



An
Bord
Pleanála

Inspector's Report

ABP-321831-25

Development	A single storey house with effluent treatment unit and percolation and all associated site works. A NIS (Natura Impact Statement) was submitted at further information stage.
Location	Clonhugh, Multyfarnham, Mullingar, Co. Westmeath.
Planning Authority	Westmeath County Council
Planning Authority Reg. Ref.	2460301
Applicant(s)	Mark Reynolds
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Transport Infrastructure Ireland
Observer(s)	None
Date of Site Inspection	6 th June 2025

Inspector

Catherine Hanly

Contents

1.0 Site Location and Description	5
2.0 Proposed Development	5
3.0 Planning Authority Decision	6
3.1. Decision	6
3.2. Planning Authority Reports	7
3.3. Prescribed Bodies	9
3.4. Third Party Observations	9
4.0 Planning History	9
5.0 Policy Context	12
5.1. Westmeath County Development Plan 2021 - 2027 (<i>Westmeath CDP</i>)	12
5.12. Natural Heritage Designations	20
5.13. EIA Screening	21
6.0 The Appeal	21
6.1. Grounds of Appeal	21
6.2. Applicant Response	23
6.3. Planning Authority Response	26
6.4. Observations	26
7.0 Assessment	26
8.0 AA Screening	36
9.0 Water Framework Directive	41
10.0 Recommendation	41
11.0 Reasons and Considerations	41
12.0 Conditions	42
13.0 Appendix 1 Form 1 - EIA Pre-Screening	50

14.0	Appendix 2 Form 2 - EIA Preliminary Examination.....	53
15.0	Appendix 3: Table 8.1 Table of European Sites within a Possible Zone of Influence of the Proposed Development	56
16.0	Appendix 4: Table 8.2 Summary of Appropriate Assessment of Implications of the Proposed Development on the Integrity of Lough Owel SAC and Lough Owel SPA alone and in combination with other plans and projects in view of the site's Conservation Objectives	58
17.0	Appendix 5: WFD Impact Assessment Screening	66

1.0 Site Location and Description

- 1.1. The site is located in Clonhugh, Multyfarnham and is positioned approximately 8.3 km to the north west of Mullingar. The site is positioned on the southern side of the N4 National Road.
- 1.2. A Ringfort – Rath (SMR no. WM011-107) and Sweathouse (SMR WM011-108) are located approximately 0.2 km and 0.25 km respectively to the south of the site alongside Lough Owel.
- 1.3. The site is accessed via the existing entrance off the N4 which leads to 3 no. properties, the parental dwelling on the landholding, Clonhugh House Gate Lodge and Clonhugh House. Clonhugh House is a Protected Structure (RPS No. 011-045).
- 1.4. The entrance road to the subject site runs to the north of the parental dwelling on the landholding and continues to the east to the site which is positioned to the south east of the parental dwelling.
- 1.5. The site is bound to the east by forestry, to the north east by an agricultural field, to the north west by the side garden of the parental dwelling, to the north west by the parental dwelling and to the west and south by agricultural fields with cattle and horses. Lough Owel is located approximately 234 m to the south of the site across agricultural fields
- 1.6. The site measures 3.89 ha and consists of an agricultural field which falls to the south towards Lough Owel. The site is enclosed on all sides by a timber fence. Hedging surrounds the timber fencing boundary on the north-western, western, southern and eastern boundaries. The site is located alongside the eastern boundary of the overall landholding.

2.0 Proposed Development

- 2.1. The proposed development comprises the following:
 - The construction of a single storey dwelling
 - Provision of a domestic effluent treatment unit and percolation area
 - All associated site development works

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. Notification of the Decision to Grant Permission issued on 17/01/2025 subject to 14 no. conditions.
- 3.1.2. Condition no. 2 requires the applicant to remain in the property for 7 no. years. The applicant is required to enter into an agreement pursuant to section 47 of the 2000 Planning and Development Act.
- 3.1.3. Condition no. 4 (a) requires that an Ecological Clerk of Works shall be appointed to oversee the implementation of the ecological mitigation and monitoring measures as proposed in the EcIA, NIS, CEMP and any additional mitigation measures arising from further surveys and impact assessments.
- 3.1.4. Condition no. 4 (b) requires the submission of a pre-construction survey carried out by an Ecologist.
- 3.1.5. Condition no. 4 (c) requires that all external lighting shall be installed and designed to reduce the impacts on bats and other wildlife.
- 3.1.6. Condition no. 5 requires that the dwelling is finished in a smooth render, stone base, granite stone portico and natural slate roof. The ridge tile shall match the colour of the roof. All rainwater goods, bargeboards, fascia's and soffits where used shall blend with the roof, all soffits shall be raking. All cill faces shall be 100mm. Any alternative materials to those specified above shall be submitted to and agreed by the Planning Authority prior to the commencement of the development.
- 3.1.7. Condition no. 7 requires the payment of €8,590.00 as a Section 48 Development Contribution.
- 3.1.8. Condition no. 8 requires that the development shall be serviced by a private well. The well shall be located in accordance with Annex E of the 'Code of Practice: Wastewater Treatment and Disposal Systems Serving Single Houses' (p.e. ≤10) published by EPA and surface water pipes shall be laid a minimum depth of 600 mm below finished ground level.
- 3.1.9. Condition no. 11 relates to the proposed proprietary treatment system and treatment area, which shall be operated in accordance with the Code of Practice: Domestic

Wastewater Treatment Systems (p.e. ≤ 10) as published by the EPA (Environmental Protection Agency) 2021. Prior to occupation of the development, the applicant shall submit to the planning authority written certification from a suitably qualified competent person with Professional Indemnity Insurance that the onsite proprietary treatment system and treatment area has been installed correctly in accordance with provisions of EPA Code of Practice: Domestic Wastewater Treatment Systems (p.e. ≤ 10) as published by the EPA (Environmental Protection Agency) 2021.

3.1.10. Condition no. 14 requires the submission of an archaeological assessment, geophysical survey and a written report stating the recommendations of the archaeologist to the Planning Authority.

3.2. Planning Authority Reports

3.2.1. Planning Report dated 22/10/2024:

- The dwelling is set back c. 371 m from the shoreline. By moving the site from the position which was previously refused (**Ref. 22/60012**), the applicant has omitted an archaeological impact on the nearby Recorded Monument WM011-107.
- The applicant outlines that he was born and reared in Clonhugh, attended the local national school and works on the family farm which he will one day inherit and continue to farm. The applicant has links to the area and the Planning Authority consider that the applicant complies with policy CPO 9.1.
- The applicant complies with policy CPO 9.23 in relation to development in defined water catchment areas of Lough Owel and Lough Lene.
- The applicant complies with Policy CPO 9.24 as the applicant has not been granted permission for a rural dwelling in Westmeath and the applicant's family have been in ownership of the landholding in excess of the required 5 no. years.
- Having regard to the setback distance, the proposed landscaping details and the overall height of the proposed dwelling, it is considered that the dwelling will assimilate into the landscape.
- The development will have no significant impacts on residential amenity.

- The National Roads Design Office considered the development acceptable and they have no objection to the development in relation to the N4 Mullingar to Longford Scheme.
- The on-site proprietary treatment system and Ecoflo Coco filter, gravel distribution bed and private well are considered acceptable.
- The site is located 330m from a Ringfort – Rath (recorded monument WM011-107) and in close proximity to a sweathouse (recorded monument WM011-108). An archaeological assessment has been submitted which identifies no further archaeological work is recommended.
- A Preliminary Ecological Appraisal was submitted which identifies that additional surveys are required for bats and birds.
- The need for environmental impact assessment can be excluded and a preliminary examination and a screening determination is not required.
- A Natura Impact Statement is required due to the use silt management measures which is considered to be a mitigation measure.
- Further Information was requested for the submission of a Natura Impact statement.

3.2.2. Planning Report dated 22/01/2025 based on the receipt of significant further information:

- The NIS concludes that through the implementation of avoidance and mitigation measures the development will not have an adverse effect on the integrity of European sites. This was considered acceptable by the Environment Section.
- Development contributions should be levied in accordance with the Development Contribution Scheme 2022.

3.2.3. Other Technical Reports

- District Engineer: No objection subject to 6 no. conditions.
- Environmental Section: Following the receipt of Further Information, the Environmental Section issued a report concluding that they had no objection subject to 12 no. conditions.

- Westmeath National Roads Office: No objection.

3.3. Prescribed Bodies

3.3.1. A submission was received by Transport Infrastructure Ireland (TII). The submission noted the following:

- *“The proposed development is located in proximity to a future national road scheme. The planning authority is advised that national road schemes should be protected and kept free from any developments or accesses in accordance with national policy. The applicant should be made aware of the plans for a new road scheme should the permission be granted.*
- *The proposed development is located in a study area for a future national road scheme. The Authority recommends that the planning authority consult with the local Road Design Office (RDO) in considering this application.*
- *The Authority will entertain no future claims in respect of impacts (e.g. noise and visual) on the proposed development, if approved, due to the presence of the existing road or any new road scheme which is currently in planning.”*

3.3.2. A submission was received from Irish Rail. The submission noted that Irish Rail had no comments as the application does not affect the railway.

3.4. Third Party Observations

3.4.1. No observations were submitted to the Planning Authority.

4.0 Planning History

4.1. Relevant Planning history for the site:

- **Ref. 22/60012:** Construction of a single storey dwelling. 2023 **Refusal**.
Refused for the following 5 no. reasons:
1. *“The proposed development is located within the Water Catchment Area for Lough Owel. In the absence of satisfactory documentation submitted with this application, it is considered that to permit the proposed dwelling house*

would be contrary to Council policy objective CPO 9.23 which 'Restrict residential development not related to farming or forestry practices in defined water catchment areas of Lough Owel and Lough Lene, with the exception of the erection of a house for a member of an existing residential farm family who will inherit the farm, or another member of the family, provided that not more than two dwellings (existing and proposed) be permitted on any farm holding within the water catchment and only where this relates to the first dwelling for the applicant and no alternative site is available outside the water catchment' and accordingly would be contrary to proper planning and sustainable development of the area.

