1 - EIA Pre-Screening

Appendix 2: Form 2 - EIA Preliminary Examination

Appendix 3: AA Screening Determination - Test for likely significant effects

Appendix 4: Appropriate Assessment (AA) and Appropriate Assessment Determination.

Appendix 5: Water Framework Directive Screening and Assessment.

1.0 Site Location and Description

- 1.1. The appeal site is 1.97ha and is located on lands to the east of the established 'Stonebridge' housing estate (comprising Hillcrest and Castlefield) on the southeastern edge of Dromahair, Co. Leitrim. The existing estate is served by an existing entrance from the R-288 (Regional Road) with the prevailing house type composed of semi-detached and detached conventional two-storey dwellings. The subject site is irregularly shaped and is in an overgrown and unkempt condition. There is evidence of previous groundworks haven been undertaken on the site with house foundations, hardstanding and underground services where permission was previously granted for residential development.
- 1.2. The topography of the lands slope in a southeastern direction from Hillcrest and there is the site is set below the eastern boundary where the land levels have been 'cut' and lowered from earlier site works. The southern boundary comprises a mixed hedgerow; the northern boundary is covered with a stand of trees and other vegetation adjoining the Drumlease Road (L-4165); and, the western boundary flanks the internal spine road serving the Stonebridge estate and the adjacent to green space.
- 1.3. The lands to the east of the appeal site are outside of the settlement boundary and characterised by one-off houses in a linear arrangement to the Drumlease Road. The lands to the south are grassed fields with considerable tree/vegetation coverage and adjoin the River Bonet (which is part of the Lough Gill Special Area of Conservation). There are no Protected Structures or National Monuments within or immediately adjoining the appeal site. The site is not located within a Flood Zone.

2.0 Proposed Development

- 2.1. The proposed development, as originally described on the public notices, related to the construction of 34 no. residential units comprising 8 no. 2-bed semi-detached; 10 no. 3-bed semi-detached; and 4 no. two-storey apartment blocks (totalling 16 no. 1-bed units).
- 2.2. Revisions were made to the proposal in response to Leitrim County Council's request for Further Information. Key revisions included an alternative unit mix comprising the following:

- 12 no. 1-bed apartments
- 16 no. 2-bed houses
- 8 no. 3-bed houses

2.3. The revisions increased the proposal from 34 no. to 36 no. units. Other works as part of the development include a new internal road network from the existing estate road, car parking, landscaping, connections to services and all associated site works.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. Grant permission for the development, subject to 26 no. conditions. The majority of conditions are generally standard, however, the following conditions are noted:

- Condition 1: Development carried out in accordance with plans and particulars.
- Condition 2: Upper floor windows on N/E elevation of Nos. 17-20 shall comprise obscure glazing.
- Condition 9: All mitigation measures contained in NIS shall be implemented.
- Condition 12: Development works and services to be completed in advance of house construction.
- Condition 14: Details of play features.
- Condition 24: Submit revised drawing of additional planting along No. 27 Hillcrest.

3.2. Planning Authority Reports

3.2.1. First Planner's Report

- The first Planner's Report had regard to the submitted documentation, locational context of the site, planning history on site and in the vicinity, policy framework of the Development Plan and inter departmental/referral reports.
- The Planning Authority noted the previous site development works and that the proposal marks a continuation of residential development being applied for in this area. The residential development was considered to be acceptable in principle having regard to the 'New Residential' zoning.
- In terms of siting and design, the Planning Authority noted the development would be an extension of the existing housing development, takes account of the site

topography and provides a range of unit types. Further information was required for revised external treatments and in relation to apartments numbers.

- The Planning Authority considered the residential density of 18uph to be acceptable.
- With regard to landscaping and open space, the Planning Authority queried the details of planting and the extent of useable open space whilst noting the green exceeds Development Plan requirements. In terms of the topography, the Planning Authority sought more pocket parks, inclusion of play provision and pedestrian path with lighting westward along desire lines. Boundary treatments were noted with clarity sought on retaining wall heights, level changes and additional planting.
- The Planning Authority noted the surface water details but queried the exact location of discharge and that there is a high degree of probability that the drain connects to a nearby SAC. The legal entitlement to discharge to drains is also uncertain and requires clarity by way of Further Information.
- The Planning Authority also note that details are required on run-off and that it will not cause flooding on lands downstream of the site. The capacity of the attenuation tank is also questioned to accommodate extreme rainfall.
- It was noted that a limited Construction & Environmental Management Plan (CEMP) was received but a more detailed one could be submitted in the event of a grant.
- In respect of traffic management, further information was sought for construction stage traffic management plan.
- The Planning Authority raised concern on overlooking from upper floor levels of apartments on neighbouring private open spaces and separation distances which required addressing by way of Further Information.
- No concerns were raised in respect of car/bicycle parking. The provision of EV charging points to some dwellings could be addressed by way of condition.
- Details in respect of Part V were submitted.
- The Planning Authority noted the submission of an Appropriate Assessment Screening Report (AASR) however, having regard to the contents it was recommended that a Natura Impact Statement (NIS) be requested.

- No issues raised with respect to Environmental Impact Assessment (EIA).

Further Information was sought in relation to 14 no. items which are summarised as follows:

1. Invitation to revise scheme to provide more houses and less apartments.
2. Provision of private open space for upper floor apartments.
3. Invitation to submit revised external treatment proposals for dwellings.
4. Submit revised proposals addressing overlooking/separation distances; and, examine plant screening/boundary treatments or even omission of proposed apartment block (Units 9-12).
5. Invitation to revise green space provision
6. Submit a detailed landscaping plan
7. Clarify height of retaining wall and provide further screening measures at this boundary.
8. Submit a Natura Impact Statement (NIS)
9. Submit drainage details comprising capacity assessment of the area draining into the adjoining surface water channel, preparation of surface water catchment details of the proposal, calculate outflow limits, submit storm water calculations, submit a drawing providing pipe sizes/invert/cover levels/gradients etc, and storage design calculations.
10. Submit a Construction Stage Traffic Management Plan.
11. Submit a revised Site Layout Plan with contour values.
12. Provision of an Archaeological Impact Assessment
13. Engage with Uisce Eireann by way of Pre-Connection Enquiry to determine feasibility of connection to services.
14. Views on submissions received are invited.

3.2.2. Second Planner's Report

- The second Planner's Report provides an analysis of the applicant's Further Information response and forms the basis for the grant of permission with conditions.
- In respect of Item 1, the Planning Authority noted the revised scheme and unit mix resulting in 36 no. residential units. It was deemed that the changes were acceptable.

- With regard to Item 2, the Planning Authority noted that the applicant did not include ground floor space for the upper floor apartments. The Planning Authority acknowledged the rationale of the applicant and considered the proposed private amenity space provisions for the apartments as acceptable.
- In relation to Item 3, the Planning Authority acknowledged the elevational treatment changes to the units and deemed it to be acceptable.
- The Planning Authority acknowledged the omission of an apartment building in response to Item 4 along with revisions to boundary treatments. Concerns in relation to separation distances has been addressed. Remaining concerns in respect of overlooking can be addressed by way of condition through planting and obscured glazing.
- The response to Item 5 was welcomed by the Planning Authority with the enhancement of the open space and deemed the revisions to be a significant improvement on the initial plans and particulars.
- In terms of Item 6, the Planning Authority considered the submitted landscaping plan to be satisfactory.
- In respect of Item 7, the Planning Authority noted the clarity provided by the applicant in respect of the retaining wall.
- The Planning Authority noted the receipt of the NIS in response to Item 8 and gave consideration to same as part of their Appropriate Assessment.
- With regard to Item 9, the response was noted by the Planning Authority who deemed that a minimal level of information had been provided. However, it was deemed that permission could be granted subject to conditions.
- The Planning Authority noted the receipt of a Construction Stage Traffic Management Plan and the revised access road arrangements presented in response to Item 10.
- In relation to Item 11, a revised Site Layout Plan was received with details of contours and levels. The Planning Authority deemed the response to be satisfactory.

- The response to Item 12 included a desk-based archaeological assessment which concluded that it is unlikely that there is any archaeological material on site.
- In terms of Item 13, the Planning Authority noted that no documentary evidence of any confirmation from Uisce Éireann was submitted. The matter can be addressed by way of condition.
- In respect of Item 14, the cover letter received informed that issues raised in submissions were addressed.

3.2.3. Other Technical Reports

- North Leitrim District Engineer – First report received had ‘no objection’ subject to roads/pedestrian finishes and drainage proposals. The second report also indicated no objection subject to conditions on road finishes and drainage specifications.
- Environment – No report received
- Chief Fire Officer – No report received
- Access Officer – No report received
- Road Design – No report received
- Water Services – No report received
- Housing – No report received

3.3. **Prescribed Bodies**

- An Taisce – No report/response received
- Uisce Eireann - No report/response received
- Heritage Council - No report/response received
- Dept. Housing, Local Government and Heritage - Report received which generally agreed with findings of the screening assessment but noted that mitigation measures could only be considered in a Stage 2 Assessment and therefore recommended submission of an NIS. In respect of Archaeology, an Archaeological Assessment was requested. The second Planner’s Report states that *‘the submission from the DAU simply states that the mitigation measures outlined in the submitted NIS should be strictly adhered to’*.

3.4. Third Party Observations

3.4.1. A total of 8 no. third party observations were received by the Planning Authority at the initial application stage. Many of the observations raise similar points and are broadly summarised as follows:

Design & Layout

- Apartment blocks are not considered appropriate at this location.
- Concern of close proximity/layout of proposed units to existing dwellings.
- The possible occupancy of the proposed units is queried.
- Concern over lack of suitable open green space within existing Stonebridge estate
- A Visual Impact Assessment is required in relation to the old Villiers castle proximity to the site along with the completion of an Archaeological Impact Assessment.

Residential Amenity

- Impacts from overshadowing, loss of light and privacy loss.
- Adverse impacts arising from noise, nuisance and traffic safety during the construction stage and operational stage.

Traffic and Access

- Traffic safety issues from construction traffic and the scheme are raised.
- The development requires a separate access road which is independent of the existing Stonebridge estate.
- A Traffic Management Plan, Traffic Impact Study and associated traffic calming measures are required if the estate is to be used for the construction and permanent access to the development.
- Seeks alternative access for construction traffic and to serve the estate after completion.
- Alternative access point near the main entrance of the estate should be provided.

Services/Infrastructure

- Details required in relation to the proposed storm water drainage/discharge system.
- Capacity of existing pumping station to accommodate the development is queried.

- Objection to proposed development connecting to services in the Stonebridge estate.
- Development will potentially impact on existing services/social infrastructure within Dromahair such as the national school, creche, GP practice and public transport.

Environmental Concerns

- Potential impacts on biodiversity and the SAC arising from the proposed development.
- Impacts on the River Bonnet from surface water.
- Stage 2 Appropriate Assessment is required.

Flood Risk

- Potential flooding impacts from the River Bonnet from increased water discharges
- Further examination of flood risk is required.

Validation

- Site notice not erected on stated date.

3.4.2. 3 no. additional third party observations were received in relation to the Response to Request for Further Information from other person(s) who raised the following points:

- Unit mix/type not in keeping with the Stonebridge development.
- Design and layout will look aesthetically out of place.
- The green area has been an established community resource serving as a play area/wildlife habitat/recreational space for residents and visitors.
- There are many ecological, social, and health benefits of the green area however the development would disrupt the positive aspects.
- Concerns regarding increased traffic, noise, litter, as well as the negative impact on older residents from the proposal.
- Ring road is not acceptable and will create a loop for lost traffic, racers and be used as a rat run whilst disrupting the green area.
- Proposes a sustainable alternative to the looped road with a narrow footpath to allow access to public transport but preserving the green.
- A through road to Drumlease should be provided.

4.0 Planning History

4.1. The following planning history is associated with the subject lands:

- 00/1051** Permission GRANTED to construct 70 dwellings and associated site works and outline permission for a hotel and associated site works. Applicant: EJJ Construction Ltd.
- 04/1417** Permission GRANTED for revisions to housing development previously granted under Planning Ref. No. P.00/01051. Scheme design to be revised with overall numbers increasing from 70 to 91 and a new crèche (324sq.m) together with all associated site works. Applicant: Shafin Developments Ltd.
- 09/480** Permission GRANTED to construct (1.) A 50-bed nursing home with ancillary accommodation with a total floor area of 3,537 sq.m. (2.) 12 No. single storey semi-detached sheltered houses, 4 No. single storey terraced sheltered houses with a total floor area of 1,232 sq.m. (3.) A two storey community building with a total floor area of 171.5sqm together with all associated site works. The proposed development was in lieu of 33 no. two storey houses numbered 61-84 granted under 04/1417. Applicant: Shafin Developments Ltd.