2. The proposed development by virtue of its siting and design on lands which adjoin the lakeshore of Lough Owel, a designated High Amenity Area and which will require an ad hoc and excessive road layout would, if permitted fail to assimilate effectively into its surroundings, would seriously injure the visual amenities of a designated High Amenity Area, and set an undesirable precedent for similar development in the future. Accordingly, to permit the development proposed would be contrary to Council's policy objective CPO 13.20, CPO 13.21, CPO 13.22 and CPO 16.32 of the Westmeath County Development Plan 2012-2027, would depreciate the value of property in the vicinity, may pose a risk to ground and surface waters and be prejudicial to public health and would therefore be contrary to the proper planning and sustainable development of the area.
3. Having regard to the siting of the proposed dwelling within the bounds of a Recorded Monument WM011-107 (Ringfort – rath) and sited in proximity to Recorded Monument WM011-108 (Sweathouse), and in the absence of satisfactory documentation submitted to the contrary, it is considered that the proposed development would injure or interfere with the historic remains and setting of a monument which is subject to statutory protection in the Record of Monuments and Places. Accordingly, to permit the development as proposed would be contrary to Council's policy objectives CPO 14.6 and CPO 14.7 of the Westmeath County Development Plan 2012-2027, would

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

4. *The proposed development adjoins the lakeshore of Lough Owel a designated Special Protection Area, Special Area of Conservation and proposed Natural Heritage Area. In the absence of satisfactory documentation submitted to the contrary, it is considered that to permit the proposed development would be contrary to the EU Habitats Directive, would be contrary to policy CPO 12.6 and CPO 12.13 of the Westmeath County Development Plan 2021-2027 and accordingly would be contrary to the proper planning and sustainable development of the area.*

5. *Given existing road infrastructure associated with the subject lands as evidenced from the site inspection and having considered the plans and particulars submitted which are unclear in respect of future vehicular access arrangement(s) serving this development onto the adjoining national road (N4), it is considered that to permit the proposed development at this time may pose a risk to road users, would be contrary to policy CPO 10.46 of the Westmeath County Development Plan 2012-2027 and would therefore be contrary to the proper planning and sustainable development of the area.”*

- **Ref. 18/6241:** Extension to the existing house. 2018 **Grant.**
- **Ref. 16/6227:** Extension to the existing house. 2016 **Grant.**
- **Ref. 10/2001:** Alterations to an extension and retention for 6 no. stable boxes in lieu of 20 no. boxes as per planning 97/229. 2010 **Grant.**
- **Ref. 97/229:** Dwelling house with garages and staff apartment, including covered sand ring, stable yard of 20 no. boxes. 1997 **Grant.**

5.0 Policy Context

5.1. Westmeath County Development Plan 2021 - 2027 (*Westmeath CDP*)

- 5.1.1. The site is located on unzoned land in an area identified as being under strong urban influence.

Rural Westmeath

- 5.1.2. CPO 9.1: “ *Areas Under Strong Urban Influence*:
- 5.1.3. *To accommodate demand from individuals for permanent residential development in defined ‘Rural Areas Under Strong Urban Influence’ who have strong links to the area and who are an intrinsic part of the rural community, subject to good planning practice, environmental carrying capacity and landscape protection considerations.*
- 5.1.4. *Local Housing Need*:
- 5.1.5. *Permit residential development in areas defined ‘Rural Areas Under Strong Urban Influence and Stronger Rural Areas’ subject to the following circumstances: 1. Persons who are actively engaged in agriculture, horticulture, forestry, bloodstock and peat industry, 2. Members of farm families seeking to build on the family farm, 3. Landowners for this purpose being defined as persons who own the land 5 years prior to the date of planning application, 4. Persons employed locally whose employment would provide a service to the local community, 5. Persons who have personal, family or economic ties within the area, including returning emigrants, 6. Persons who wish to return to farming and who buy or inherit a substantial farmholding which is kept intact as an established farm unit, will be considered by the Council to be farmers and will be open to consideration for a rural house, as farmers. Where there is already a house on the holding, refurbishment or replacement of this house is the preferred option. The local area for the purpose of this policy is defined as the area generally within a 10km radius of the applicant’s family home.”*
- 5.1.6. CPO 9.2: “*In line with Circular Letter PL 2/2017, review rural housing policy in line with Development Plan or other relevant Guidelines issued by the Minister in this area having regard to NPO 19.*”

- 5.1.7. CPO 9.8: *“Ensure that, in permitting one-off rural housing, key rural assets such as water, natural and cultural heritage and landscape quality are protected and maintained.”*
- 5.2. CPO 9.14: *“Promote the clustering of houses particularly on the same landholding or for the same family and promote shared accesses to minimise hedgerow removal.”*
- 5.3. CPO 9.17: *“Ensure that the road network is adequate to cater for the development and that the traffic movements generated by the development will not give rise to a traffic hazard.”*
- 5.4. CPO 9.18: *“Retain, insofar as practicable, existing hedgerows and trees on new house sites. Replacement trees and hedgerows should be of native species.”*
- 5.5. CPO 9.19: *“Generally, resist urban generated and speculative residential development outside the settlement hierarchy.”*
- 5.6. CPO 9.20: *“Encourage innovative design, and layouts that promote solar gain subject to protecting the character of the landscape.”*
- 5.7. CPO 9.23: *“Restrict residential development not related to farming or forestry practices in defined water catchment areas of Lough Owel and Lough Lene, with the exception of the erection of a house for a member of an existing residential farm family who will inherit the farm, or another member of the family, provided that not more than two dwellings (existing and proposed) be permitted on any farm holding within the water catchment and only where this relates to the first dwelling for the applicant and no alternative site is available outside the water catchment. Where there is a conflict with CPO 9.24 below, this policy shall take precedence.”*

Landscape

- 5.8. CPO 9.24: *“Restrict development not related to farming practices and tourism in all High Amenity Areas, with the exception of housing for the immediate family (son/daughter) of established residents living on landholdings, who demonstrate a housing need and have long-term intrinsic links with the area. The entire landholding will be demonstrated to have been in the resident’s ownership 5 years prior to the date of application.”*

Transport and Infrastructure

- 5.8.1. CPO 10.45: *“Maintain and protect the safety, capacity and efficiency of National roads and associated junctions in accordance with the Spatial Planning and National Roads Guidelines for Planning Authorities, DECLG, (2012) and the Trans-European Networks (TEN-T) Regulations.”*
- 5.8.2. CPO 10.46: *“Protect national roads from inappropriate access in order to protect the substantial investment in the national road network, to preserve the carrying capacity and safety of the National Road Network and to prevent the premature obsolescence of the network.”*
- 5.8.3. CPO 10.48: *“Prevent, except in exceptional circumstances, the creation of additional access points from new developments or the generation of increased traffic from existing accesses to national roads, to which speed limits greater than 60 km/h apply.”*
- 5.8.4. CPO 10.81: *“Protect, safeguard and strictly control development within the water catchment areas of Lough Owel and Lough Lene, and other major sources of public water supply that would give rise to pollution of these water sources.”*

Natural Heritage and Green Infrastructure

- 5.8.5. CPO 12.4: *“Protect and conserve Special Areas of Conservation, candidate Special Areas of Conservation, Special Protection Areas and candidate Special Protection Areas, designated under the EU Birds and Habitats Directives respectively.”*
- 5.8.6. CPO 12.5: *“Ensure that no plans, programmes, etc. or projects giving rise to significant cumulative, direct, indirect or secondary impacts on European Sites arising from their size or scale, land take, proximity, resource requirements, emissions (disposal to land, water or air), transportation requirements, duration of construction, operation, decommissioning or from any other effects shall be permitted on the basis of this Plan (either individually or in combination with other plans, programmes, etc. or projects). Footnote: Except as provided for in Article 6(4) of the Habitats Directive, viz. There must be a) no alternative solution available, b) imperative reasons of overriding public interest for the project to proceed; and c) Adequate compensatory measures in place.”*
- 5.8.7. CPO 12.6: *“Ensure that any plan or project that could have a significant adverse impact (either by themselves or in combination with other plans and projects) upon*

the conservation objectives of any Natura 2000 Site or would result in the deterioration of any habitat or any species reliant on that habitat will not be permitted. Footnote: Except as provided for in Article 6(4) of the Habitats Directive, viz. There must be a) no alternative solution available, b) imperative reasons of overriding public interest for the project to proceed; and c) Adequate compensatory measures in place.”

5.8.8. CPO 12.7: *“Assess any plan or project in accordance with Article 6 of the Habitats Directive to determine whether the plan or project is likely to have a significant effect on the site either individually or cumulatively upon the integrity, conservation objectives and qualifying interest of any Natura 2000 Site.”*

5.8.9. CPO 12.13: *“Protect, manage and enhance the natural heritage, biodiversity, landscape and environment of County Westmeath, in recognition of its importance as both a non-renewable resource and a natural asset.”*

Landscape and Lake Management

5.8.10. CPO 13.20: *“Protect the distinctiveness, value and sensitivity of County Westmeath’s landscapes and lakelands by recognising their capacity to sustainably integrate development.”*

5.8.11. CPO 13.21: *“Protect and preserve designated High Amenity Areas from inappropriate urban generated housing development or any other development which would be injurious to or detract from the natural amenity of Areas of High Amenity.”*

5.8.12. CPO 13.22: *“Protect lakeshores from any inappropriate development which would detract from the natural amenity of the area.”*

5.8.13. CPO 13.23: *“Protect and enhance the special landscape character and exceptional landscape value of the Lough Ree Islands, including their significant archaeological, cultural and natural heritage value. Support the preparation for a Plan for the Islands in conjunction with the National Monuments Service and the National Parks and Wildlife Service.”*

5.8.14. CPO 13.29: *“Protect the County’s lakes and their shorelines, islands, amenity and biodiversity from inappropriate development.”*

5.8.15. CPO 13.30: *“Protect the scenic quality of lakes from any inappropriate development between public roads and lakeshores that would interrupt a view of the lake or adversely affect its setting or its wildlife habitat. Any development in such instance must be sensitively sited and designed and screened from the lake by existing topography or vegetation.”*

Architectural Heritage

5.8.16. CPO 14.30: *“Seek that the form and structural integrity of Protected Structures is retained as part of any redevelopment proposal and that the relationship between the Protected Structure and any complex of adjoining buildings, designed landscape features, or designed views or vistas from or to the structure is considered.”*

Development Management

5.8.17. CPO 16.32: *“Apply the following guidance in assessing planning applications for rural housing:*

5.8.18. Site Selection and Design

- *The scale, form, design and siting of the development should be sensitive to its surroundings and visually integrate with the receiving landscape.*
- *Simple design forms and materials reflective of traditional vernacular should be used.*
- *Have regard to the scale of surrounding buildings. A large house requires a large site to ensure effective integration into its surroundings (either immediately or in the future, through planned screening*
- *The design, siting and orientation of a new dwelling should be site specific responding to the natural features and topography of the site to best integrate development with the landscape and to optimise solar gain to maximise energy efficiency.*
- *The siting of new development shall visually integrate with the landscape, utilising natural features including existing contours and established field boundaries and shall not visually dominates the landscape. (Cutting and filling of sites is not desirable).*

- *New buildings should respect the landscape context and not impinge scenic views or skylines as seen from vantage points or public roads.*
- *Larger houses (e.g. in excess of 200sqm) should incorporate design solutions to minimise visual mass and scale e.g. sub-divided into smaller elements of traditional form to avoid bulky structures.*
- *Use a simple plan form to give a clean roof shape – a long plan in preference to a deep plan. This will avoid the creation of a bulky shape.*
- *Where existing vernacular structures exist on site, consideration should be given to their re-use, adaptation and extension in preference to new build.*
- *Clustering with existing rural buildings is generally preferable to stand-alone locations.*
- *The applicant should determine if the proposed development is located on any designated natural heritage, archaeological or architectural heritage site. The existence of any of these designated sites within the proposed development site may have implications for the proposed dwelling.*

Materials and Detailing:

- *The detail, texture, colour, pattern, and durability of materials of the proposed development should be sustainable and of a high quality, and sensitive to its proposed location.*
- *Local Stone (sandstone/limestone - area specific) and render such as stucco, traditional lime render or lime wash, rough cast render or napped render finish and glass is encouraged. Metal cladding such as copper, timber shingle, self-finished modern renders, and painted timber finish may be acceptable in certain instances or in cases where the design solution calls for an accent material. Brick, stone cladding which clearly reads as non-structural and non-Local Stone or dashes and cladding and other metal or timber finishes which give an engineered or artificial appearance will generally not be permitted.*
- *Where contemporary materials are proposed they should complement and harmonise with traditional materials.*

- *Simple design forms and roof designs with narrow spans (gable-widths) and pitches/profiles are preferable.*
- *Particular attention should be paid to the solid to void ratio of windows and doors. Openings should be proportionate to complement the style of the building.*
- *Decorative fascias and box end soffits should be avoided.”*

5.8.19. CPO 16.33: “Boundary Treatment

- *Application sites should be flanked with a minimum of two established natural boundaries to aid visual integration and help soften the visual impact of the development in the landscape.*
- *Existing hedgerows and landscape features on site should be retained and augmented on site. Where hedgerow removal is required to achieve sight lines, new hedgerow(s) of a native species must be planted inside the line of visibility.*
- *New roadside frontage should be incorporated into existing roadside treatment using compatible hedgerow planting, walls, timber fencing and/or drystone work.*
- *Boundary treatment should reflect local traditions. Traditional dry-stone wall construction or limestone walls with lime mortar, and/or post and wire/timber fencing backplanted with indigenous hedging are considered appropriate at entrances. Over-scaled and elaborate designs should be avoided.*
- *The design of entrance gates should be in keeping with the rural setting. Entrances, wing walls and piers which are not demonstrated to be in character with the rural location of the proposed development will generally not be permitted. All planning applications must include detailed drawings and specifications for vehicular entrance arrangements.*
- *Driveways, and surfaced areas should be located so as to minimise the visual impacts of these proposed structures for example by following existing contour lines.*

Access and Sight Lines

- *All applications for planning permission must include (at a minimum scale of 1:500) comprehensive details of the way in which safe access and egress to the site can be achieved.*
- *Existing roadside hedgerows and trees should be retained as much as possible. The entrance should be carefully considered to achieve the required sight distance with the removal of a minimum extent of existing hedgerow.*
- *Where satisfactory access can be achieved only by removing large stretches of roadside hedgerow/ditches/stone boundaries, an alternative site for the proposed development should be sought.*
- *The sharing of vehicular entrances will be encouraged where appropriate in order to avoid a proliferation of access points. Where a new house is to be sited adjacent to existing dwellings, use of existing entrances, avenues and driveways should be considered.*
- *Safe unobstructed sight distances should be provided and maintained thereafter from vehicular entrances onto the road network as follows:*
 - *Local Roads: 90 metres, (subject to the discretion of the Planning Authority where a lesser distance is demonstrably adequate in terms of traffic safety).*
 - *Regional Roads: 150 metres*
 - *National Roads: 230 metres*

Landscaping

Landscaping proposals should be submitted with all planning applications for development and shall include a schedule of indigenous native plant species and implementation timeline.

Surface & Wastewater Treatment

- *Domestic wastewater treatment plant and percolation areas to comply with the requirements of the Code of Practice Wastewater Treatment Systems Serving Single Dwellings (EPA, 2009) or other superseding standards. These details should be included in any application for a new or replacement dwelling or an extension to an existing dwelling where there is an increase in demand on the treatment capacity of any existing system."*

5.8.20. CPO 16.35: *“Traffic Management and Road Safety*

5.8.21. *All new road layouts should be designed in accordance with the Design Manual for Urban Roads and Streets (DMURS) and relevant TII publications. Development proposals should also include provision for a sustainable modal split, with pedestrian and cycling facilities recognised as an important aspect of new design proposals.”*

5.9. National Planning Framework

5.9.1. National Policy Objective 19: *“Ensure, in providing for the development of rural housing, that a distinction is made between areas under urban influence, i.e. within the commuter catchment of cities and large towns and centres of employment, and elsewhere: In rural areas under urban influence, facilitate the provision of single housing in the countryside based on the core consideration of demonstrable economic or social need to live in a rural area and siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements; In rural areas elsewhere, facilitate the provision of single housing in the countryside based on siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements.”*

5.10. Climate Action Plan 2025

5.10.1. The Action Plan sets out actions that are required to be undertaken in 2025, so that we are prepared to take on the challenges of our second carbon budget period 2026 – 2030.

5.11. DN-GEO-03060 Geometric Design of Junctions (priority junctions, direct accesses, roundabouts, grade separated, and compact grade separated junctions) by Transport Infrastructure Ireland (2023)

5.11.1. Tables 5.4 and 5.5 set out the sightline requirements for junctions with national roads.

5.12. Natural Heritage Designations

5.12.1. The following distances are noted between the site and natural heritage designations:

Site	Distance from the Subject Site
Lough Owel Special Area of Conservation (SAC), Special Protection Areas (SPA) and proposed Natural Heritage Areas (pNHA)	0.225 km
Ballynafid Lake and Fen pNHA	0.7 km
Scragh Bog SAC and pNHA	2 km
Lough Iron pNHA and SPA	3.2 km
Lough Derravaraagh NHA and SPA	6.3 km
Garriskil Bog SAC, pNHA and SPA	6.5 km
Lough Garr NHA	7 km
Lough Sheever Fen/ Slevin's Lough Complex pNHA	6 km

5.13. EIA Screening

- 5.13.1. 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.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. A Third-Party appeal has been lodged in this instance by Transport Infrastructure Ireland (TII). The grounds of the appeal can be summarised as follows:

Location of the Access

- The development relies on the use of a shared private entrance directly off the N4 where a 100 kph speed limit applies.

European, National and Regional Policy Related to National Roads

- The N4 national primary route forms part of the European Union Ten-T comprehensive road network.
- National Strategic Outcome 2 of the National Planning Framework aims to maintain the strategic capacity and safety of the national roads network.
- Spatial Planning and National Roads Guidelines for Planning Authorities states that in relation to lands adjoining national roads where speed limits greater than 60 km/ h apply, the policy of the planning authority will be to avoid the creation of any additional access point from new development or the generation of increased traffic from existing accesses to national roads.
- The development conflicts with EMRA Regional Spatial and Economic Strategy (RPO 8.1 and 8.2).
- The development does not seek to maintain and protect the national road network.
- **Ref. 22/60012** was refused by the Planning Authority.

Local Development Plan Policy

- It is considered that the development departs from policies in the Development Plan including CDP 2.1, CPO 10.45, CPO 10.46, CPO 10.48, CPO 9.17 and the requirements of CPO 16.33.
- Section 10.1 includes for the “*realignment and upgrade from Mullingar to Longford County Boundary (part of the NDP N4 Mullingar to Longford)*”.
- It is considered that the development will result in intensification of the access onto and off the N4.
- The cumulative impact of the current shared entrance arrangement which serves three other residential properties should be examined.