5.0 Policy Context

5.1. Development Plan

- 5.1.1 The Leitrim County Development Plan 2023-2029 is the relevant Development Plan for the appeal site.
- 5.1.2 Volume I sets out the Written Statement for the County with a number of relevant chapters which are applicable to the subject development.
- 5.1.3 Chapter 2 relates to 'Core Strategy'. Dromahair is designated as a 'Support Town' (or a Tier 2B level). The role of these settlements is as 'towns with local service and some specialised employment and tourism functions, which play an important role in supporting the social, economic and cultural life within their rural communities'.
- 5.1.4 Section 2.7 of the Development Plan relates to 'Housing Yield from Proposed Zoned Lands'. Table 2.2 relates to 'Yield of available lands zoned for Residential or Mixed-

Use purposes'. This table identifies 15 units/ha on lands zoned New Residential in Tier 2B settlements and results in a total yield on these lands in Dromahair of 41.

5.1.5 Section 2.11 contains the Core Strategy Policies and Objectives. The following is of relevance:

CS OBJ 1 To ensure that the future spatial development of Co. Leitrim is in accordance with the National Planning Framework 2040 including the population targets set out under the Implementation Roadmap, and the Regional Spatial and Economic Strategy for the Northern and Western Region 2020-2032.

CS OBJ 12 To ensure that the Support Towns of Dromahair, Drumshanbo, Kinlough and Mohill develop in a sustainable and consolidated manner with increased local employment opportunities available to sustain their communities, providing an appropriate range of local services and amenities and ensuring a high quality of life for residents in each centre.

5.1.6 Chapter 3 relates to 'Housing Strategy' and the following policies and objectives are considered to be relevant:

HOUS POL 10 To promote a mixture of house types, tenures and sizes in residential developments and within communities to reasonably match the requirements of different categories of households in keeping with the Development Management standards.

HOUS POL 11 To promote residential densities appropriate to the development's location and surrounding context, having due regard to Government policy relating to sustainable development, which aims to reduce the demand for travel within existing settlements, and the need to respect and reflect the established character of rural areas.

HOUS POL 12 To encourage and ensure high standards of energy efficiency in existing and new residential developments in line with good architectural practice and promote energy efficiency and conservation in the design and development of new residential units, encouraging improved environmental performance of building stock

(measures to reduce carbon emissions, improve resource use efficiency and minimise pollution and waste).

- HOUS POL 13 To require residential development proposals to be of high quality and make a positive contribute to the built environment and local streetscape facilitating and encouraging innovation.
- HOUS POL 14 To ensure that proposals for apartment developments submitted as applications for planning permission or as Council own proposals (Part 8 developments) adhere to the requirements contained within 'Sustainable Urban Housing: Design Standards for New Apartments' (DoHLGH, 2020) or as updated during the life of this Plan. All applications for apartments are required to demonstrate at a minimum compliance with these Guidelines and the Specific Planning Policy Requirements contained therein. (Further details are provided in Chapter 13 Development Management Standards – Section 13.10.6 Apartment Developments).
- HOUS POL 15 To apply the minimum densities in the future development of greenfield or edge of town locations for housing purposes set out in the Guidelines issued by the Minister under Section 28 of the Planning & Development Act 2000, as amended, titled "Sustainable Residential Development in Urban Areas (2007)" or any amending or replacement Guidelines. In so doing the Planning Authority shall consider the appropriateness of introducing a greater mix of building heights and typologies in planning for the future development of suburban locations.
- HOUS OBJ 1 To secure the implementation of the Leitrim Housing Strategy 2023-2029 which make provision for the scale of population growth and housing allocations outlined in the Core Strategy.
- HOUS OBJ 9 To deliver high quality housing of an appropriate scale, mix, tenure, location and density, aligned with adequate physical and social infrastructure and the household allocations contained in the Core Strategy.

5.1.7 Chapter 6 relates to 'Urban Settlements' with section 6.10 having regard to Land Use Zoning Objectives. The appeal site comprises two zoning designations. The majority of the site is zoned 'New Residential' which has an objective to 'provide primarily for new residential development and community services at appropriate densities for the positioning of the centre in the Settlement Hierarchy and with an emphasis on quality of design'. A portion of the appeal site is zoned 'Existing Residential' which has an objective to 'protect and enhance the established amenity of existing residential communities'.

5.1.8 Table 6.2: Land Use Zoning Objectives Guidance of the Development Plan sets out the following for development on lands zoned for 'New Residential' use and 'Existing Residential' use respectively:

New Residential

High-quality residential schemes are encouraged with convenient and safe access to local services and the creation of a safe and pleasant local environment. New housing and infill developments should be of sensitive design, which are complementary to their surroundings. Adequate undeveloped lands have been zoned in the Plan for residential use to meet the requirements for both public and private house building over the Plan period. The Council will strive towards the ideal of mixed residential neighbourhoods, where people of different social and economic backgrounds and of different ages can live in proximity and harmony to one another.

This zoning is intended primarily for housing development but may include a range of other uses particularly those that have the potential to foster the development of new residential communities. The Planning Authority will therefore consider favourably other appropriate uses which support the overall residential function of the area. The range of uses identified above in 'Existing Residential' zones are also appropriate in 'New Residential' zones.

Existing Residential

This zoning allows for the conservation and enhancement of the quality and character of existing residential areas, to protect residential amenities and to allow for infill development which is appropriate to the character and pattern of development in the area.

This zone is intended primarily to protect established housing development but may include a range of other uses particularly those that have the potential to support the residential function of residential communities such as schools, crèches, small shops, doctor's surgeries, amenities, etc.

5.1.9. The Land Use Zoning Matrix is set out in Table 5 of section 6.11 of the Development Plan. 'Dwelling' is listed as a Land Use which is "acceptable in principle" on lands zoned both 'Existing Residential' and 'New Residential'.

5.1.10. Chapter 11 relates to 'Heritage & Biodiversity' and I consider the following sections to be applicable:

- Section 11.3 – 'Natural Heritage and Biodiversity'
- Section 11.3.2: Natura Sites
- Section 11.10 – 'Trees, Woodlands & Hedgerows'

5.1.11. Chapter 13 relates to 'Development Management Standards' and sets out various criteria to ensure development occurs in an orderly and efficient manner. I consider the following to be applicable:

- Section 13.9 – 'General Development Standards'
- Section 13.9.1: Building Heights
- Section 13.9.2: Site Coverage
- Section 13.9.3: Plot Ratio
- Section 13.9.4: Overlooking
- Section 13.9.5: Overshadowing
- Section 13.9.6: Soft Landscaping
- Section 13.9.7: Hard Landscaping
- Section 13.9.8: Design Statements
- Section 13.10 – 'Residential Development – Towns and Villages'
- Section 13.10.1: Density
- Section 13.10.2: Layout
- Section 13.10.3: Residential Amenity
- Section 13.10.4: Boundary Treatments
- Section 13.10.5: Private Open Space Requirements for Dwelling Houses
- Section 13.10.6: Apartment Developments

- Section 13.15 – ‘Natural and Built Heritage’
- Section 13.17 – ‘Infrastructure, Flooding and Environmental Management’
- Section 13.17.1: Piped Water Supply and Wastewater Collection
- Section 13.17.4: Sustainable Urban Drainage Systems (SuDS)

5.1.12. Volume II of the Development Plan contains the Settlement Plans for settlements within County Leitrim. Section 2 relates to Tier 2B Settlements and Dromahair is designated as a ‘Support Town’. The following objectives are noted:

Objective DMR 1 Promote and facilitate residential growth, the expansion of local employment options and of the range of services and facilities in tandem with the development of sustainable transport options to enable Dromahair to become more self-sustaining and fulfil its role as a Tier 2B Support Town in Co. Leitrim.

Objective DMR 2 Make provision for sustainable communities in Dromahair by identifying sufficient and serviced land for new development, in particular housing, commercial, enterprise and employment, community and recreational uses.

5.1.13. Section 4.6 of Dromahair’s Settlement Plan relates to ‘Residential Development’ and informs that “*given its designation as a Tier 2B Support Town under the Leitrim County Settlement Hierarchy, Dromahair is seen as a key centre for accommodating future residential development over the plan period*”. The Settlement Plan states that Dromahair is proposed to accommodate an additional 48 no. residential units over period 2022-2028. As such, the Core Strategy has identified a quantum of 3.01ha of ‘New Residential’ zoned lands to accommodate this projected housing target. The Settlement Plan specifically refers to the appeal site in its reference to new residential lands to the southeast of the existing Hillcrest residential scheme. The following objectives are relevant to residential development in Dromahair:

Objective DMR 17 Require that an appropriate mix of housing type, tenure, density and size is provided in all new residential areas and in appropriate brownfield/ infill areas to meet the needs of the population of Dromahair and in line with the objectives and targets of the Core Strategy.

Objective DMR 18 Encourage the appropriate redevelopment of brownfield and infill sites for residential uses within the footprint of the existing built-up area.

5.2 National and Regional Plans

5.2.1. The following regional and national planning documents are relevant:

- *Project Ireland 2040 - National Planning Framework (NPF), 2018-2040*
- *Northern & Western Regional Assembly: Regional Spatial & Economic Strategy (RSES) 2020 to 2032.*

5.3 National Guidance

5.3.1. The following national planning guidance are relevant:

- *National Planning Framework - First Revision (2025)*
- *Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024).*
- *Housing for All – A New Housing Plan for Ireland to 2030 (2021).*
- *Design Manual for Urban Roads and Streets (DMURS) (2019).*
- *Development Management: Guidelines for Planning Authorities (2007).*
- *Quality Housing for Sustainable Communities: Design Guidelines (2007).*

5.4. Natural Heritage Designations

5.4.1. The appeal site is not located within any designated Natura 2000 sites. The nearest designated site is the Lough Gill Special Area of Conservation (Site Code: 001976) which is located approximately 0.1km to the southwest of the appeal site. This site is also indicated as a pNHA. The following other Natura 2000 sites are within 15km of the appeal site: the Bolebrack Mountain Special Area of Conservation (Site Code: 002032) which is approximately 9km to the east; the Unshin River Special Area of Conservation (Site Code: 001898) which is approximately 10.8km to the southwest; the Union Wood Special Area of Conservation (Site Code: 000638) which is approximately 12.2km to the west; the Sligo/Leitrim Uplands Special Protection Area (Site Code: 004187) which is approximately 11.5km to the north; the Cummeen Strand/Drumcliff Bay (Sligo Bay) Special Area of Conservation (Site Code: 000627) which is approximately 12.5km to the northwest; the Ballysodare Bay Special Area of Conservation (Site Code: 000622) which is approximately 13.3km to the west; the

Ballysodare Bay Special Protection Area (Site Code: 004129) which is approximately 13.3km to the west; the Cummeen Strand Special Area of Conservation (Site Code: 004035) which is approximately 12.8km to the northwest; the Ben Bulbin, Gleniff and Glenade Complex Special Area of Conservation (Site Code: 000623) which is approximately 12.3km to the north; and, the Glenade Lough Special Area of Conservation (Site Code: 001919) which is approximately 14.4km to the north. In addition, the Crockauns/Keelogyboy Bogs NHA (Site Code: 002435) is located approximately 7.23km to the north.

6.0 EIA Screening

- 6.1. The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

7.0 The Appeal

7.1. Grounds of Appeal

A Third Party appeal has been received in relation to the Planning Authority's decision to grant permission. The grounds of appeal are submitted on behalf of persons residing in the adjacent Hillcrest housing estate. The grounds of appeal, as set out by the appellants, are summarised as follows:

Proposed Access inconsistent with DMURS

- Vehicular access to Stonebridge estate is from a single entrance (R288) and follows a dendritic pattern without through traffic to surrounding road network (e.g. Drumlease Road).
- The original plan sought to extend the internal road network. The Further Information response proposed an access road cutting through public open space and reconnect to the road in the estate - this change was not requested by the Planning Authority.

- The road network changes do not facilitate through traffic in the Stonebridge estate and result in all traffic accessing the proposal to use the existing Stonebridge estate entrance.
- Design Principle 1 of DMURS aims to support the creation of integrated street networks which promote higher levels of permeability and be designed to maximise connectivity between destinations. DMURS is also critical of the Traffic in Towns publication (1963) which approach is clear in the design of the Stonebridge estate.
- The proposed development will remove open space, compound the dendritic pattern of access and fails to increase connectivity.
- The proposal offers an opportunity to connect the estate through to Drumlease Road.
- In order to comply with the principles of DMURS, the design should have included full permeability between Drumlease Road and the R-288. Such design could have been moderated and refined to address concerns on local conditions (application of a Filtered Permeability Network where only private cars would be able to access the proposal from Drumlease Road).
- Existing pedestrian access from Stonebridge estate to Drumlease Road is narrow, located between woodland and boundary walls, has no passive surveillance and it is not lit so there are security concerns. No improvements to the existing pedestrian access is proposed nor is there any new access for pedestrians/cyclists to Drumlease Road.
- Rather than complying with the principles and standards of DMURS, the subject development exacerbates problems in the Stonebridge estate.
- It is acknowledged that permission was previously granted on the site for a similar development accessing the site solely from the R-288, this permission predates DMURS to which Planning Authorities are required to have regard to. There is no derogation of the policies/standards provided in DMURS where there is a lapsed planning permission.
- The development increases vehicular traffic through singular entrance and promotes unsustainable models of transport by removing open space in favour of roads.