Road and Public Safety Considerations

- Road safety needs to be considered.

- The N4 Mullingar to Longford (Roosky) is included in table 10.1 Schedule of National Road Improvements and in the National Development Plan and is at emerging preferred route corridor stage.
- The sightlines do not conform with the County Development Standards under CPO 16.33.

Planning History and Precedence

- **Ref. 22/60012** was refused due to the access off the N4.
- The development is a risk to road users and policy objective 10.46 of the Development Plan has not been taken into account.
- Under **ref. 97/229**, it was sought to address the intensification of the use of the existing access by the omission of an existing habitable cottage for residential use and to improve sightlines.
- No attempt has been made to investigate potential access to the local road network.

Protecting Public Investment

- The existing road network needs to be protected.

6.2. Applicant Response

6.2.1. The applicant's response to the grounds of appeal can be summarised as follows:

Planning Context

- The Planning Authority considers that the applicant complies with policy CPO 9.1
- The applicant was born and reared in Clonhugh and currently resides with his parents.
- Access to the dwelling is proposed off the existing vehicular entrance. There will be no difference in traffic volumes. TII have not provided any data on collision trends at location of the existing entrance.

- TII requested that the application be referred to the Road Design Office. The application was referred to the Road Design Office who had no objection to the development.
- The development complies with Policy Objective CPO 9.17 as the existing access arrangement has been in place since the 1990s. There will be no increase in traffic movements and the development will not give rise to a traffic hazard.
- Chapter 10 in the CDP outlines the importance of accessibility and mobility for all sections of the community for the future development of the County. This includes the rural community.
- The development will not contravene NSO 2 of the NPF as the development will not result in an increase in traffic.
- The NPF also seeks to ensure that the countryside remains and strengthens as a living and working community.
- The development does not contravene the RSES.
- The development does not contravene the Spatial Planning and National Roads Guidelines for Planning Authorities. Section 2.6 of the Guidelines states that Planning Authorities may identify stretches of national road where a less restrictive approach may be applied. The Planning Authority had no concerns regarding the access. The application was also referred to the NRO who had no objection.
- The development will not contravene Policy Objective CPO 10.47. The preferred route for upgrading the N4 from Mullingar to Longford will traverse the Reynolds family landholding. However, the proposed house is sufficiently set back from the preferred route.
- The development does not contravene Policy Objective CPO 10.48 as the development will not create a new access.
- The development complies with Policy Objective CPO 16.33 as the development will not remove existing trees and hedgerows, the development

will use an existing entrance, the development will provide adequate sightlines, and the development will achieve the safe stopping distance.

Natura Impact Statement

- An NIS was produced which concluded that the development will not adversely affect the integrity of any relevant European site.

Ecology

- The development will have no negative impact on the lakeshore or biodiversity.
- The Preliminary Ecological Appraisal identifies that additional targeted surveys are recommended for bats/ birds.

Archaeology

- An Archaeological Assessment identified that no archaeological features were observed on the application site.

Design

- The design of the development complies with policies in the *Westmeath CDP*, and this was confirmed by the Planning Authority.
- The applicant will give an undertaking that the sight lines will be provided in accordance with the requirements.
- The existing entrance complies with TII safety requirements.

Planning History

- Under **Ref. 22/60012**, one of the reasons of refusal was due to the proposed access. The Planning Authority misinterpreted the proposed access arrangements and thought an existing separate agricultural entrance was proposed to be the main vehicular access point, which was not the case under **ref. 22/60012**.
- The cottage which is referred to by the appellants is not on the Reynolds land.
- Under ref. **24/60133**, permission was recently granted for a new access onto a national road. TII did not appeal this decision. This is at variance with the subject appeal to use an existing entrance.

Roads Planning Policy

- The existing entrance which is proposed to be used has been in use for almost 30 no. years.
- The National Development Plan is a financial plan and not a planning plan.

Road Safety Considerations

- The Road Safety Authority figures and fatal collision statistics identify that the accidents did not occur during the daytime or at peak AM or PM periods which is when the applicant will utilise the entrance. The proposed development will not increase the number of arrivals or departures during the peak periods as the applicant is already using the entrance. The existing and proposed usage of the entrance does not meet the threshold for when a traffic and transport assessment is required.
- Upon opening the N4 upgrade, the existing N4 will likely be downgraded in terms of volume and speed.
- The appellant states that access should be provided on the local road network. However, there is no other alternative access route available to the Reynolds land.

6.3. Planning Authority Response

6.3.1. No response was received from the Planning Authority.

6.4. Observations

- No observations were received.

7.0 Assessment

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

- Rural Housing Need

- Access
- Design
- Residential Amenity
- Site Services
- Archaeology
- Other Matters

7.2. Rural Housing Need

- 7.2.1. In accordance with Map 9.1 – Rural Typology, Co. Westmeath in the *Westmeath CDP*, the site is located in a rural area under strong urban influence. I note the circumstances qualifying for local housing need in rural areas under strong urban influence as set out under CPO 9.1 in the *Westmeath CDP*.
- 7.2.2. I have reviewed the supporting documentation submitted by the applicant to identify how he complies with the rural housing need criteria. I note the applicant's attendance at primary school, his involvement in the local GAA club, details of the farm accounts and details of the local need questionnaire. I also note that the applicant currently resides in the family home on the landholding, that the applicant is employed on the family farm, that the applicant intends to take over the family farm and to care for his parents, that the landholding has been in his family's ownership since 1997, and that the applicant has not been previously granted permission for a one-off dwelling in Westmeath.
- 7.2.3. I have examined the Planner's Report prepared by the Planning Authority, which considered that the applicant complied with policies CPO 9.1, 9.23 and 9.24 of the *Westmeath CDP*.
- 7.2.4. Having regard to the submitted documentation, I am satisfied that the applicant has strong links to the area, is an intrinsic part of the rural community, has a housing need and is employed on the family farm. I therefore consider that the applicant complies with policies CPO 9.1, 9.23 and 9.24 of the *Westmeath CDP* for the development of a residential dwelling in an area under strong urban influence, in the water catchment area of Lough Owel and in a High Amenity Area respectively. Furthermore, noting the applicant's employment on the family farm, I consider that

the applicant has addressed refusal reason no. 1 under ref. **22/60012**, which related to restricting development not related to farming or forestry.

- 7.2.5. I note the Planning Authority in the Notification of Decision to Grant Permission included condition no. 2 which requires the applicant to occupy the dwelling for a period of 7 no. years and to enter into an agreement with the Planning Authority, pursuant to Section 47 of the 2000 Planning and Development Act, providing for the terms of the occupancy requirement. Should the Board consider granting permission, I recommend that a similar condition is included.

7.3. Access

- 7.3.1. The site is proposed to be served by the existing entrance located to the south of the N4 which serves a gate lodge, the parental home, and an adjacent property, Clonghugh House.

Planning Precedent

- 7.3.2. I note the grounds of appeal which reference the planning precedent under ref. **22/60012**. Under ref. **22/60012**, the 5th reason for refusal related to the plans and particulars being unclear in respect of future vehicular access arrangements serving the development onto the adjoining N4 and the potential risk posed to road users due to the vehicular access. It was considered that the development would be contrary to policy CPO 10.46 of the Westmeath County Development Plan 2012 – 2027. CPO 10.46 sought to “*Protect national roads from inappropriate access in order to protect substantial investment in the National Road Network and to prevent the premature obsolescence of the network.*”
- 7.3.3. I note the response from the First-Party, which states that The Planning Authority misinterpreted the proposed access arrangements under ref. **22/60012** and thought an existing separate agricultural entrance was proposed to be the main vehicular access point, which was not the case under ref. **22/60012**.
- 7.3.4. I note that no comments have been received from the Planning Authority regarding the appeal.
- 7.3.5. I have examined the drawings submitted under ref. **22/60012** and the reports from the Planning Authority. Under ref. **22/60012**, the dwelling was proposed to the south east of the parental dwelling and in close proximity to the shoreline of Lough Owel.

The drawing identifies that a new access road was proposed to the south of the parental dwelling where it would tie into existing road infrastructure serving the agricultural fields.

- 7.3.6. I note the Planners Report under ref. **22/60012** stated that the proposed access to the dwelling from the N4 is unclear, as the applicant did not indicate the access from the N4 within the red line boundary. The Planners Report further states that the District Engineer initially considered that the access onto the N4 was via an agricultural entrance due to the lack of detailed drawings. Following discussions with the case planner who confirmed that the existing entrance to the parental home would be used, the District Engineer requested further information.
- 7.3.7. I therefore consider that the 5th reason for refusal under ref. **22/60012**, was primarily related to the lack of suitable drawings identifying the entrance on the N4, which did not allow for a complete assessment of the access arrangements. As such, I do not consider that the 5th reason for refusal under ref. **22/60012**, in relation to the risk posed to road users, is a valid reason for refusing the subject application. I also consider that every application must be assessed on its own merits.

Intensification

- 7.3.8. The grounds of appeal raise concern that the development will lead to the generation of increased traffic.
- 7.3.9. The response from the First-Party states that access to the dwelling is proposed off the existing vehicular entrance. The First-Party further states that there will be no difference in traffic volumes as the applicant currently resides with his parents in the parental home.
- 7.3.10. I note the report from the Planning Authority which considers that as the applicant currently resides and works on the family landholding and already uses the existing entrance, there will be no intensification or increase in traffic.
- 7.3.11. I have reviewed the documentation submitted by the applicant. I am satisfied that the applicant currently resides in his parents dwelling, works on the family farm on the landholding and utilises the existing entrance off the N4 which is proposed to be utilised in the proposed development. Whilst I understand the appellant's concerns regarding road safety, I consider that the development will not result in the

intensification of the existing access on the N4 and will not give rise to a traffic hazard.

Sightlines

- 7.3.12. The grounds of appeal raise concern regarding the use of the existing access on the N4 in relation to sightlines. The appellant states that the sightlines do not accord with CPO 16.33 in the *Westmeath CDP*. I note that CPO 16.33 states that sightlines of 230 m are required on national roads.
- 7.3.13. I note the First-Party's response which states that the development will provide adequate sightlines, and the development will achieve the safe stopping distance.
- 7.3.14. I also note the Engineers Report in the Planning Authority which has no objection to the proposed development and recommends conditions in relation to the maintenance of sightlines.
- 7.3.15. I have examined the drawings, and I note that on the Sightlines at Existing Entrance drawing, it is demonstrated that an existing 250 m sightline is achieved to the west and a 208.9 m sightline is achieved to the east. In response to the appeal, the applicant has submitted a sightlines drawing which identifies that a 215 m sightline can be provided on both the west and east bound lanes in accordance with table 5.4 of DN-GEO-03060.
- 7.3.16. From analysis of the submitted drawings and CPO 16.33, I consider that the development does not provide the 230 m sightlines as required by CPO 16.33. I therefore consider that the development materially contravenes CPO 16.33 in the *Westmeath CDP*.
- 7.3.17. I note Policy CPO 16.35 in the *Westmeath CDP* states that in relation to road safety and traffic management that all new road layouts should be designed in accordance with the Design Manual for Urban Roads and Streets (DMURs) and relevant TII publications. Whilst the access onto the N4 is existing, the road layout connecting to it from the road network on the land holding is new, in order to provide access to the proposed dwelling. The new road layout and proposed dwelling are therefore reliant on the existing access on to the N4. I therefore consider that Policy CPO 16.35 is relevant in this instance.

- 7.3.18. I have reviewed DN-GEO-03060, Geometric Design of Junctions produced by TII, which the First-Party has referenced on their sightlines drawing. I note table 5.5 identifies that on a 100 km/h road, a sightline distance of 215 m is required. I therefore consider that the existing entrance accords with the requirements of DN-GEO-03060, Geometric Design of Junctions produced by TII.
- 7.3.19. I therefore consider that there are conflicting objectives in the *Westmeath CDP*. I note that CPO 16.33 states that sightlines of 230 m are required on national roads. Whilst CPO 16.35 in the *Westmeath CDP* states that in relation to road safety and traffic management that all new road layouts should be designed in accordance with the Design Manual for Urban Roads and Streets (DMURs) and relevant TII publications. DN-GEO-03060, Geometric Design of Junctions produced by TII, identifies that on a 100 km/h road, a sightline distance of 215 m is required.
- 7.3.20. Should the Board consider that the development does materially contravene CPO 16.33 in the *Westmeath CDP*, and wish to grant planning permission, I consider that the Board is entitled to grant planning permission under section 37(2)(a) of the Planning and Development Act, as amended.
- 7.3.21. To conclude, the proposed development seeks to construct a dwelling and associated access road which will tie into the existing road infrastructure and the existing junction with the N4. As the applicant is currently residing in the parental dwelling on the landholding, the subject application will not intensify the use of the existing junction with the N4. Having regard to the conflicting objectives in the *Westmeath CDP*, the reports from the Planning Authority which confirm that the junction with the N4 and associated sight lines are acceptable, the fact that the junction arrangement with the N4 is existing and is not being intensified by the proposed development, I am satisfied that the proposed access arrangements to the site are acceptable and will not impact traffic safety or result in traffic hazards.

Road Improvement Works

- 7.3.22. The grounds of appeal identify that the N4 Mullingar to Longford (Roosky) scheme is at the emerging preferred route corridor stage and raise concern about the impact of the proposed development on the scheme.

- 7.3.23. The response from the applicant states that the preferred route for upgrading the N4 from Mullingar to Longford will traverse the Reynolds family landholding. However, the proposed house is sufficiently set back from the preferred route.
- 7.3.24. The report from the Planning Authority notes that during the application process, a submission was received from TII who noted the site's proximity to a future national road scheme and requested that the application was referred to the local Road Design Office. Following a review of the scheme, the Westmeath National Roads Office had no objection to the granting of planning permission in relation to the N4 Mullingar to Longford (Roosky) Scheme. The Planners Report therefore concluded that the works were acceptable.
- 7.3.25. I note table 10.1 in the *Westmeath CDP* which lists the realignment and upgrade from Mullingar to Longford County Boundary in the Schedule of National Road Improvements. Having regard to the positioning of the site and the report from the Westmeath National Roads Office, I am satisfied that the proposed development will not impact the N4 Mullingar to Longford (Roosky) Scheme.

7.4. Design

- 7.4.1. The site is positioned to the north east of Lough Owel, which the *Westmeath CDP* identifies as a High Amenity Area.
- 7.4.2. The site is proposed to be accessed via a long private road which serves the parental home and will continue onwards to the south-east leading to the subject site.
- 7.4.3. The dwelling is proposed as a single storey dwelling with 2 no. bedrooms. I note the ridge height of the dwelling measures 6.79 m and that the length of the dwelling measures 38.1 m.
- 7.4.4. I have examined the report from the Planning Authority, and I note that they considered that the proposed development dwelling would assimilate into the landscape.
- 7.4.5. Under **ref. 22/60012**, I note the second reason of refusal related to the siting and design of the development, which failed to assimilate effectively into its surroundings and would seriously injure the visual amenities of a designated High Amenity Area. Under **ref. 22/60012**, the dwelling was proposed to be positioned 43.57 m from the

southern boundary of the landholding adjacent to Lough Owel. In comparison, the proposed development is now set back 314.7 m from the shoreline of Lough Owel and the length of the dwelling has been reduced by 2.4 m. Having regard to the positioning of the dwelling on the landholding, the topography of the site, the design of the dwelling and the landscaping proposals which include tree planting on low mounds which will assist in screening the development, I am satisfied that the development will effectively assimilate into its surroundings. I therefore consider that the applicant has addressed the second reason for refusal under **ref. 22/60012**.

Furthermore, I consider that the development accords with CPO 12.31 of the *Westmeath CDP* which seeks to protect High Amenity Areas from development that would be injurious to the natural amenity of Areas of High Amenity.

Size

- 7.4.6. The development proposes to construct a two bedroom dwelling measuring 356.7 sq. m. I note that the size of the dwelling, accords with the minimum gross floor areas for two bedroom dwellings set out in *Quality Housing for Sustainable Communities*.

7.5. Residential Amenity

- 7.5.1. The dwelling is positioned to the south east of the parental dwelling. Having regard to the single storey nature of the proposed dwelling and its positioning relative to the parental dwelling, I am satisfied that the development will not impact the residential amenities of the parental dwelling.

7.6. Site Services

- 7.6.1. The dwelling is proposed to be served by a new well located to the north of the dwelling. In relation to surface water drainage, it is proposed to discharge the storm drainage from the development to a new soakaway located to the south west of the proposed dwelling. I note that the reports from the Environment and Engineers Departments which raises no concerns with regards to the well or the surface water proposal subject to conditions.
- 7.6.2. The development is proposed to be serviced by an on-site proprietary treatment system and a Ecoflo Coco Filter and Gravel Distribution Bed.

- 7.6.3. I note the results of the site Soil Characterisation and Site Suitability Assessment Report which identifies that the site is suitable for development. The application is also accompanied by a report from O'Reilly Oakstown Ltd which has assessed the Soil Test Report and confirms the suitability of their Oakstown BAF 8PE Wastewater Treatment System to treat effluent being discharged from the proposed dwelling.
- 7.6.4. I note the report submitted by the Environmental Section which has no objection to the proposed development subject to the inclusion of 12 no. conditions in relation to a Construction and Environmental Management Plan, a pre-construction survey, the appointment of an Ecological Clerk of Works, the storage of oils and hydrocarbons, the disposal of waste and surface water, construction hours, dust management, tree and hedgerow removal, lighting and maintenance details of the wastewater treatment system. Should the Board consider granting planning permission, I recommend that similar conditions are included.
- 7.6.5. I also note the Engineers Report from the Planning Authority which has no objection to the proposed sewage treatment system, subject to conditions in relation to maintenance, the submission of a compliance certificate and the construction of the treatment system. Should the Board consider granting planning permission, I recommend that similar conditions are included.

7.7. Archaeology

- 7.7.1. A Ringfort – Rath (SMR no. WM011-107) and Sweathouse (SMR WM011-108) are located approximately 0.2 km and 0.25 km respectively to the south of the site alongside Lough Owel.
- 7.7.2. As noted above, under **ref. 22/60012**, the third reason of refusal related to the siting of the development within the bounds of the Ringfort – Rath and in proximity to the Sweathouse. The refusal further stated that in the absence of documentation submitted to the contrary, the development would interfere with the historic remains and setting of a monument.
- 7.7.3. As noted above, in comparison to **ref. 22/60012**, the location of the proposed dwelling has moved further north, away from Lough Owel and the Ringfort – Rath and Sweathouse.

- 7.7.4. The applicant has submitted an Archaeological Assessment which identifies that the site is sufficiently removed from known archaeological remains to avoid any negative impact on subsurface remains. The Assessment further identifies that a geophysical survey which was previously conducted to the south of the study area, found that archaeological trends did not extend into the study area. The Assessment concluded that there is a reduced likelihood of unknown archaeological remains being present in the area and that no further archaeological work is recommended.
- 7.7.5. I note the report from the Planning Authority which states that the application was referred to the Department of Housing, Local Government and Heritage and no comments were received. In the Notification of Decision to Grant Permission, condition no. 14 was included which requires the submission of an archaeological assessment and a geophysical survey.
- 7.7.6. Having regard to the proximity of the Ringfort-Rath and Sweathouse to the subject site and the fact that the geophysical survey referenced in the Archaeological Assessment did not cover the subject site, I recommend that should the Board consider granting permission, that a similar condition to no. 14 is included.