Proposed Access inconsistent with Zoning Objective for Site

- A portion of the development is zoned 'Existing Residential' with an objective to 'protect and enhance the established residential amenity of existing residential communities'. This area comprises part of the communal open space serving the Stonebridge estate and enjoyed by the residents.
- A sizeable portion of this open space contains planting surrounding gas tanks which serve the estate but have not been included with the application drawings.
- The provision of a second vehicular access point across this 'Existing Residential' zone (which was not requested by the Planning Authority) will carve through a significant area of this open space.
- The Planning Authority's assessment of the road proposed at Further Information stage is a contradiction of the Planning Authority's previous consideration set out in the Request for Further Information.
- It is queried how the removal of the existing, good quality open space to construct a second vehicular access in exchange for low quality open space with lack of useability could be consistent with the Existing Residential zoning. It is considered that development would be contrary to the Development Plan.

Inadequate Information on Flood Risk and Surface Water Drainage

- The proposal relates to residential development which is classified as a Highly Vulnerable Development. The site is in close proximity to Flood Zones A and B of the River Bonet on maps.
- Indicative Flood Zones mapping in the Strategic Flood Risk Assessment (SFRA) identify a 1% Annual Exceedance Probability for pluvial flooding at and around No. 11 Hillcrest suggesting concerns of surface water management.
- It is noted that local residents have observed flooding of neighbouring fields after heavy rain.
- The site adjoin/overlap 'Benefited Lands' of the Bonet Arterial Drainage Scheme and FRM POL 15 of the Development Plan seeks to ensure that new development proposed in Arterial Drainage Scheme and Drainage Districts do not result in a significant negative impact on the integrity, function and management of these areas.

- The Planning Authority had considerable concerns about flood risk and surface water management in requesting Further Information. However, the applicant did not provide an adequate response, and this was acknowledged in the second Planner's Report.
- The Planning Authority proposed to address the inadequacy of information regarding surface water and flood risk via condition, but it is unclear how this would satisfy the policies for flood risk and surface water management set out in the Development Plan or the requirements of legislation for Appropriate Assessment. Therefore, in the absence of such information, permission should be refused.

Insufficient NIS resulting in inadequate Appropriate Assessment

- The development description contained in the NIS is not consistent with the development as proposed and no reference has been made to the changes submitted at Further Information stage.
- There is uncertainty as to what is proposed as part of the application particularly in relation to demolition works and it is unclear if the existing foundations on site are to be retained.
- There is no reference to the foundations in the NIS and its findings rely on a lesser extent of groundworks than what is actually proposed.
- The Planning Authority considered the extent of information submitted in relation to surface water management to be wholly deficient and minimal in nature.
- It is unclear how the NIS could conclude that there would be no significant effects on the integrity of the Lough Gill SAC in the absence of comprehensive and reliable information on the surface water management proposals.
- The NIS lists a number of desktop sources and data but there is no reference to any site visit/fieldwork having been carried out.
- No ecological surveys were carried out to support the NI which raises queries about the adequacy of the assessment in terms of European Commission guidance.
- It is unclear as to whether or not the author of the NIS believes that there may be protected species present on site given the reference to lighting impacts 'on known bat roosts or areas of mature vegetation' as there is no other reference to bat populations in the report.

- The NIS is based on incomplete or out-of-date information and does not appear to be in compliance with the requirement of the Habitats Directive as transposed into Irish Law.

Failure to comply with Development Plan requirements for existing trees and hedgerow / Inadequate assessment of the ecological impact of the proposed development.

- The site contains both mature trees and hedgerows as evidenced from the landscape drawings submitted. However, despite the mandatory requirements of Development Plan, the planning application does not include existing drawings showing tree/hedgerow removal.
- In the absence of tree/hedgerow removal, it is not possible to determine the likely impact of the proposal on the green infrastructure/ecological network or is it possible to determine the quantum of planting that would be required.
- In the context of tree/hedgerow removal, it is significant that the applicant did not carry out any ecological assessment or flora and fauna surveys.
- A large number of bird species have been observed on the site and a number of mammals have been observed in the estate.
- The National Biodiversity Data Centre indicates the presence of bats in the area but the applicant has not submitted any information regarding the presence or absence of bat roosts on the site or whether the proposal has the potential to result in negative impacts on bats.
- The existing green open space and surrounding trees and hedgerow in the estate operate as a single integral habitat. The proposed development has the potential to sever and undermine the integrity to this habitat resulting in negative impacts on the flora, fauna and biodiversity. These impacts were not assessed as part of the application.

Failure to comply with mandatory Development Plan requirements for residential development

- Table 2.6 of the Development Plan prescribes an indicative density of 15uph on sites zoned 'New Residential' in Dromahair, with a total yield of 41 no. units for New Residential lands (Yield A) in the town.

- The revised design proposes a density of 19upa which exceeds the indicative density by more than 25% and the 36 no. units proposed represents 88% of the predicted total yield for lands zoned as 'New Residential' in Dromahair for the life to the Development Plan.
- The Planner's Report does not provide reasons for the decision with reference to each of the factors listed under Density Pol 3 of the Development Plan or how the proposal responds to these issues in considering the proposed density.
- Permitting density in excess of what is envisaged in the Development Plan has the potential to undermine the overall settlement hierarchy in County Leitrim and result in unbalanced development in Dromahair.
- The application and response to the Request or Further Information include a document entitled 'Design Statement'. The document does not include reference to items listed in Section 13.9.8 of the Development Plan. The planning application fails to meet mandatory requirements of the Development Plan for proposals in excess of 10 no. units and should be refused.

7.2. Applicant Response

- None.

7.3. Planning Authority Response

7.3.1. The Planning Authority have provided a response to the grounds of appeal. The key points raised are summarised as follows:

Grounds of Appeal Item 1 – Proposed Access inconsistent with DMURS

- The proposed access layout retains the existing pedestrian access from Drumlease Road to Hillcrest and seeks to extend/enhance pedestrian access via a 2 metre wide footpath.
- The retention of this pedestrian footpath provides permeability from the site and Stonebridge estate to the settlement.
- The creation of a new vehicular entrance onto the Drumlease Road from the development would lead Stonebridge being used as an ad-hoc bypass for traffic accessing alternative routes.
- Any access point onto Drumlease Road would likely be at a point where an already busy junction exists and would undermine national through to local policy seeking

to facilitate residential development proposals through active travel means especially in settlement boundaries.

Grounds of Appeal Item 2 – Proposed Access inconsistent with Zoning Objective for Site

- The proposed access road to serve the development increases overall permeability of the development and alleviates perceived traffic/traffic safety concerns as initially raised.
- The access traverses lands zoned both "Existing Residential" and "New Residential" areas and it is considered while the development would result in some land take of the public open space serving Stonebridge, it would not lead to an unacceptable erosion of amenity space.
- The proposed development would result in a net increase of public open space serving the overall area which would be more functional and useable.

Grounds of Appeal Item 3 – Inadequate Information on Flood Risk and Surface Water Drainage

- The lands were subject to Strategic Flood Risk Assessment (SFRA) and were assessed as not being liable to flooding. The subject lands are appropriately zoned.
- Pluvial, rather than fluvial flooding was detected in an area near No. 11 Hillcrest on OPW mapping from 2012 however, subsequent flood risk datasets did not detect any flood extents within this area.
- The F.I. response addressed concerns of the Planning Authority regarding legal entitlements to discharge surface water to the receiving open drain.
- Submitted information demonstrated capacity of the open drain to cater for surface water discharge.
- The use of conditions is not uncommon where there is sufficient information provided to determine whether development will likely give rise to any unacceptable effects.
- The proposed development includes comprehensive surface water system including flow control devices, attenuation and fuel/oil separators along with SuDs measures which is deemed satisfactory to the Planning Authority

Grounds of Appeal Item 4 – Insufficient NIS resulting in inadequate Appropriate Assessment

- The submitted information was sufficient to enable an Appropriate Assessment of the proposal. The Planning Authority is satisfied the proposal will not give rise to any such significant effects, subject to compliance with the mitigation measures contained in the submitted NIS.

Grounds of Appeal Item 5 – Failure to comply with Development plan requirements for existing trees and hedgerows/ inadequate assessment of the ecological impact of the proposed development

- Section 13.9.6 of the development management standards in the Development do not define what ‘mature’ comprises of in respect of tree plantings. No ‘mature’ trees were evident on Google Streetview (dated 2010).
- The Planning Authority consider sufficient landscaping details were provided with the application and indicate the extent of tree/hedge removal along with new planting.
- Condition 23 of the decision to grant planning permission relates to landscaping for the development.
- The Planning Authority considers the proposed development will not give rise to a significant or unacceptable erosion of green infrastructure within the general area and that any loss of vegetation is capable of being compensated for through increased planting as a result of the proposed landscaping.

Grounds of Appeal Item 6 – Failure to comply with mandatory Development Plan requirements for residential development

- Density was directly addressed in the Planning Authority’s assessment which had regard to the provisions of the Development Plan, ‘Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities’ and existing density of the Stonebridge estate which is 20 no. units per hectare.
- In relation to the adequacy of the Design Statement, reference is made to Section 13.9.8 of the Development Plan which states that the “level of detail to be included in Design Statements will be proportionate to the scale and complexity of the development and relevant to the site context”.

- The Planning Authority considers the Design Statement and associated particulars provide for a sufficient level of detail to enable an assessment of the planning application.
- It is not considered that the failure to include a specific item in the Design Statement would materially impact the assessment of an application if sufficient detail has been contained elsewhere in the application as is the case in this application.

7.4. **Observations**

- None.

8.0 **Assessment**

Having examined the application details and other associated documentation on file, the third party appeal, having conducted an inspection of the site, and having reviewed relevant local policies and guidance; I consider the main issues in this third party appeal can be addressed under the following headings:

- Principle of Development
- Access Arrangement
- Site Services and Flooding
- Adequacy of Natura Impact Statement
- Consistency with Development Plan standards
- Biodiversity Impacts/Removal of Vegetation/Consideration of Trees
- Appropriate Assessment.

8.1. **Principle of Development**

8.1.1. In assessing any development, I consider that a key consideration for the assessment of the proposal is the principle of development. The proposed development seeks to construct 36 no. residential units. The appeal site comprises two zoning designations with the majority of the land being zoned 'New Residential' where the objective is *'to provide primarily for new residential development and community services at appropriate densities for the positioning of the centre in the Settlement Hierarchy and with an emphasis on quality of design'*. The remaining parcel of lands are zoned

‘Existing Residential’ where the objective is to ‘protect and enhance the established amenity of existing residential communities’. These land use zones are the primary residential categories of the Development Plan and ‘dwelling’ is listed as a use that is ‘acceptable in principle’ in these zones. The assessment of the Planning Authority considered that the proposed development as being acceptable. The subject site is adjacent to the Stonebridge estate which comprises two established housing schemes, Castlefield and Hillcrest. I also note that the subject lands were previously considered for residential development in the past and that the site was partially developed before works ceased and subsequently were abandoned. Therefore, having regard to the above, I consider the proposal for residential development to be acceptable in principle and consistent with the land use zoning objective.

8.1.2. In respect of the development before the Commission, I note that the proposal consists of 36 no. units in the form of 12 no. 1-bed apartments contained in 3 no. two-storey blocks; 16 no. 2-bed semi-detached two-storey houses; and, 8 no. 3-bed semi-detached two-storey houses. The layout of the development will partly front onto the existing spine road opposite Nos. 21-24 Hillcrest with two pairs of semi-detached houses whilst the remaining houses and apartment buildings will be served by the new internal road network. There is a considerable area of green space in the central and western extent of the appeal site which adjoins the existing green space for the Stonebridge estate. The proposed development also provides for a playground area in the heart of the scheme.

8.1.3. I have assessed the documentation received and note that all of the units at least meet and/or exceed the minimum requirements set out in the Development Plan and relevant Section 28 Guidelines for houses and apartments respectively. Private open space has been provided to the rear of each house with the apartment units having access to a patio/terrace for ground floor units and balconies for the first floor units. The proposed dwellings will have 2 no. on-curtilage car parking spaces provided in the front driveways with the exception of 4 no. spaces located at the end of a cul-de-sac to serve a pair of semi-detached houses. There will be a total of 1.5 no. parking spaces for the apartments which will be located adjoining each of the buildings along with dedicated bicycle storage. As such, I consider that all of the housing typologies are contemporary in design with similar elevational finishes of render and stone cladding and would not detract from character of existing dwellings in the Stonebridge estate.

As such, it is my view that the proposed residential units would achieve a good standard of living accommodation to future occupants.