7.8. Other Matters

Ecology

- 7.8.1. The application included a Preliminary Ecological Appraisal Report. I note the report concludes that no protected or notable habitats were identified on the site and that the potential for bats and birds was identified. The report recommends that additional targeted surveys are conducted for bats/ birds. Should the Board consider granting permission, I recommend that this is addressed by way of condition.

Planning History

- 7.8.2. I note the comments from the First-Party which stated that TII did not appeal reference **no. 24/60133**, where permission was recently granted for a new access onto a national road. I understand the First-Party's concern that this is at variance with the subject appeal. However, every application must be assessed on its own merits.

8.0 AA Screening

8.1. Context

- 8.1.1. The requirements of Article 6(3) as related to Appropriate Assessment of a project under Part XAB and Section 177U and 177V of the Planning & Development Act, 2000 (as amended) are considered fully in this section with the areas addressed as follows:

- Compliance with Article 6(3) of the EU Habitats Directive
- Description of the Development
- Information received with the application
- Screening for Appropriate Assessment
- Appropriate Assessment

8.2. Compliance with Article 6(3) of the EU Habitats Directive:

- 8.2.1. The requirements of Article 6(3) as related to screening the need for appropriate assessment of a project under part XAB, section 177U of the Planning and Development Act 2000 (as amended) are considered fully in this section. The Habitats Directive deals with the Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union. Article 6(3) of this Directive requires that any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. The competent authority must be satisfied that the proposal will not adversely affect the integrity of the European site before consent can be given.
- 8.2.2. The proposed development at Clonhugh, Multyfarnham, Mullingar, Co. Westmeath comprises the construction of a single storey house with effluent treatment unit and percolation area. The proposed development is not directly connected to or necessary to the management of any European site and therefore is subject to the provisions of Article 6(3).

8.3. Description of the Development

- 8.3.1. The proposed development comprises the construction of a single storey house with effluent treatment unit, percolation area and new access road.

8.4. Information Received with the Application

- 8.4.1. The application included the submission of a Natura Impact Statement (NIS) (dated November 2024).
- 8.4.2. The submitted NIS outlines the methodology used for assessing potential impacts on the habitats and species within 2 no. Natura sites, Lough Owel SPA and Lough Owel SAC. It predicts the potential impacts for this site and its conservation objectives, it suggests mitigation measures, assesses in-combination effects with other plans and projects and it identifies any residual effects on the European site and its conservation objectives.
- 8.4.3. The NIS concludes that *“the Proposed Development will have no significant adverse effects on the QIs, SCIs and on the integrity and extent of any European designated Site. Accordingly, the Proposed Development will not adversely affect the integrity of any relevant European site.”*
- 8.4.4. Having reviewed the NIS and the supporting documentation, I am satisfied that it provides adequate information in respect of the baseline conditions, clearly identifies the potential effects, and uses best scientific information and knowledge. Details of mitigation measures are provided, and they are outlined in section 3.4 (pages 31 – 35) of the NIS. I am satisfied that the information is sufficient to allow for appropriate assessment of the proposed development. Set out below is my own independent assessment.

8.5. Screening for Appropriate Assessment

Natura 2000 Sites

- 8.5.1. The proposed development is examined in relation to any possible interaction with European sites designated Special Areas of Conservation (SAC) and Special Protection Areas (SPA) to assess whether it may give rise to significant effects on any European site(s).
- 8.5.2. The site itself is not located within a designated European site. The nearest designated sites are:

Site	Distance from the Subject Site
Lough Owel SAC and SPA	0.225 km
Lough Iron SPA	3.2 km
Lough Derravaraagh SPA	6.3 km
Garriskil Bog SAC and SPA	6.5 km

8.5.3. European sites within the potential zone of influence (Zol) of the proposed development must be evaluated on a case-by-case basis. The preferred method of doing this is by using the Source-Pathway-Receptor (SPR) model. The submitted NIS (in section 3.3) used the SPR model to establish or discount potential connectivity between the site of the proposed development and any European sites. Table 6 in the NIS examines Lough Owel SAC and Lough Owel SPA with the SPR method to establish notable links between the sources of effects arising from the development and any relevant European site. I have conducted a similar exercise in table 8.1 (appendix 3) which lists the qualifying interests of the Natura Sites, their conservation objectives and identifies possible connections between the proposed development (source) and the sites (receptors).

8.5.4. Having regard to the information available, the nature, size and location of the proposed development, its likely direct, indirect and in-combination effects, the source-pathway-receptor model, and the sensitivities of the ecological receptors, I consider that 2 no. Natura 2000 sites are relevant to include for the purposes of initial screening for the requirement for Stage 2 Appropriate Assessment on the basis of likely significant effects, and these are Lough Owel SAC (site code 000688) and Lough Owel SPA (site code 004047).

Screening Determination

8.5.5. Based on my examination of the submitted NIS and supporting information, the NPWS website, the scale of the proposed development and likely effects, separation distance and functional relationship between the proposed works and the European Sites, their conservation objectives and taken in conjunction with my assessment of

the subject site and the surrounding area, I conclude that a Stage 2 Appropriate Assessment is required for 2 no. European Sites: Lough Owel SAC (site code 000688) and Lough Owel SPA (site code 004047). This conclusion is consistent with the documentation submitted by the applicant.

8.6. Appropriate Assessment

8.6.1. Potential impacts from the development on Lough Owel SAC include the following:

- Potential for water quality deterioration during the construction phase affecting the qualifying interests of habitats and species.

8.6.2. Potential impacts from the development on Lough Owel SPA include the following:

- Potential for water quality deterioration during construction phase affecting special conservation interest's species.

8.6.3. The information contained in table 8.2 (Appendix 4) is a summary of the objective scientific assessment of the implications of the proposed development on the qualifying interest features of Lough Owel SAC (site code 000688) and Lough Owel SPA (site code 004047) using the best scientific knowledge in the field. All aspects of the proposed development which could result in significant effects are assessed and mitigation measures designed to avoid or reduce any adverse effects are considered and assessed.

Potential In-Combination Effects

8.6.4. In combination effects are examined within the submitted NIS report and have also been considered under table 8.2 below in appendix 4. The NIS outlines how any planning applications granted or had a decision pending within the last five years (including relevant long term developments) were assessed for their potential to act in-combination with the proposed development and cause likely significant effects on the relevant European Sites. The NIS identifies that most developments were granted more than 5 no. years ago and have since been completed or are small scale residential extensions. The only large scale development was **reference no. 206121** for the upgrade, reorientation and expansion of a substation as part of the Coole Wind Farm. This application is located 1 km to the northeast of the proposed development. The NIS identifies that there is no potential for in-combination effects between the proposed development and the **reference no. 206121**.

Mitigation Measures

- 8.6.5. The mitigation measures that are proposed in the NIS to address the potential adverse effects of the construction of the proposed development are listed under section 3.4 of the NIS.
- 8.6.6. The measures include standard best practise surface water protection measures, maintenance of plant and machinery, earthworks mitigation, measures in relation to the storage and use of fuels, oils and chemicals, spill/ emergency response plans and waste management and disposal measures.
- 8.6.7. I consider that the mitigations measures are reasonable, practical and enforceable, having regard to the nature and scale of the proposed development. I am satisfied that the mitigation measures outlined fully address the potential effects arising from the proposed development namely, the potential for water quality deterioration. If implemented in full, I am satisfied that the proposed development would not give rise to adverse effects on water quality or biodiversity.

Residual Effects and Integrity Test

- 8.6.8. The submitted NIS concludes that once the mitigation *“measures have been employed in full it is envisaged that there will not be any residual impacts associated with the Proposed Development that could adversely affect the integrity of these, or any other, European site.”*
- 8.6.9. I consider the information and assessment presented in the NIS to be comprehensive and I concur with this conclusion.
- 8.6.10. Following the Appropriate Assessment and the consideration of mitigation measures, I am able to ascertain with confidence that the project would not adversely affect the integrity of the Lough Owel SAC (site code 000688) and Lough Owel SPA (site code 004047), in view of the Conservation Objectives of that site. This conclusion has been based on a complete assessment of all implications of the project alone and in combination with other plans and projects.

Conclusion

- 8.6.11. The proposed development has been considered in light of the assessment requirements of Sections 177U and 177V of the Planning and Development Act 2000, as amended.

- 8.6.12. Having carried out screening for Appropriate Assessment of the project, it was concluded that it may have a significant effect on the Lough Owel SAC (site code 000688) and Lough Owel SPA (site code 004047). Consequently, an Appropriate Assessment was required of the implications of the project on the qualifying features of this site in light of its conservation objectives.
- 8.6.13. Following an Appropriate Assessment, it has been ascertained that the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of Lough Owel SAC (site code 000688) and Lough Owel SPA (site code 004047), or any other European site, in view of the site's Conservation Objectives. This conclusion is based on a complete assessment of all aspects of the proposed project and proposed mitigation measures and there is no reasonable doubt as to the absence of adverse effects.

9.0 Water Framework Directive

- 9.1. I conclude that 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 and consequently can be excluded from further assessment.
- 9.2. I refer the Board to Appendix 5 for my screening assessment.

10.0 Recommendation

- 10.1. I recommend that permission be granted for the following reasons and considerations, subject to conditions.

11.0 Reasons and Considerations

- 11.1. Having regard to:
- I. The policy objectives and provisions in the Westmeath County Development Plan 2021 - 2027 in respect of residential development in areas defined as Rural Areas Under Strong Urban Influence.