8.1.4. I recognise that the configuration of some of the residential units and associated residual open space areas are constrained in terms of positioning on the site. However, I am of the view that the layout of the units has been informed by the topography of the site which is sloping in areas but that the scheme has also sought to respond to the previously approved developments on the site. I note that the Planning Authority is generally satisfied in terms of the layout, mix and quality of the proposed residential units and have imposed condition(s) seeking minor design changes to the scheme on outstanding matters regarding residential amenity. Should the Commission be minded to grant permission, I would recommend that similar conditions could be appropriately attached. Moreover, I note that the appellants have not raised any specific concerns in relation to the unit mix/design or concerns in respect of residential amenities. Therefore, my assessment will focus on the specific issues raised in the grounds of appeal.

8.2. Access Arrangement

8.2.1. Two of the appellants' grounds of appeal relate to the access arrangement for the proposed development. Firstly, it is contended that the proposed access would not comply with the Design manual for Urban Roads and Streets (DMURS) which aims to support the creation of integrated street networks for higher levels of permeability and maximise connectivity between destinations. It is claimed by the appellants that the proposal would remove open space, compound the existing dendritic pattern of access, fail to increase connectivity for vehicles, cyclists and pedestrians and does not facilitate through traffic. On the matter of through traffic, the appellants consider the proposal offered an opportunity to connect the Stonebridge estate from the R-288 through to the Drumlease Road to the north of the site. It is the opinion of the appellants that rather than complying with the principles and standards of DMURS, the development will exacerbate problems in the Stonebridge estate. Secondly, the appellants consider the proposed access to be inconsistent with the 'Existing Residential' land use zone as this section part of the site comprises some communal open space serving the Stonebridge estate and it would be lost in place of a road. The appellants note that the provision of this access was not sought by the Planning Authority in their Request for Further Information and that their assessment was

contradictory to initial concerns regarding the quality and usability of the existing open space.

- 8.2.2. As noted, the existing Stonebridge estate is currently served by a singular entrance from the (R288) with a spine road providing access to both 'Castlevue' and 'Hillcrest' by way of a series of cul-de-sacs. The proposed development initially sought to extend the spine road along Hillcrest and provide a singular 'Y' shaped access arrangement to the new residential units. However, a revised Site Layout Plan was submitted in response to a Request for Further Information and the applicant amended the road layout by way of providing a new entrance off the existing spine road which loops through the new residential units and connects to the end of the existing spine road at Hillcrest. The revised access also provides a new parallel footpath adjacent to the access road whilst the existing footpath at the northern part of the appeal site connecting to the Drumlease Road would also be retained as part of the development.
- 8.2.3. In assessing the compliance of the access arrangement with DMURS, I consider that the creation of the entrance from the main internal spine road will remove the need for all vehicular traffic to pass through the full length of the spine road in the Stonebridge estate. In my view, the proposed road layout has been appropriately considered by the applicant and adheres to the guidance set out in the DMURS in terms of the configuration of the internal road network and walking/cycling routes. I also consider that the development will enhance the permeability, legibility and connectivity of the scheme with the established built environment of the Stonebridge estate. I am of the view that the proposal will also assist in a coherent development of underutilised zoned residential lands and form an appropriate extension to the Stonebridge estate.
- 8.2.4. Further to the above, I do not consider that 36 no. extra residential units utilising the singular access onto the R-288 would result in significant additional vehicle movements or exceptional traffic volumes when considered in the context of the established Stonebridge estate or the immediate surrounds of the settlement of Dromahair. I acknowledge that the construction stages could present a nuisance and inconvenience for existing residents in the Stonebridge estate. However, I am of the view that same would be limited to this phase of development and that such disruption to be reasonably expected in relation to properties proximate to a site. Having reviewed the submitted particulars which include a Construction Traffic Management Plan and Construction & Environmental Management Plan, I note that the applicant

has had regard to traffic management in relation to construction traffic and disturbance to neighbouring residences. I am of the view that such constructed-related traffic impacts have been considered by the applicant and can be appropriately addressed by way of condition in the event of a grant of permission.

8.2.5. I also note that DMURS sets out user priorities in order to encourage more sustainable travel patterns and safer streets. Walking is listed the most sustainable form of transport and so pedestrians are the first priority. Cycling is the second priority and is seen as having the potential to replace vehicles as an alternative means of transport for short-medium range trips. Public transport IS the third priority and it is indicated that the movement of buses should be prioritised over other motorised vehicles. The private motor vehicle is placed at the bottom of the user hierarchy. DMURS states that it is not an anti-car stance however the needs of the car should no longer take priority over the needs of other users or the value of place. Whilst I would acknowledge that the consideration user priorities is a matter which requires some perspective in terms of locational/settlement constraints, for example, the size of a settlement, available pedestrian/cycle infrastructure and public transport services/availability; I do consider that it is important to not place the car as a top priority in the design of new residential schemes. To this end, it is my opinion that the appellants' suggestion that the proposed development should be served by through road would be directly at odds with DMURS in terms of eliminating risks to vulnerable persons and road users, reducing vehicular traffic conflict, promoting free-flowing conditions at safe speeds and encouraging intimate and engaging surroundings. I consider that a proposed through road to connect the R-288 to the Drumlease Road would be a counter-productive measure. I concur with the consideration of the Planning Authority that the creation of a through road in this area would result in the Stonebridge estate being utilised as an ad-hoc bypass for vehicles travelling between the Drumlease Road and R-288.

8.2.6. Furthermore, in relation to the appellants' recommendation that such a through road could be used as a Filtered Permeability Network (i.e. only private cars accessing from the Drumlease Road), I note that the purpose of such networks as set out in DMURS is to prioritise more sustainable modes of travel. The Stonebridge estate currently has footpath connections to the R-288 and to Drumlease Road which cater for pedestrians and cyclists whilst public transport for the settlement of Dromahair is limited to Bus Services (Bus Eireann Routes 563 and 462 and a Local Link service). In my view, the

need for a Filtered Permeability Network on the subject lands is not merited having regard to the scale of the proposed development relative to the settlement of Dromahair, the existing pedestrian/cycling connections within the Stonebridge estate and the limited available public transport. In addition, I am also of the view that Filtered Permeability Networks are utilised as tools in neighbourhood settings where there are concerns regarding through traffic. On this basis, I consider that the appellants' proposal for a through road in the Stonebridge estate whilst simultaneously recommending a Filtered Permeability Network to address potential issues which may arise from such a proposal demonstrates the deficiencies of the third party's proposition.

8.2.7. Therefore, having reviewed the proposed development, I have no concerns with regard to the road layout, internal circulation or pedestrian/cycling provisions. I am of the view that there will be sufficient and safe turnabout and manoeuvrability within the site that complies with DMURS standards. I consider that the proposed development would be capable of connecting to the existing internal road network and pedestrian links would not result in any adverse capacity issues in this area of Dromahair nor would it result in any traffic hazard to road users or pedestrians.

8.2.8. In relation to the appellants' second grounds of appeal that the access arrangement is inconsistent with the 'Existing Residential' land use zoning, I refer to my consideration in section 8.1 above where I have already deemed that residential development on the subject is acceptable in principle. The extent of 'Existing Residential' zoned land is confined to the western part of the appeal site. This area comprises grassed open space with associated tree planting and is adjacent to the internal spine road of the Stonebridge estate. While I acknowledge that this area of green space on the 'Existing Residential' land contributes to the overall amenity of the Stonebridge estate, I consider that the amount of open space to be lost to provide the new access road and footpath to be quite limited and in a peripheral location when read in the context of the remaining open space in the Stonebridge estate. Moreover, the provision of this road connection, in addition to pedestrian/cycle path, would allow for a much larger area of public open space to be utilised by the Stonebridge estate and the new development thus resulting in a significant increase in open space provision on what is currently underutilised land. Therefore, I do not consider that the loss of an area of open space to facilitate access to the proposed development would

be inconsistent with the 'Existing Residential' land use zoning objective and in this regard, I recommend that this substantive grounds of appeal be dismissed.

8.3. Site Services and Flooding

8.3.1. The grounds of appeal claim that inadequate information has been provided in relation to Flood Risk and Surface Water Drainage. It is noted in the appeal that the site is in close proximity to Flood Zones A and B of the River Bonet and that indicative Flood Zone maps identify a 1% Annual Exceedance Probability for pluvial flooding at No. 11 Hillcrest. In addition, the appeal claims that flooding of neighbouring fields has been observed after heavy rainfall and that the appeal site adjoins/overlaps 'Benefited Lands' of the Bonet Arterial Drainage Scheme. The appeal makes reference to FRM POL 15 in the Development Plan which seeks to ensure that new development proposed in Arterial Drainage Scheme and Drainage Districts do not result in a significant negative impact on the integrity, function and management of these areas. The appellants have also highlighted the concerns of the Planning Authority raised at Further Information stage in respect of flood risk and surface water management and noted that the second Planner's Report considered the applicant's response to have provided a minimal level of information on these matters. According to the appeal, it is unclear how the details provided satisfy the policies for flood risk and surface water management as set out in the Development Plan or the requirements of legislation for Appropriate Assessment.

8.3.2. The Planning Authority's appeal response states that the lands were subject to Strategic Flood Risk Assessment (SFRA) as part of the Development Plan process and are not liable to flooding. It is also indicated that pluvial flooding was detected on OPW mapping dating from 2012 at No. 11 Hillcrest but not within the appeal site itself. The Further Information response addressed the Planning Authority's concerns were regarding the applicant's legal entitlements to discharge surface water to the open drain and demonstrated capacity of this drain to cater for surface water discharge. The Planning Authority's appeal response claims that the use of conditions is not uncommon where sufficient information has been provided to determine whether development will likely give rise to any unacceptable effects and that the proposal was therefore deemed to be satisfactory.

- 8.3.3. In considering the matter of Flood Risk, I have reviewed the Strategic Flood Risk Assessment (SFRA) of the Development Plan as it relates to the settlement of Dromahair and I have confirmed the appeal site is not located within a designated flood zone. I have also noted that pluvial flooding (0.1% AEP) is indicated at No. 11 Hillcrest - which is on lands to the northwest of the appeal site; and, that part of the southern extremity of the appeal site is within a hatched area of relating 'Benefitted Lands' in relation to an Arterial Drainage Scheme. Based on the available information, I do not consider that the appeal site is at risk of flooding and that these lands have been appropriately considered throughout the Development Plan process which has informed their suitability for residential land-use zoning. In addition, I consider that the appellants have not provided any details demonstrating that the proposal would be contrary to FRM POL15 of the Development Plan with regard to negative impacts on the integrity, function and management of Arterial Drainage Schemes areas. In my opinion, only a minor portion of the southern site boundary is illustrated as being on the edge of such an area and on this basis, I do not consider that the proposed development would result in impacts to these Benefitted Lands in the context of the overall drainage scheme.
- 8.3.4. In respect of surface/storm water drainage, the applicant has indicated that the surface water disposal will be by way of a series of SUDs measures and on-site attenuation before outflowing to an open drain and discharging into the River Bonet away from the site. I have reviewed the submitted particulars in relation to surface water drainage which comprises drainage drawings/sections, surface water calculations, a storm water report and datasheets/technical specifications. Whilst I note that such information is basic in terms of the site-specific context, I do not consider that it is insufficient to enable an assessment of the surface water management proposal. I have reviewed the submitted information and note the site will be serviced by a 330 storm drain pipes which will be subsurface and have an invert levels of 29.3 metres to 26.3 metres (west to east); and, 32.0 metres to 27.1 metres (north to south) which would be capable of receiving the surface water and connecting to an attenuation system before discharging from the site by way of gravity flow into the open ditch to the south. I note that the coverage of the pipework has been detailed at an approximate depth of 1200 millimetres, and I consider that there are alternative

engineering measures that can be employed where minimum depth coverage cannot be achieved.

8.3.5. From my review of the submitted particulars, I consider that the applicant has sought to employ best practice stormwater drainage design provisions and along with the proposal for the on-site stormwater attenuation tank in addition to the incorporation of viable SUDs measures such as tree tanks. In addition, the proposal indicates the inclusion of a flow control device and interceptors to restrict outflow from the site. The applicant has provided a section drawing of the open drain which is to receive the surface water and discharge same to the River Bonet. In this regard, I acknowledge the comments of the Planning Authority's assessment which states that no demonstrable quantitative evidence has been provided to confirm or corroborate that the open drain can cater for the volume of surface water to be discharged. However, from the information submitted and noting that this drain serves the surrounding lands, I consider that it could accommodate the surface water discharge from the site given the extent of drainage measures to be employed.

8.3.6. On balance, I consider that the surface water arising from the proposed development can be serviced by way of gravity flow across the site and into an attenuation system prior to controlled outflow to the open drainage ditch. Whilst the level of detail provided for the surface water management design is not exhaustive, I consider that the proposed drainage approach to be acceptable for the subject development and I am of the view that such details can be both expanded upon and agreed with the requirements of the Planning Authority, who are responsible for surface water treatment/drainage, as part of a pre-commencement condition, similar to that of Condition No. 15 of the Planning Authority's decision to grant permission. Therefore, I consider that there is no basis, from the submitted drawings and associated details, to conclude that the surface water arising from the subject development could not be satisfactorily managed. I recommend that the appellants' substantive grounds of appeal in relation to surface water treatment be dismissed.

8.3.7 I note that matters in relation to water supply and wastewater have not been specifically raised as an issue in the grounds of appeal. However, in terms of completeness of assessment, I am of the view that the Commission be satisfied the subject site is suitable in terms of service connections. In respect of water supply, the applicant has indicated a connection to the public water mains. I note that no response

was received on file from Uisce Eireann in terms of water capacity or constraints. In the absence of same, I therefore consider that standard capacity and connection arrangements in line with Uisce Eireann best practice could be agreed in the event of a grant of permission.

8.3.8. In respect of foul/wastewater, the applicant has indicated a connection to the with existing sewer network which will join the existing Stonebridge estate pumping station. Once again, I note that no response was received on file from Uisce Eireann in terms of constraints with the foul network. I have reviewed the Annual Environmental Report (2024) for the Dromahair Wastewater Treatment Plant which outlines that it is compliant with its Emission Limit Values (ELV) as set out in the Wastewater Discharge Licence. In addition, the annual mean hydraulic loading is less than the peak Treatment Plant Capacity and the annual maximum hydraulic loading is less than the peak Treatment Plant Capacity. The design of the plant allows for peak values and so the peak loads have not impacted on compliance with ELV. I also reviewed Uisce Eireann's Capacity Register - updated in August 2025 and I note that the Dromahair WWTP is designated as status Green i.e. spare capacity available. Having regard to the available open source data, I consider the proposed development could connect to the foul sewer serving in Dromahair.

8.3.9. Noting the above, I bring the attention of the Commission to an observation that I made during my site inspection. As previously indicated, the appeal site has been subject to development works in the past which included the partial stripping of the site, laying of hardcore, foundations for several houses and underground services. During my inspection of the lands, I observed a manhole overflowing with sewage and there is evidently a failure in the services network at this particular location. That said, I am unable to ascertain the source of the fault as this sewer network relates to the partially developed site where works have been ceased for a considerable number of years. Whilst I would have obvious concern with the adequacy of this existing foul line on the appeal site, I note that no concerns in relation to sewage collection or the adequacy of the on-site sewer network was raised in the appeal. Given that the site is to be comprehensively developed and new connections to services will be provided, I am of the view that issues in relation to the foul network at this location would be rectified and resolved resulting in the improvement of service provision.

8.4. Adequacy of Natura Impact Statement

8.4.1. The appellants have raised concerns with the submitted Natura Impact Statement (NIS) and the adequacy of the Appropriate Assessment for the proposed development. The appeal notes that the development description contained in the NIS is inaccurate and does not reflect the development proposed at Further Information stage. It is also noted that the extent of demolition works is unclear particularly with respect to the existing site foundations. The appellants also refer to the Planning Authority noting that the information submitted with respect to surface water management as being deficient and that it is unclear how conclusions in the NIS could be made in the absence of comprehensive and reliable information on the surface water management proposals. In addition, the appellants state that the ecologist made no reference to a site visit/fieldwork being carried out and that no ecological surveys were conducted to support the NIS which leads to queries on the adequacy of the assessment in terms of guidance. It is further deemed by the appellants that the NIS is based on incomplete or out-of-date information and does not appear to be in compliance with the requirement of the Habitats Directive. The Planning Authority's response to the appeal indicates that the information submitted was sufficient to enable Appropriate Assessment of the proposed development.

8.4.2. I note the matters raised in the grounds of appeal with regard to the Appropriate Assessment. In relation to the development description, I acknowledge that the NIS carries the original description submitted at application stage and that the development was amended on foot of Further Information with additional works included. However, I do not consider this to be a significant matter which undermines the adequacy of the Appropriate Assessment. I have formed this view on the basis that the development description is consistent with the scheme as originally applied for at application stage. I further note that the NIS contains an extract of the amended Site Layout which reflects the changes adopted at Further Information stage thus adequately reflecting the development assessed in the NIS. Additionally, while the scheme was modified from its original concept, the most comprehensive changes comprise the increase of residential units from 34 no. to 36 no. and continuation of the internal road which in my view are not a significant adaption in the context of the overall development proposed. In relation to the scope of site works, the submitted drawings and associated planning drawings detail the proposed site works. I note that the submitted

Construction and Environmental Plan refers to the proposed works along with demolition of existing foundations. The NIS has recommended that mitigation measures are incorporated into such a Plan, and I consider that the matters relating to all of the site works can also be reasonably conditioned in a similar manner to Condition Nos. 9 and 15 of the Planning Authority's decision to grant permission.

8.4.3. In relation to the appellants' concerns about surface water management, I have addressed this matter separately in section 8.3 of this report. With respect to the appellants' concerns regarding the assessment of species, notably bats, I note that the NIS makes reference to lighting mitigation measures to reduce the impact on local bat populations. In my view, this is a best practice measure given the location and setting of the site in proximity to the River Bonet and existing trees/vegetation on the lands rather than the ecologist's uncertainty as to whether there are bats on the site.

8.4.4. Having reviewed the NIS, I note that the document has sets out the methodology for Appropriate Assessment, consideration of relevant guidance, data sources employed for the examination of potential impacts and the credentials of the author in carrying out an assessment of the proposal. I therefore consider that the NIS has been prepared by competent experts and provides the adequate detailed scientific information setting out the possibility of significant effects on the Lough Gill SAC, based on the best available scientific information (as referred to in the Statement).

8.4.5. In relation to the above, I note that it is the responsibility of the competent authority to complete an Appropriate Assessment, and I refer the Commission to my determinations in relation to Appropriate Assessment as set out in section 9.0 of this report.

8.5. Consistency with Development Plan Standards

8.5.1. The grounds of appeal state that the proposed development fails to comply with mandatory Development Plan requirements for residential development. Particular emphasis is placed on the residential density of the scheme which exceeds to the indicative density in Dromahair; and, the shortcomings of the planning application to meet all of the mandatory requirements set out in Section 13.9.8 of the Development Plan in respect of Design Statements.

8.5.2. In terms of density, the appeal site has a stated site area of 1.97ha and the applicant has indicated the proposed 36 no. units resulting in a density of 18 units per hectare

(uph). I consider this density figure to be accurate based on my own calculations. Table 2.6: 'Yield of available lands zoned for Residential or Mixed Use in Leitrim County Development Plan 2023-2029' sets out a Household Allocation for Dromahair of 48 no. units with 41 no. units applied to Yield A (New Residential) lands at 15uph. As such, taken at face value, the proposed development would exceed the indicative density for the settlement category. I note that the Planning Authority considered residential density in their assessment and had regard to the policy provision contained in the Development Plan. The Planning Authority made particular reference to section 6.9: 'Density' which states that 'it is not intended to prescribe maximum residential density standards' but rather that the emphasis will be on the provision of quality-housing environments. In addition, the Planning Authority referred to Density Pol 3 of the Development Plan which informs that appropriate residential density in any particular location will be determined a number of factors such as the extent to which the design/layout follows a coherent design brief resulting in a high-quality residential environment, proximity to the public transport network, have regard to the need to protect the established character and amenities of existing adjoining residential areas, existing topographical/landscape or other site features, infrastructure capacity, and relevant Section 28 Guidelines regarding density and residential development. Furthermore, the Planning Authority also had regard to the planning history of the lands for 35 no. units and noted that the density of the Stonebridge estate is approximately 20uph.

- 8.5.3. With the above policy content in mind, it is my view that the Development Plan is clear in stating that maximum densities are not prescribed and so there is scope for applying higher densities above those indicative for a settlement from a contextual and design perspective. I also note that densities in the Development Plan consider relevant Guidance documents and to this end, I refer to the Sustainable Residential Development and Compact Settlements Guidelines (2024) which sets out general density ranges for Rural Towns and Villages. The key priorities for compact growth in these settlements are the strengthening of the existing urban core, realising opportunities for infill/backland development and provision of sequential and sustainable housing development at the settlement edge or that can be integrated into the existing built-up footprint of the settlement and serviced. Table 3.7: 'Areas and Density Ranges for Rural Towns and Villages' states that it is a policy and objective of

the Guidelines that development in rural towns and villages is tailored to the scale, form and character of the settlement and the capacity of services and infrastructure (including public transport and water services infrastructure). Lands zoned for housing at the edge of rural towns and villages at locations that can be integrated into the settlement and are connected to existing walking and cycling networks can offer an effective alternative, including serviced sites, to the provision of single houses in the countryside. The density of development at such locations should respond in a positive way to the established context.

8.5.4. Further to the above, I also refer to National Policy Objective 45 of the National Planning Framework (First Revision, 2025) which seeks to ‘increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration, increased building height and more compact forms of development’.

8.5.5. Therefore, in considering the location of the proposed development on residential zoned lands within the settlement of Dromahair, the established pattern of development in the immediate vicinity and the planning history of the subject lands, I am of the view that the density of 18uph for the proposed development can be considered and that such a density would not detrimentally affect the character of the site or undermine the settlement hierarchy in County Leitrim. Furthermore, the appeal site comprises the largest parcel of ‘New Residential’ zoned land in the settlement of Dromahair and it is my view that the development would not inhibit prospective development on remaining residential zoned lands in the settlement during the life of the Development Plan. In the interests of clarity, I have also reviewed Leitrim County Council’s online planning enquiry system (ePlan) for planning decisions which may affect the housing allocation for residential units on residential zoned sites in Dromahair and I note that there are no significant multi-residential developments which have been granted permission on such lands in the settlement in the time since this appeal has been made. Therefore, I consider that the site density of this development would be consistent with local through to national planning policy provisions and guidance for residential development on serviced and accessible lands within a settlement boundary.

8.5.6. In relation to the appellants’ concerns about the Design Statement and its compliance with the Development Plan, I note that the applicant submitted Design Statements, as

required for residential developments in excess of 10 no. units, at both application stage and at Further Information stage. Having reviewed the respective Design Statements, I would be of the opinion that these documents and their associated contents are particularly brief and limited in terms of details. I also acknowledge that the Design Statements is not elaborative on all of the parameters/requirements listed in the Development Plan in terms of design solutions and architectural approaches, the use of materials, addressing local characteristics or highlighting focal points. That said, I note the Development Plan states that the 'level of detail to be included in Design Statements will be proportionate to the scale and complexity of the development and relevant to the site context'. Therefore, while the submitted Design Statement(s) may not slavishly adhere to the full set of requirements as set out in the Development Plan; in consideration of all the submitted particulars and having regard to the nature and scale of the proposal on its own merits and in terms of the development being an effectual extension to the existing Stonebridge estate, I do not consider that the shortcomings are such that they demonstrate a non-compliance with the Development Plan to an extent which would warrant a refusal of permission.

8.6. Biodiversity Impacts/Removal of Vegetation/Consideration of Trees

8.6.1. The appellants contend that the existing green open space and surrounding trees and hedgerow in the Stonebridge estate operate as a single integral habitat. The appeal claims that the proposal has the potential to sever and undermine the integrity to this habitat resulting in negative impacts on the flora, fauna and biodiversity and that the potential impacts were not assessed as part of the application. According to the appeal, large numbers of birds and mammals have been observed on the site and bats are also present in the area. However, no surveys/reports have been carried out for the scheme in relation to these species or the protection of same. The appellants consider that the site contains mature trees and hedgerows but that mandatory Development Plan requirements in relation to detailed surveying and identification of hedges/trees to be removed has not been complied with which inhibit the determination of impacts on the green infrastructure/ecological network. The Planning Authority's response to the appeal notes that there is no definition for 'mature' in terms of tree planting and that no such 'mature' trees were on the site from review of Google Streetview Imagery dating from 2010. Additionally, the Planning Authority's response indicates that the submitted landscaping details were sufficient to assess the

application and that a landscape/planting condition has been attached with the decision to grant permission.

8.6.2. As previously outlined, the subject site adjoins the existing Stonebridge estate which contains approximately 50 no. dwellings. From my observations, the appeal site was partially developed in the past, as evidenced from existing ground works, foundation slabs and underground services and I am satisfied that after these initial works ceased, the idle site has been colonised with a large number of trees along with associated scrub and other vegetation in the intervening period. I consider that the hedgerow boundary on the southern and eastern boundaries of the appeal site to be long-established.