- II. The nature, scale and design of the proposed development which is consistent with the provisions of the Westmeath County Development Plan 2021 – 2027.
- III. The fact that the junction arrangement with the n4 is existing and is not being intensified by the proposed development
- IV. The pattern of existing and permitted development in the area, and
- V. To the contents of the appeal received,

11.1.1. It is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, the landscape character or biodiversity of the area and would be acceptable in terms of design and in terms of traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area

12.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 19th November 2024, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>(a) The proposed dwelling, when completed, shall be first occupied as a place of permanent residence by the applicant, members of the applicant's immediate family or their heirs, and shall remain so occupied for a period of at least seven years thereafter [unless consent is granted by the planning authority for its occupation by other persons who belong to the same</p>

	<p>category of housing need as the applicant]. Prior to commencement of development, the applicant shall enter into a written agreement with the planning authority under section 47 of the Planning and Development Act, 2000 to this effect.</p> <p>(b) Within two months of the occupation of the proposed dwelling, the applicant shall submit to the planning authority a written statement of confirmation of the first occupation of the dwelling in accordance with paragraph (a) and the date of such occupation.</p> <p>This condition shall not affect the sale of the dwelling by a mortgagee in possession or the occupation of the dwelling by any person deriving title from such a sale.</p> <p>Reason: To ensure that the proposed house is used to meet the applicant's stated housing needs and that development in this rural area is appropriately restricted [to meeting essential local need] in the interest of the proper planning and sustainable development of the area.</p>
3.	<p>(a) An Ecological Clerk of Works shall be appointed by the developer to oversee the implementation of the ecological mitigation measures and control/monitoring measures as proposed in the Preliminary Ecological Appraisal, NIS, CEMP and any additional mitigation measures arising from further surveys and impact assessments.</p> <p>(b) Prior to commencement of development, the developer shall submit for the written agreement of the planning authority, a 'pre-construction' survey of the site which shall be carried out by a qualified Ecologist. The Ecological survey shall include but not limited to assessment of small mammals, bats and birds.</p> <p>(c) All external lighting shall be designed and installed using best practice to reduce the impacts on bats and other wildlife in accordance with "Bat and Lighting, Guidance Notes for: Planners, Engineers, Architects and Developers, December 2010".</p>

	Reason: In the interests of environmental protection and orderly development
4.	<p>The dwelling hereby permitted shall be finished in a smooth render, stone base, granite stone portico and natural slate roof. The ridge tile shall match the colour of the roof. All rainwater goods, bargeboards, fascia's and soffits where used shall blend with the roof. All cill faces shall be 100mm. Any alternative materials to those specified above shall be submitted to and agreed by the Planning Authority prior to the commencement of the development and the development shall thereafter be carried out and maintained in accordance with the agreed details.</p> <p>Reason: In the interests of the visual amenities of the area.</p>
5.	<p>A Construction and Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The CEMP shall include but not be limited to construction phase controls for dust, noise and vibration, waste management, protection of soils, groundwaters, and surface waters, site housekeeping, emergency response planning, site environmental policy, and project roles and responsibilities. The CEMP shall be in accordance with 'Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Waste Projects' which were published by Department of Communications, Climate Action, and Environment in 2021. The CEMP should identify the locations for the proposed site construction facilities and the traffic management. All mitigation measures and recommendations identified in the Natura Impact Statement, preliminary Ecological Appraisal Report and any other environmental reports submitted shall be included in the CEMP and shall be implemented in full.</p> <p>Reason: In the interest of environmental protection, residential amenities, public health and safety and environmental protection.</p>
6.	The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the

	<p>area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.</p> <p>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.</p>
7.	<p>(a) The developer shall engage the services of a suitably qualified archaeologist to carry out an archaeological assessment of the development site. No sub-surface developmental work, including geotechnical test pits, shall be undertaken until the archaeological assessment has been completed and commented on by the National Monument Service.</p> <p>(b) The archaeologist shall carry out any relevant documentary research and inspect the development site. The assessment shall include a visual impact assessment of the proposed development on the site and setting of Recorded Monuments WM011-107- ---Class: Ringfort – rath. A further geophysical survey of the site of the proposed development and its associated access road and a programme of test excavation shall be carried out at locations chosen by the archaeologist (licensed under the National Monuments Acts 1930-2004), having consulted the site drawings and the National Monuments Service.</p>

	<p>(c) Having completed the work, the archaeologist shall submit a written report stating their recommendations to the Planning Authority and to the Department of Housing, Local Government and Heritage. Where archaeological material/features are shown to be present, preservation in situ, preservation by record (excavation) or monitoring may be required.</p> <p>Reason: To ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest</p>
8.	<p>(a) The wastewater treatment system hereby permitted shall be installed in accordance with the recommendations included within the site characterisation report submitted with this application on and shall be in accordance with the standards set out in the document entitled “Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)” – Environmental Protection Agency, 2021.</p> <p>(b) Treated effluent from the septic tank/ wastewater treatment system shall be discharged to a percolation area/ polishing filter which shall be provided in accordance with the standards set out in the document entitled “Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)” – Environmental Protection Agency, 2021.</p> <p>(c) Within three months of the first occupation of the dwelling, the developer shall submit a report to the planning authority from a suitably qualified person (with professional indemnity insurance) certifying that the septic tank/ wastewater treatment system and associated works is constructed and operating in accordance with the standards set out in the Environmental Protection Agency document referred to above.</p> <p>Reason: In the interest of public health and to prevent water pollution.</p>
9.	<p>(a) The approved landscaping scheme received on 28th August 2024 shall be undertaken in the first planting season following the occupation or substantial completion of the dwelling, whichever is the sooner. The planting shall thereafter be maintained and any plants that die, become</p>

	<p>diseased or are removed within 5 years shall be replaced within the following planting season by plants of a similar size and species.</p> <p>(b) Any required hedgerow and tree removal to facilitate the proposed development or hedgerow maintenance should not take place during the breeding season between 01 March and 31 August.</p> <p>(c) Any new shall be comprised of native species including at least 5 of the following: blackthorn (<i>Prunus spinosa</i>), whitethorn (<i>Crataegus monogyna</i>), ash (<i>Fraxinus excelsior</i>), crab apple (<i>Malus sylvestris</i>), downy birch (<i>Betula pubescens</i>), guelder rose (<i>Viburnum opulus</i>), hazel (<i>Corylus avellana</i>), holly (<i>Ilex aquifolium</i>), pendunculate oak (<i>Quercus robur</i>), rowan (<i>Sorbus aucuparia</i>), spindle (<i>Euonymus europaeus</i>), whitebeam (<i>Sorbus aria</i>), wild cherry (<i>Prunus avium</i>), elm (<i>Ulmus glabra</i>). Please note that beech, field maple, Laurel and Leylandii are not native/indigenous species.</p> <p>Reason: In the interests of the amenities of the area</p>
10.	<p>Unless otherwise agreed with the planning authority, the development shall be carried out in its entirety in accordance with the control/monitoring measures and mitigation measures and recommendation outlined in:</p> <ul style="list-style-type: none"> • Preliminary Ecological Appraisal Report, Enviroguide, June 2024. • Natura Impact Statement, Enviroguide, November 2024. <p>Reason: In the interests of nature conservation and orderly development.</p>
11.	<p>The proposed development shall be serviced by a private well.</p> <p>(a) The proposed well shall be located, relative to the proposed wastewater treatment system, in strict accordance with Annex E of the 'Code of Practice: Wastewater Treatment and Disposal Systems Serving Single Houses' (p.e. ≤10) published by EPA.</p> <p>(b) All water service pipes shall be laid a minimum depth of 600mm below final finished ground level.</p> <p>Reason: In the interests of public health and orderly development.</p>

12.	<p>Sightlines shall be maximised at the proposed access point. These shall remain unobstructed and nothing shall be planted, sown, constructed or erected forward of the sightlines.</p> <p>Reason: To preserve the rural amenities of the area and in the interests of road and traffic safety</p>
13.	<p>All uncontaminated surface water, including roof water, shall be separately collected and discharged to drain or to on-site soakaway, and shall not in any circumstances be allowed discharge to the septic tank or proprietary foul sewage treatment system.</p> <ul style="list-style-type: none"> • Surface Water from the development shall be collected into on site soakaways. • All soakaways shall be designed and constructed and maintained to BRE Digest 365 or CIRIA 156. • Where the development land is higher than the public road a linear drainage channel or gully shall be placed at the entrance to the development, connected back to an additional dedicated soakaway. <p>Reason: In the interests of public health and orderly development.</p>
14.	<p>All service cables associated with the proposed development (such as electrical, communal television, telephone and public lighting cables) shall be located underground.</p> <p>Reason: In the interest of orderly development and the visual amenities of the area.</p>

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.

Catherine Hanly

Planning Inspector

9th June 2025

13.0 Appendix 1 Form 1 - EIA Pre-Screening

Case Reference	ABP 321831-25
Proposed Development Summary	A single storey house with effluent treatment unit and percolation and all associated site works.
Development Address	Clonhugh, Multyfarnham, Mullingar, Co. Westmeath
	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)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2. <input type="checkbox"/> 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)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	N/A

<input checked="" type="checkbox"/> 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?	
<input type="checkbox"/> 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.	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
<input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR	The class is 10(b)(i) Construction of more than 500 dwelling units. The development is for the construction of 1 no. dwelling and therefore is sub-threshold.