8.6.3. Given the overgrown condition of the site, clearance works would be required to accommodate the proposed development. Having regard to the development history of the site and on the basis of the lands being zoned for residential development, I do not consider that it would be unreasonable for these lands to be developed for such a purpose and so I have no objection to the removal of trees within the site. I have had regard to the submitted landscaping drawings and I note that the applicant has indicated that the existing eastern and southern boundaries are to be retained along with various groupings of trees to the northern, eastern and southeastern extremities of the site. I do acknowledge that the full extent of tree removal within the appeal site has not been clearly detailed. However, as indicated above, I am of the view that such trees/vegetation has colonised the site subsequent to the initial site development works and I am not opposed to the removal of these trees. Moreover, given that there can be no realistic potential to preserve these trees in the area of the residential units, I do not consider that it is necessary for the applicant to detail the extent of tree removal on site. That said, in the interests of clarity, should the Commission be minded to grant permission, a condition could be attached requiring the submission of a Tree Impacts Plan which sets out the number and types of trees to be removed and a Tree Protection Plan setting out the appropriate management/protection of the trees to be retained on the site.

8.6.4. While it is not anticipated that the extent of trees and vegetation to be removed will be replaced throughout the development by way of the landscaping proposed, I consider that the development will provide enhanced amenity and recreational space for the

future occupants and those within the Stonebridge estate which will improve the overall character of the area from its residential perspective.

8.6.5. I am of the view that the appeal site is not especially sensitive in terms of biodiversity or ecology value given the site context in an area immediately adjoining a housing estate and within a settlement boundary. As such, I do not consider that the proposed development would result in significant adverse impacts/loss to wildlife. Notwithstanding, I acknowledge that it is possible for the site to potentially support limited foraging for mammals and limited nesting/roosting for birds on account of its existing overgrown condition. I also note the appellants' reference to the presence of bats in the area and I would I acknowledge that it is possible for bats to potential commute and forage in the area whilst potentially roosting in trees both in and around the subject site.

8.6.6. I am satisfied, should the Commission be minded to grant permission for the subject development, that a suitably worded planning condition could be attached requiring the submission of a survey report prepared by a suitably qualified professional to determine the presence of bats and/or other species on the site and to provide relevant mitigation measures – if required, to be incorporated into a Construction Environmental Management Plan to ensure protection of same.

9.0 Appropriate Assessment

9.1. Screening Determination

Finding of likely significant effects

9.2. In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of objective information provided by the applicant, I conclude that it is not possible to exclude that the proposed development alone, or in combination with other plans and projects, will give rise to significant effects on the Lough Gill SAC in view of the sites conservation objectives. It is therefore determined that Appropriate Assessment (Stage 2) [under Section 177V of the Planning and Development Act, 2000, as amended] for the proposed development is required.

9.3. Appropriate Assessment Conclusion: Integrity Test

9.4. In screening the need for Appropriate Assessment, it was determined that the proposed development could result in significant effects on the Lough Gill SAC in view

of the conservation objectives of those sites and that Appropriate Assessment under the provisions of S177U/ 177AE was required.

9.5. Following an examination, analysis and evaluation of the NIS, all associated material submitted and taking into account any observations/submissions received, I consider that adverse effects on site integrity of the Lough Gill SAC can be excluded in view of the conservation objectives of these sites and that no reasonable scientific doubt remains as to the absence of such effects. My conclusion is based on the following:

- Detailed assessment of construction and operational impacts.
- The proposed development will not affect the attainment of conservation objectives for the Lough Gill SAC or prevent or delay the restoration of favourable conservation condition of species.
- Effectiveness of mitigation measures proposed.
- Application of planning condition in respect of the implementation of all mitigation measures set out in the NIS.

10.0 Water Framework Directive

10.1. The subject development comprises the construction of 36 no. residential units and all associated site works. The impact of the proposed development in terms of the Water Framework Directive is set out in Appendix 5 of this report. The appeal site is located adjacent to the existing 'Stonebridge' housing development and the subject lands were partially subject to development works in the past but are now largely overgrown. The site slopes steadily down from Hillcrest in a southeastern direction and the lands were previously 'cut' along the side (eastern) boundary. The subject development is indicated as connecting to the existing services network in respect of water supply and foul. Surface water will include SUDs measures along on-site attenuation which is to discharge to an open drain. The appellant has not raised any specific concern in relation to ground water pollution in the planning appeal.

10.2. The appeal site is situated on residential zoned lands in an urban settlement and is approximately 140 metres from the River Bonet. The WFD status of this waterbody is 'Good' and the risk is currently under review. The underlying groundwater body, Ballintougher has a 'Good' status and is indicated as being 'Not at Risk' of achieving its WFD status.

10.3. In Appendix 5 of this report, I have outlined potential pathways to the relevant waterbodies and potential impacts at construction and operational stages. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project and the associated mitigation measures set out by the applicant, I am satisfied that it can be eliminated from further assessment because there is no residual risk to any surface and/or groundwater water bodies, either qualitatively or quantitatively.

10.4. The reasons for this conclusion are as follows:

- The nature and scale of the proposed works on residential zoned lands;
- The distance between the proposed development and relevant bodies, and/or the hydrological connectivity to same;
- The mitigation measures included as part of the application to address surface water, wastewater and construction activity.

10.5. Therefore, I conclude on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal), either qualitatively or quantitatively, or on a temporary or permanent basis, or otherwise jeopardise any water body in reaching its WFD objectives. Accordingly, the proposed development can be excluded from further assessment.

11.0 Recommendation

11.1 I recommend that permission is GRANTED for the development in accordance with the following reasons and considerations

12.0 Reasons and Considerations

12.1. Having regard to the provisions of the Leitrim County Development Plan 2023-2029 including the zoning objectives for the site, the nature of the proposed development and the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable and would not seriously injure the residential or visual amenities of the area, would not be

prejudicial to public health or the environment and would have no significant transport or traffic impacts. The proposed residential development would be acceptable in terms of design, layout, scale and mix and would promote the appropriate and efficient development of housing on accessible and sustainable lands which would comply with the policies and provisions of the Development Plan insofar as they relate to residential development. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area

13.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by further information submitted on 22nd November 2023 and 14th August 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.

Reason: In the interest of clarity.

2. The proposed development shall be amended as follows:

The glazing on the upper floor windows on the northeastern elevation of the apartment building (containing Unit Nos. 17-20 as per submitted drawings), shall be manufactured opaque or frosted glass and shall be permanently maintained. The application of film to the surface of the glass is not acceptable.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed with, the Planning Authority prior to the commencement of development

Reason: In the interests of residential amenity.

3. The mitigation measures contained in the submitted Natura Impact Statement (NIS) shall be implemented.

Reason: To protect the integrity of European Sites.

4. Details of the materials, colours and textures of all the external finishes to the proposed buildings (including bin stores and secure bicycle parking) shall be as submitted with the application, unless otherwise agreed in writing with the planning authority prior to commencement of development. In default of agreement the matter in dispute shall be referred to An Coimisiún Pleanála for determination.

Reason: In the interest of visual amenity.

5. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:
 - (a) A plan to scale of not less than 1:500 showing –
 - (i) Existing trees, hedgerows, shrubs, rock outcroppings, stone walls, specifying which are proposed for retention as features of the site landscaping.
 - (ii) The measures to be put in place for the protection of these landscape features during the construction period.
 - (iii) The species, variety, number, size and locations of all proposed trees and shrubs, which shall comprise predominantly native species such as mountain ash, birch, willow, sycamore, pine, oak, hawthorn, holly, hazel, beech or alder, and which shall not include prunus species.
 - (iv) Details of screen planting and roadside/street planting, which shall not include prunus species.
 - (vi) Hard landscaping works, specifying surfacing materials, furniture, play equipment, and finished levels.
 - (vii) Additional planting along the shared boundary of the application site and No. 27 Hillcrest.
 - (viii) Details of all play features to be incorporated to the public open space (such as the design, choice of equipment, safety surfacing and specifications and evidence that all equipment conform to European Standards EN 1176-1-11 and EN 1177 'Playground Equipment and Surfacing')

(b) Specifications for mounding, levelling, cultivation and other operations associated with plant and grass establishment

(c) A timescale for implementation, including details of phasing. All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development or until the development is taken in charge by the local authority, whichever is the sooner, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity.

6. A comprehensive boundary treatment scheme shall be submitted to and agreed in writing with the Planning Authority, prior to commencement of development. This scheme shall include the details of boundary treatments at the perimeter of the site and to the plot boundaries of each residential unit.

Reason: In the interest of visual amenity.

7. Public lighting shall be provided in accordance with a scheme which shall be submitted to and agreed in writing with the Planning Authority prior to the commencement of development. The scheme shall contain all technical specifications for lights and columns and lighting along pedestrian routes through open spaces and shall take account of trees and landscaping. Such lighting shall be provided prior to the making available for occupation of any residential unit.

Reason: In the interest of amenity and public safety

8. All drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the relevant section of the Council for such works and services. Prior to the commencement of development, the developer shall submit all drainage details to the Planning Authority for written agreement.

Reason: In the interest of public health and surface water management.

9. Prior to the commencement of development, the developer shall enter into a Connection Agreement with Uisce Éireann (Irish Water) to provide for a service connection to the public water supply and wastewater collection network. All

works shall comply with Uisce Éireann's Connection and Developer Services Standard Details and Code of Practice.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

10. The construction of the development shall be managed in accordance with a Construction and Environmental Management Plan (CEMP), which shall be submitted to, and agreed in writing with the planning authority prior to commencement of development. This plan shall incorporate details for the following:

(a) Location of the site and materials compound including areas identified for the storage of construction refuse.

(b) Location of areas for construction site offices and staff facilities.

(c) Details of site security fencing and hoardings.

(d) Details of on-site car parking facilities for site workers during the course of construction.

(e) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site.

(f) Measures to obviate queuing of construction traffic on the adjoining road network.

(g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network.

(h) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works.

(i) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels.

(j) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater.

(k) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil.

(l) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.

(m) A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be available for inspection by the planning authority.

Reason: In the interest of amenities, public health and safety and environmental protection

11. Prior to commencement of development, a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) shall be prepared and submitted to the planning authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of reducing waste and encouraging recycling.

12. A plan containing details for the management of waste within the development, including the provision of facilities for the storage, separation and collection of the waste, and, in particular, recyclable materials and for the ongoing operation of these facilities for each apartment shall be submitted to, and agreed in writing with, the planning authority not later than six months from the date of commencement of the development. Thereafter, the waste shall be managed in accordance with the agreed plan.

Reason: In the interest of residential amenity, and to ensure the provision of adequate refuse storage.

13. A revised Construction Traffic Management Plan shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. The plan shall include details of arrangements for routes for construction traffic, parking during the construction phase, the location of the

compound for storage of plant and machinery and the location for storage of deliveries to the site.

Reason: In the interest of sustainable transport and safety.

14. The internal roads serving the proposed development, including turning bays, junctions, car parking and bicycle parking areas, footpaths, kerbs and finishes/materials/signs shall comply with the detailed standards of the Planning Authority for such road works, and shall comply, in all respects, with the standards set out in Design Manual for Urban Roads and Streets (DMURS). Details of same shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development.

Reason: In the interest of amenity and of traffic and pedestrian safety.

15. All communal parking areas serving the residential units shall be provided with functional electric vehicle charging points. Details of how it is proposed to comply with the requirements of the Leitrim County Development Plan 2023- 2029 in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: in the interest of sustainable transport.

16. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Saturdays inclusive, and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where proposals have been submitted and agreed in writing with the Planning Authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

17. Proposals for an estate/street name, house/apartment numbering scheme and associated signage shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. Thereafter, all estate and street signs, and house/apartment numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name(s) of the

development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).

Reason: In the interest of urban legibility and to ensure the use of locally appropriate placenames for new residential areas.

18. The communal open spaces, including hard and soft landscaping, car parking areas and access ways, communal refuse/bin storage, and all areas not intended to be taken in charge by the local authority, shall be maintained by a legally constituted management company. Details of the management company contract, and drawings/particulars describing the parts of the development for which the company would have responsibility, shall be submitted to, and agreed in writing with the planning authority before any of the residential units are made available for occupation.

Reason: To provide for the satisfactory future maintenance of this development in the interest of residential amenity.

19. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development. All existing over ground cables shall be relocated underground as part of the site development works.

Reason: In the interests of visual amenity.

20. Prior to the commencement of the development as permitted:

(a) The applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house or duplex unit), pursuant to Section 47 of the Planning and Development Act 2000, that restricts all relevant residential units permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.

(b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to

the satisfaction of the planning authority that it has not been possible to transact each of the residential units for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing.

(c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified housing units, in which case the planning authority shall confirm in writing to the applicant or any person with an interest in the land that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit.

Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.

21. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority [in relation to the transfer of a percentage of the land, to be agreed with the planning authority, in accordance with the requirements of section 94(4) and section 96(2) and 96(3)(a), (Part V) of the Planning and Development Act 2000, as amended, and/or the provision of housing on lands in accordance with the requirements of section 94(4) and section 96(2) and 96(3) (b), (Part V) of the Planning and Development Act 2000, as amended], unless an exemption certificate has been granted under section 97 of the Act, as amended. Where such an agreement cannot be reached between the parties, the matter in dispute (other than a matter to which section 96(7) applies) shall be referred by the planning authority or any other prospective party to the agreement, to An Coimisiún Pleanála for determination.

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan for the area.

22. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.

Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.

23. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer, or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

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

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.

Matthew O Connor
Planning Inspector

1st October 2025

Appendix 1: Form 1 - EIA Pre-Screening

Case Reference	ABP-321148-24
Proposed Development Summary	Construction of 36 no. dwellings and all ancillary site works. An NIS was submitted at the further information stage.
Development Address	Stonebridge Estate, Drumahaire/Drumlease, Dromahair, Co. Leitrim
In all cases check box /or leave blank	
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	☒ Yes, it is a 'Project'. Proceed to Q2.
	☐ No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☒ Yes, it is a Class specified in Part 1.	Class 10(b)(i)(iv) - Infrastructure Projects
☐ No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
☐ No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	

☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
☒ Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2)	Class 10 (b)(i) Construction of more than 500 dwelling units - The subject development is sub-threshold as it relates to 36 no. dwellings.

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____

Date: _____

Appendix 2: Form 2 - EIA Preliminary Examination

Case Reference	ABP-321148-24
Proposed Development Summary	Construction of 36 no. dwellings and all ancillary site works. An NIS was submitted at the further information stage.
Development Address	Stonebridge Estate, Drumahaire/Drumlease, Dromahair, Co. Leitrim
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).	The development comprises the construction of a 36 no. residential units and associated site works on residential zoned lands in the settlement of Dromahair. Water supply will be from the public mains and foul will connect to the public sewer. Surface water will comprise SUDS and attenuation which will discharge via an open drain towards a watercourse. The size of the development, which would effectively be an extension of an existing housing estates, would not be described as exceptional in the context of the existing environment. The subject development will not produce significant waste, emissions or pollutants. By virtue of its development type, it does not pose a risk of major accident and/or disaster or is vulnerable to climate change.
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).	The subject development is situated on lands which were partially development in the past. They are within the settlement of Dromahair and adjacent to an established housing development. There are environmental sensitivities in the vicinity as the site is located in proximity to Lough Gill SAC. As such, there may be potential for impacts on this ecologically sensitive site/location. A Natura Impact Statement (NIS) has been submitted and sets out mitigation measures to ensure that the proposal will not give rise to significant impacts on any European sites or other sensitive receptors. It is not considered that the proposed development would give rise to waste, pollution or nuisances that differ significantly from that arising from other developments.

	There are no other locally sensitive environmental sensitivities in the vicinity of relevance.
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 nature and scale of the proposed development (i.e. 36 no. residential units and associated works on residential zoned lands within an urban settlement), it is below the mandatory thresholds in respect of a Class 10 Infrastructure Projects of the Planning & Development Regulations 2001 (as amended). There is no potential for significant effects on the environment and there would be no significant cumulative considerations in terms of other existing/permitted projects in the area.
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.

Inspector: _____ **Date:** _____

DP/ADP: _____ **Date:** _____

(only where Schedule 7A information or EIAR required)

Appendix 3: AA Screening Determination - Test for likely significant effects

Screening for Appropriate Assessment Test for likely significant effects				
Step 1: Description of the project and local site characteristics				
Brief description of project		Please refer to Section 2 of the Planning Report for a development description. In short, permission is sought for 36 no. dwellings and all associated site works.		
Brief description of development site characteristics and potential impact mechanisms		The proposal comprises the construction of 36 no. residential units (12 no. 1-bed apartments; 16 no. 2-bed houses; and, 8 no. 3-bed houses along with landscaping, internal road network, connections to services and all other associated site works. The subject site has an indicated area of 1.97 hectares which is located on residential zoned lands within the settlement boundary of Dromahair, Co. Leitrim. The proposed development is located approximately 180 metres from the Lough Gill SAC. Given the location of the appeal site, there are potential impacts arising from development on these lands which cannot be ruled out without further analysis and assessment.		
Screening report		Yes		
Natura Impact Statement		Yes		
Relevant submissions		The third party has raised concerns regarding the adequacy of the information in the NIS in relation to protection of species and site drainage.		
Step 2. Identification of relevant European sites using the Source-pathway-receptor model				
The European Sites potentially within a zone of influence of the proposed development are listed in the table below.				
European Site (code)	Qualifying interests ¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections ²	Consider further in screening ³ Y/N
Lough SAC (Site Code: 001976)	<u>Lough Gill SAC National Parks & Wildlife Service</u>	180 m	Yes. Potential source-pathway-receptor from site	Yes
Unshin River SAC (Site Code: 001898)	<u>Unshin River SAC National Parks & Wildlife Service</u>	10.8km	It is not considered that there is a direct/ indirect connectivity	No

			between the proposal this SAC	
Bolebrack Mountain SAC (Site Code: 002032)	<u>Boleybrack Mountain SAC National Parks & Wildlife Service</u>	8.8km	It is not considered that there is a direct/ indirect connectivity between the proposal this SAC.	No
Union Wood SAC (Site Code: 000638)	<u>Union Wood SAC National Parks & Wildlife Service</u>	12.2km	It is not considered that there is a direct/ indirect connectivity between the proposal this SAC.	No
Sligo/Leitrim Uplands SPA (Site Code: 004187)	<u>Sligo/Leitrim Uplands SPA National Parks & Wildlife Service</u>	11.5km	It is not considered that there is a direct/ indirect connectivity between the proposal this SPA.	No
Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC (Site Code: 000627)	<u>Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC National Parks & Wildlife Service</u>	12.5km	It is not considered that there is a direct/ indirect connectivity between the proposal this SAC.	No
Ballysodare Bay SAC (Site Code: 000622)	<u>Ballysadare Bay SAC National Parks & Wildlife Service</u>	13.3km	It is not considered that there is a direct/ indirect connectivity between the proposal this SAC.	No
Ballysodare Bay SPA (Site Code: 004129)	<u>Ballysadare Bay SPA National Parks & Wildlife Service</u>	13.3km	It is not considered that there is a direct/indirect connectivity between the proposal this SPA.	No
Cummeen Strand SAC (Site Code: 004035)	<u>Cummeen Strand SPA National Parks & Wildlife Service</u>	12.8km	It is not considered that there is a direct/ indirect connectivity between the proposal this SAC.	No
Ben Bulbin, Gleniff and Glenade Complex SAC (Site Code: 000623)	<u>Ben Bulbin, Gleniff and Glenade Complex SAC National Parks & Wildlife Service</u>	12.3km	It is not considered that there is a direct/ indirect connectivity between the proposal this SAC	No

Glenade Lough SAC (Site Code: 001919)	Glenade Lough SAC National Parks & Wildlife Service	14.4km	It is not considered that there is a direct/ indirect connectivity between the proposal this SAC.	No
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Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites

The proposed development is not located within a designated European Site but is in close proximity to Lough SAC (Site Code: 001976) identified in *Step 2* above.

The applicant's Screening Assessment contained in the NIS concludes that there is no potential for impacts on the QI habitats of the Bolebrack Mountain SAC (Site Code: 002032), Unshin River SAC (Site Code: 001898), Union Wood SAC (Site Code: 000638), Sligo/Leitrim Uplands SPA (Site Code: 004187), Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC (Site Code: 000627), Ballysodare Bay SAC (Site Code: 000622), Ballysodare Bay Spa (Site Code: 004129), Cummeen Strand SAC (Site Code: 004035), Ben Bulbin, Gleniff and Glenade Complex SAC (Site Code: 000623) and, Glenade Lough SAC (Site Code: 001919) as there is no pathway for connectivity. I concur with the conclusions reached in this regard.

The screening assessment contained in the NIS indicates that potential direct/indirect impacts generated by the construction and operational phases of the proposed development including habitat loss and contamination/pollution of surface and/or ground waters.

Sources of impact and likely significant effects are detailed in the table below:

AA Screening Matrix

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
Site 1: Lough Gill SAC (Site Code: 001976) Natural eutrophic lakes with Magnopotamion or Hydrocharition - type vegetation [3150] Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [6210]	Habitat Loss and Fragmentation Negative impacts on surface water/ground water quality due to construction related emissions including increased sedimentation and construction related pollution. Deterioration of ground water or surface water at operational stage from pollution. Increase human disturbance at this site, particularly during construction phase. Cumulative Impacts.	<u>Examples:</u> The project is located on lands in close proximity and hydrologically connected to an SAC. There is potential for direct and indirect effects on habitat loss/fragmentation, disturbance and pollution resulting in a deterioration in water quality and/or habitat degradation. Potential release of hydrocarbons and/or other chemicals during construction

Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0] Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0] Austropotamobius pallipes (White-clawed Crayfish) [1092] Petromyzon marinus (Sea Lamprey) [1095] Lampetra planeri (Brook Lamprey) [1096] Lampetra fluviatilis (River Lamprey) [1099] Salmo salar (Salmon) [1106] Lutra lutra (Otter) [1355]	phase via spillage which may impact on water dependent habitats and species.
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Step 4 Conclude if the proposed development could result in likely significant effects on a European site

Based on the information provided with the application, having conducted a site visit, having reviewed of the conservation objectives and supporting documents, I consider that in the absence of mitigation measures beyond best practice construction methods, the proposed development has the potential to result in significant effects on the Lough Gill SAC.

Screening Determination

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of objective information provided by the applicant, I conclude that it is not possible to exclude that the proposed development alone, or in combination with other plans and projects, will give rise to significant effects on the Lough Gill SAC in view of the site's conservation objectives. It is therefore determined that Appropriate Assessment is required.

This determination is based on:

- The nature and scale of the proposed works.
- The location of the appeal site in proximity to the Lough Gill SAC and potential connectivity between the site and this European Site.
- The nature and extent of the proposed mitigation measures, which may not be implemented in the absence of connectivity to a European Site.

Appendix 4: Appropriate Assessment (AA) and Appropriate Assessment Determination

Appropriate Assessment (ABP-321148-24)

The requirements of Article 6(3) as related to appropriate assessment of a project under part XAB, sections 177V of the Planning and Development Act 2000 (as amended) are considered fully in this section.

Taking account of the preceding screening determination, the following is an appropriate assessment of the implications of the proposed development comprising 36 no. residential units and all associated site works in view of the relevant conservation objectives of the Lough Gill Special Area of Conservation (Site Code: 001976) based on scientific information provided by the applicant.

The information relied upon includes the following:

- Natura Impact Statement prepared by Whitehill Environmental
- The other plans and particulars submitted with the application.

I am satisfied that the information provided is adequate to allow for Appropriate Assessment. I am satisfied that all aspects of the project which could result in significant effects are considered and assessed in the NIS and mitigation measures designed to avoid or reduce any adverse effects on site integrity are included and assessed for effectiveness.

Submissions/observations

- The third party raised concerns with the adequacy of the NIS in terms of the description and extent of works, information submitted on surface water/drainage, the lack of detail on site visit/fieldwork, the lack of supporting ecological surveys and uncertainty of species potentially present on the site.
- A referral response from the Department of Housing, Local Government and Heritage generally agreed with the screening conclusion that there would be no significant effects, however, it noted reference to mitigation measures which should only be included in a Stage 2 Assessment and so requested that an NIS be submitted for the proposed development.
- The assessment of the Planning Authority noted the location of the site in proximity to the Lough Gill SAC and noted the contents of the Appropriate Assessment Screening Report but requested that an NIS be submitted as part of a Request for Further Information. The subsequent Planner's Report noted the contents of the Natura Impact Statement (NIS) submitted with the application. The Appropriate Assessment undertaking by the Planning Authority concluded that the proposed development, alone or in-combination with other plans or projects, would not result in adverse effects to the integrity and conservation status of the Lough Gill SAC in view of its Conservation Objectives subject to the application of mitigation measures identified in the submitted NIS.

European Site

Lough Gill SAC (Site Code: 001976):

Summary of Key issues that could give rise to adverse effects:

(i) Water quality degradation (construction and operation)

(ii) Habitat Loss and Fragmentation

(iii) Cumulative Impacts

See Section 5 in NIS

Qualifying Interest features likely to be affected	Conservation Objectives Targets and attributes	Potential adverse effects	Mitigation measures (summary) (Please see Section 5 of submitted NIS for full details)
Natural eutrophic lakes with Magnopotamion or Hydrocharition - type vegetation [3150]	To restore the favourable conservation condition of Natural eutrophic lakes with Magnopotamion or Hydrocharition - type vegetation in Lough Gill SAC.	This habitat occurs at Lough Gill itself. The application site is adjacent to a drain that leads to the River Bonet, and it is therefore approximately 5km upstream of Lough Gill. Having regards to the potential for pollution to be generated during the construction and operation of the proposed development, it is considered that significant effects upon this QI cannot be ruled out in the absence of mitigation.	It is recommended that all measures be incorporated into a Construction Environmental Management Plan (CEMP). Removal of construction waste from site by a registered contractor to a registered site. Follow appropriate best practice guidelines in terms of construction site works, fuel and material storage and pollution control measures. Erection of silt fences in the area along the southern site boundary. Only clean and unpolluted surface water should be directed into the drain at the south, following attenuation with silt and oil interceptors
Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae)* [91E0]	To restore the favourable conservation condition of Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae)* in Lough Gill SAC.	The woodland habitat along the Bonet River downstream of the subject site is growing on alluvial soils, therefore the presence of this QI downstream of the application cannot be ruled out.	Native Irish tree species should be planted. Verges and parts of open spaces should be managed at low intensity to maximise

White-clawed Crayfish (Austropotamobius pallipes) [1092]	To maintain the favourable conservation condition of White-clawed Crayfish (Austropotamobius pallipes) in Lough Gill SAC.	Records exist for crayfish from the Bonet River in Dromahair. Crayfish are sensitive to pollution and given the proximity and connectivity of the development to the Bonet River impacts upon surface water quality in the catchment arising from the construction and operation of the development and subsequent significant effects upon this species cannot be ruled out.	habitat availability for pollinators. Lighting, as described, must be implemented in full to avoid disruption to wildlife. <u>Note: Mitigation measures are detailed fully in Section 5 of the submitted NIS.</u>
Sea Lamprey (Petromyzon marinus) [1095]	To restore the favourable conservation condition of Sea Lamprey (Petromyzon marinus) in Lough Gill SAC.	Suitable spawning habitat for sea lamprey in this SAC is limited to sections of the Garavogue River in Sligo town and downstream of Dromahair on the River Bonet. Potential significant effects upon this species cannot be ruled out with certainty. Lampreys require clean gravels, fine sediments and free upstream migration to complete their life cycle. The main threat to this species is dredging, changes to siltation patterns, sedimentation of spawning gravels and the introduction of weirs or other impediments to their	

		migration. They are also sensitive to changes in water quality arising from diffuse or point source pollution.	
Brook Lamprey (<i>Lampetra planeri</i>) [1096]	To restore the favourable conservation condition of Brook Lamprey (<i>Lampetra planeri</i>) in Lough Gill SAC.	Potential effects upon these species cannot be ruled out with certainty. Lampreys. The main threat to this species is dredging, changes to siltation patterns, sedimentation of spawning gravels and the introduction of weirs or other impediments to their migration. They are also sensitive to changes in water quality arising from diffuse or point source pollution.	
River Lamprey (<i>Lampetra fluviatilis</i>) [1099]	To restore the favourable conservation condition of River Lamprey (<i>Lampetra fluviatilis</i>) in Lough Gill SAC.	As above in respect of comments on Brook Lamprey..	
Salmon (<i>Salmo salar</i>) [1106]	To restore the favourable conservation condition of Atlantic Salmon (<i>Salmo salar</i>) in Lough Gill SAC.	Salmon occur throughout the Bonet catchment. The requirements of salmon depend on their life stage but clean, unpolluted water is a requirement throughout the life cycle. They are very sensitive to changes in water quality and increases in sedimentation (<25 mg/L annual average).	

		Significant effects upon this species cannot be ruled out in the absence of mitigation.	
Otter (<i>Lutra lutra</i>) [1355]	To maintain the favourable conservation condition of Otter (<i>Lutra lutra</i>) in Lough Gill SAC.	There are no riparian habitats within the application site itself suitable for this species, however any disturbance to the riverbank or riparian habitats outside of the application site arising from deposition of waste or spoil from the works, could give rise to habitat loss or fragmentation along the river, which in turn could lead to significant effects upon the otter.	
Semi-natural dry grasslands and scrubland facies on calcareous substrates (<i>Festuco-Brometalia</i>) (* important orchid sites) [6210]	To restore the favourable conservation condition of Semi-natural dry grasslands and scrubland facies on calcareous substrates (<i>Festuco-Brometalia</i>) (* important orchid sites) in Lough Gill SAC	There is no connectivity between the subject site and this QI habitat. There will be no habitat loss or fragmentation of this QI habitat within the SAC arising from the proposed development.	No measures. The rationale for exclusion is on the basis that there is no connectivity between the subject site and this habitat.
Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles [91A0]	To restore the favourable conservation condition of Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles in Lough Gill SAC.	Significant effects upon this QI arising from the proposed development are unlikely. This habitat has been recorded in areas close to the southern shores of Lough Gill. It does not occur within or	

		adjacent to the application site.	
The above table is based on the documentation and information provided on the appeal file and I am satisfied that the submitted NIS has identified the relevant attributes and targets of the Qualifying Interests. I note that the NIS has referred to a number of habitats in the SAC which do not occur in the vicinity of the proposed site and are therefore deemed to be outside the zone of influence of this project. Nevertheless, the majority of the mitigation measures are considered to be generally applicable in the protection of European Sites and would ensure the conservation status of these habitats will remain unchanged. I further note that the subject site, due to its setting, would be unlikely to result in significant impacts such as direct disturbance or damage to the habitat of these listed species but that measures in terms of construction works, noise/dust emissions and lighting have been outlined as part of the mitigation measures in the NIS.			
Assessment of issues that could give rise to adverse effects view of conservation objectives of the abovenamed SAC. (i) Water quality degradation Water quality degradation could affect the habitats or species of the SAC. There is potential for adverse change to water quality from indirect pollution or surface or groundwater. This could arise from poor and/or inadequate management of site run-off could result in sediment and/or pollutants reaching the downstream Qualifying Interest habitats within the Lough Gill SAC. It is considered that there is no real likelihood of significant effects arising during the operational phase of the proposed development as a result of increased loading of foul waters on the Dromahair Waste Water Treatment Plant as there is spare capacity identified. The current sewer on the appeal site will be subject to works to facilitate the development and will improve the existing situation. A hydrological pathway exists between the development site and the Lough Gill SAC via the surface water network which is to discharge into an open drain which outflows to the River Bonet. There is potential, in the absence of any mitigation, for surface waters run off containing pollutants such as hydrocarbons and silt to enter the river waterbody and the abovenamed European Site during the construction and operational phases. During the operational phase, surface water discharges will comprise clean roof water along with run-off from the internal road network, footpaths and parking areas. These areas could potentially include hydrocarbons as a result of a vehicular leakages or suspended sediment. Given the anticipated volumes of surface water-run off relative to the volume of receiving freshwater environment and the associated potential for mixing, dilution and dispersion of any surface water run-off/ discharges in the receiving freshwater environment, the effects on water quality from the operational phase of surface water discharge would not be significant. Mitigation measures and conditions In relation to surface water mitigation measures, the intention is to treat the source via protecting surface water drains and removing the pathway e.g. implementing strict controls of erosion, sediment generation and pollutants relating to the construction			

process including providing appropriate attenuation measures and silt traps/fences so as to reduce/intercept sediment release into the open drain connecting to the watercourse. All of the best practice construction management for pollution control has been outlined in section 5 of the NIS and includes a range of works to be undertaken via a Construction & Environmental Management Plan (CEMP).

I am satisfied that preventative measures are aimed at interrupting the source-pathway-receptor are targeted at key threats to protected habitats and aquatic species. Moreover, by arresting these pathways or reducing possible effects to a non-significant level, adverse effects can be prevented.

(ii) Habitat Loss and Fragmentation

The proposed development is within close proximity of the River Bonet which is part of the Lough Gill SAC. Habitat loss and fragmentation, in the absence of mitigation, could arise in the riparian habitats of the SAC due to disturbances to wildlife from site clearance works and removal of trees, disposal of soil/waste materials, the storage of machinery and other construction equipment which have not duly considered the sites proximity to the riparian zone of the river and species which may forage/commute in proximity to the development site.

Mitigation measures and conditions

The project will result in short-term, low intensity localised construction activities. The site development works will be confined to the proposed development site only and will be cordoned off. All workers/contractors shall be made aware of the ecological sensitivity of the site. Lighting (low intensity) is not to be directed towards SAC, woodland or known bat roosts/mature vegetation. Landscaping shall include native Irish planting and verges shall be managed at low intensity to maximise habitat availability for pollinators.

(iii) Cumulative Impacts

It is necessary to identify and describe any cumulative impacts on the Natura 2000 sites that are likely to result from the subject development project. Having regard to the nature and scale of the development and in considering same in combination with any other development, it was deemed that the development will have no cumulative impacts upon the Lough Gill SAC.

Mitigation measures and conditions

Not applicable.

In-combination effects

I am satisfied that in-combination effects have been assessed adequately in the NIS. The applicant has demonstrated satisfactorily that no significant residual effects will remain post the application of mitigation measures and there is therefore no potential for in-combination effects.

Findings and conclusions

The applicant determined that following the implementation of mitigation measures, the construction and operation of the proposed development alone, or in combination with other plans and projects, will not adversely affect the integrity of this European site.

Based on the information provided with the appeal file, I am satisfied that adverse effects arising from aspects of the proposed development can be excluded for the European site considered in the Appropriate Assessment. No direct impacts are predicted. Indirect impacts would be temporary in nature and mitigation measures are described to prevent ingress of silt laden surface water as well as entry of pollutants, such as hydrocarbons, to the nearby watercourse. Monitoring measures are also proposed to ensure compliance and effective management of measures. I am satisfied that the mitigation measures proposed to prevent adverse effects have been assessed as effective and can be implemented.

Reasonable scientific doubt

I am satisfied that no reasonable scientific doubt remains as to the absence of adverse effects.

Site Integrity

The proposed development will not affect the attainment of the Conservation objectives of the Lough Gill SAC. Adverse effects on site integrity can be excluded and no reasonable scientific doubt remains as to the absence of such effects.

Appropriate Assessment Conclusion: Integrity Test

In screening the need for Appropriate Assessment, it was determined that the proposed development could result in significant effects on the Lough Gill SAC in view of the conservation objectives of those sites and that Appropriate Assessment under the provisions of S177U/ 177AE was required.

Following an examination, analysis and evaluation of the NIS, all associated material submitted and taking into account any observations/submissions received, I consider that adverse effects on site integrity of the Lough Gill SAC can be excluded in view of the conservation objectives of these sites and that no reasonable scientific doubt remains as to the absence of such effects. My conclusion is based on the following:

- Detailed assessment of construction and operational impacts.
- The proposed development will not affect the attainment of conservation objectives for the Lough Gill SAC or prevent or delay the restoration of favourable conservation condition of species.
- Effectiveness of mitigation measures proposed.
- Application of planning condition in respect of the implementation of all mitigation measures set out in the NIS.

Appendix 5: Water Framework Directive Screening and Assessment

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Bord Pleanála ref. no.	321148	Townland, address	Stonebridge Estate Drumahaire / Drumlease Dromahair, Co. Leitrim
Description of project		Construction of 36 no. dwellings and all ancillary site works. An NIS was submitted at the further information stage.	
Brief site description, relevant to WFD Screening,		The site is located within the settlement of Dromahair, Co. Leitrim on lands are zoned both 'Existing Residential' and 'New Residential' in the Development Plan . The site is accessible from the existing Stonebridge housing development and part of the site was previously subject to development/groundworks which ceased a number of years ago. The land contains evidence of groundworks and services but is largely overgrown with grasses, trees and other vegetation. The topography of the site slopes from the existing housing development in a southeastern direction and is below the eastern boundary where previous cutting works occurred. The site is located approximately 0.107km from the Lough Gill SAC (European Site). The aquifer category is stated as being Regionally Important and as having between a moderate and high groundwater vulnerability. There are no apparent drainage ditches within the site however submitted particulars suggest discharge to an existing drainage channel to the southern extent of the site. The nearest watercourse is located approx. 170 metres (River Bonet).	
Proposed surface water details		Surface water will be provided by way of SUDs measures and on-site attenuation which is to discharge via an open drain to a watercourse.	
Proposed water supply source & available capacity		Mains water connection	
Proposed wastewater treatment system & available capacity, other issues		New connection to public sewer.	

Others?			N/A				
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection							
Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g. at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)	
River Waterbody	170m to the south	Bonet	Good (Ecological Status); Failing to achieve good (Chemical Surface Water status)	Review	No pressures	Surface water run-off.	
Groundwater Waterbody	Underlying site	Ballintougher	Good	Not at risk	No pressures	Potential run-off from the surface water drainage into the ground.	
Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.							
CONSTRUCTION PHASE							
No.	Component	Waterbody receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.

1.	Surface	Bonet_050	Surface water will be directed through drainage channel.	Run-off during site works, hydrocarbon spillages	Mitigation proposed in NIS submitted with application. Standard Construction Measures / Conditions	No	Screened out
2.	Ground	Ballintougher	Pathway exists drainage	Spillages	As above	No	Screened out
OPERATIONAL PHASE							
3.	Surface	Bonet_050	Surface water will be directed through drainage channel.	Hydrocarbon spillages Failure of drainage and SUDs features	Mitigation as proposed in the NIS submitted. Standard Construction Measures / Conditions	No	Screened out
4.	Ground	Ballintougher	Pathway exists drainage	As above.	As above.	No	Screened out
DECOMMISSIONING PHASE							
5.	N/A	N/A	N/A	N/A	N/A	N/A	N/A