<p>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	
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<p>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)?</p>	
<p>Yes <input type="checkbox"/></p>	
<p>No <input checked="" type="checkbox"/></p>	<p>Pre-screening determination conclusion remains as above (Q1 to Q3)</p>

Inspector: _____ **Date:** _____

14.0 Appendix 2 Form 2 - EIA Preliminary Examination

Case Reference	ABP 321831-25
Proposed Development Summary	A single storey house with effluent treatment unit and percolation and all associated site works
Development Address	Clonhugh, Multyfarnham, Mullingar, Co. Westmeath
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 involves the construction of 1 no. dwellings on a 3.89 ha site. The site is located in a rural area.
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	The site is located c. 0.225 km to the north of Lough Owel SAC, SPA and pNHA. The site is located approximately 330m from a Ringfort – Rath (recorded monument WM011-107) and in close proximity to a sweathouse (recorded monument WM011-108).

reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	Localised construction impacts will be temporary. The proposed development would not give rise to waste, pollution or nuisances beyond what would normally be deemed acceptable.
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.
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	

<p>There is a real likelihood of significant effects on the environment.</p>	
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Inspector: _____ **Date:** _____

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

(only where Schedule 7A information or EIAR required)

15.0 **Appendix 3: Table 8.1 Table of European Sites within a Possible Zone of Influence of the Proposed Development**

European Site	Qualifying Interests (summary)	Conservation Objectives	Distance	Connections	Considered further in Screening
Lough Owel SAC (site code 000688)	<ul style="list-style-type: none"> - Hard oligo-mesotrophic waters with benthic vegetation of Chara spp. - Transition mires and quaking bogs - Alkaline fens - Austropotamobius pallipes (White-clawed Crayfish) 	<ul style="list-style-type: none"> - To maintain the favourable conservation condition of Hard oligo-mesotrophic waters with benthic vegetation of Chara spp. in Lough Owel SAC. - To maintain the favourable conservation condition of Transition mires and quaking bogs in Lough Owel SAC. - To maintain the favourable conservation condition of Alkaline fens in Lough Owel SAC. 	0.225 km to the southwest of the site.	Weak potential hydrological and hydrogeological pathways during the Construction Phase of the Proposed Development.	Yes

		- To maintain the favourable conservation condition of White-clawed Crayfish in Lough Owel SAC			
Lough Owel SPA (site code 004047)	<ul style="list-style-type: none"> - Coot (<i>Fulica atra</i>) - Shoveler (<i>Spatula clypeata</i>) - Wetland and Waterbirds 	<ul style="list-style-type: none"> - To restore the Favourable conservation condition of Shoveler in Lough Owel SPA. - To restore the Favourable conservation condition of Coot in Lough Owel SPA. - To maintain the Favourable conservation condition of Wetland habitats in Lough Owel SPA as a resource for the regularly-occurring migratory waterbirds that utilise these areas. 	0.225 km to the southwest of the site.	Weak potential hydrological and hydrogeological pathways during the Construction Phase of the Proposed Development.	Yes

16.0 Appendix 4: Table 8.2 Summary of Appropriate Assessment of Implications of the Proposed Development on the Integrity of Lough Owel SAC and Lough Owel SPA alone and in combination with other plans and projects in view of the site's Conservation Objectives

Natura Site	Qualifying Interest Feature	Potential Adverse Effects	Mitigation Measures	In-combination effects	Can adverse effects on the integrity be excluded?
Lough Owel SAC (site code 000688)	<ul style="list-style-type: none"> - Hard oligo-mesotrophic waters with benthic vegetation of Chara spp. - Transition mires and quaking bogs - Alkaline fens - Austropotamobius pallipes (White-clawed Crayfish) 	Potential for water quality deterioration during Construction Phase affecting QI habitats and species.	<ul style="list-style-type: none"> - Good housekeeping on the site and the proper use, storage and disposal of potential pollutants. - Correct storing and handling of pollutants and hazardous materials. - Bunding for silos, oil containers, wheel washers and dust suppression on site roads and regular plant maintenance. 	Having reviewed the information submitted, I am satisfied that no in-combination effects will occur as a result of the	Yes

			<ul style="list-style-type: none"> - Site drainage to collect surface run-off prior to discharge to the proposed new soakaways. - Surface water will be drained or pumped to a construction site water treatment arrangement. The water will be directed into a proprietary settlement tank with a proprietary silt bag to intercept bulk silt volumes. - Off-site disposal discharge water generated during the placement of concrete. - No washing out of any concrete trucks. - Specific areas for storage, delivery and loading/ unloading of materials with spill protection measures. 	proposed development.	
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			<ul style="list-style-type: none"> - Waterproof covers on stockpiles or waste. - Avoid prolonged exposure of contaminated soils or groundwater to the atmosphere. - Appropriate storage of deleterious substances. - Appropriate Spill Response Plan and Environmental Emergency Plans. - Control measures and spill clean up equipment. - A register of hazardous substances. - Mapping of all existing services and a plan to deal with any unknown drains. 		
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			<ul style="list-style-type: none"> - Minimise any surface water inflow into the main areas of excavation. - Maintenance of plant and machinery. - Earthworks mitigation including water misting on stockpiles and minimising stockpiles exposure to wind. - Appropriate storage and use of fuels, oils and chemicals. - Waste management and disposal including the provision of portaloos and the disposal of mixer washings at a suitably licenced facility. 		
Lough Owel SPA (site	<ul style="list-style-type: none"> - Coot (<i>Fulica atra</i>) - Shoveler (<i>Spatula clypeata</i>) 	Potential for water quality deterioration during	- Good housekeeping on the site and the proper use, storage and disposal of potential pollutants.	Having reviewed the information submitted, I	Yes

code 004047)	- Wetland and Waterbirds	Construction Phase affecting SCI species	<ul style="list-style-type: none"> - Correct storing and handling of pollutants and hazardous materials. - Bunding for silos, oil containers, wheel washers and dust suppression on site roads and regular plant maintenance. - Site drainage to collect surface run-off prior to discharge to the proposed new soakaways. - Surface water will be drained or pumped to a construction site water treatment arrangement. The water will be directed into a proprietary settlement tank with a proprietary silt bag to intercept bulk silt volumes. - Off-site disposal discharge water generated during the placement of concrete. 	am satisfied that no in-combination effects will occur as a result of the proposed development.	
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			<ul style="list-style-type: none"> - No washing out of any concrete trucks. - Specific areas for storage, delivery and loading/ unloading of materials with spill protection measures. - Waterproof covers on stockpiles or waste. - Avoid prolonged exposure of contaminated soils or groundwater to the atmosphere. - Appropriate storage of deleterious substances. - Appropriate Spill Response Plan and Environmental Emergency Plans. - Control measures and spill clean-up equipment. 		
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			<ul style="list-style-type: none"> - A register of hazardous substances. - Mapping of all existing services and a plan to deal with any unknown drains. - Minimise any surface water inflow into the main areas of excavation. - Maintenance of plant and machinery. - Earthworks mitigation including water misting on stockpiles and minimising stockpiles exposure to wind. - Appropriate storage and use of fuels, oils and chemicals. - Waste management and disposal including the provision of portalooos and the disposal of 		
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			mixer washings at a suitably licenced facility.		
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17.0 Appendix 5: WFD Impact Assessment Screening

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Bord Pleanála ref. no.	ABP 321831-25	Townland, address	Clonhugh, Multyfarnham, Mullingar, Co. Westmeath.
Description of project		A single storey house with effluent treatment unit and percolation and all associated site works.	
Brief site description, relevant to WFD Screening,		<p>The site is bound to the east by forestry, to the north by the side garden of the parental dwelling and an agricultural field, to the north west by the parental dwelling and to the west and south by an agricultural field. Lough Owel is located approximately 234 m to the south of the site across the garden of the parental dwelling.</p> <p>The site measures 3.89 ha and consists of an agricultural field which falls to the south towards Lough Owel. The site is located alongside the eastern boundary of the overall landholding.</p> <p>The NIS identifies that the groundwater rock units underlying the site are classified as Dinantian Upper Impure Limestones. The level of vulnerability to</p>	

	<p>groundwater contamination from human activities is moderate throughout the site.</p> <p>The soil is classified as Rathowen, and the subsoil is Limestone till (Carboniferous)</p>
Proposed surface water details	It is proposed that stormwater run-off from the impermeable surfaces will be discharged into a new storm water drainage system which will be separate to the proposed foul water drainage system. It is proposed to discharge the storm drainage from the Proposed Development to a new soakaway located to the southwest of the proposed building.
Proposed water supply source & available capacity	The site is proposed to be served by a new well located to the north of the dwelling.
Proposed wastewater treatment system & available capacity, other issues	It is proposed to discharge foul water from the proposed building via soil vent pipes into a new network of foul drainage before connecting into a new on-site treatment system. This treatment system, along with the associated percolation area, will be located to the southeast of the proposed building.
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)
Brosna_10 – Surface Water Body	819 m	IE_SH_25B2 80390	Poor	At risk	Sediment, Morphological, Organic	None
Lough Owel – Lake Water Body	225 m	IE_SH_26_7 03	Good	Not at risk	N/A	Yes, via potential surface water run-off overland or to groundwater.
GWDTE – Lough Owel Fens and Mires Groundwater Body (IE_SH_G_166)	0 m	IE_SH_G_16 6	Good	Not at risk	N/A	Underlying groundwater body

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	Water body 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	Brosna_10 – Surface Water Body	None	None	None	No	Screened out

2.	Lake Water Body	Lough Owel – Lake Water Body	Yes, via potential surface water run-off overland or to groundwater	Spillages, uncontrolled release of silt and sediments, increased noise, dust or vibrations from construction activity, increased lighting and increased human presence due to construction activity, surface and foul water drainage from the site, collision risk to birds and loss	<ul style="list-style-type: none"> - Good housekeeping on the site and the proper use, storage and disposal of potential pollutants. - Correct storing and handling of pollutants and hazardous materials. - Bunding for silos, oil containers, wheel washers and dust suppression on site roads and 	No	Screened Out
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				<p>of potential ex-situ habitat for SCI bird species.</p>	<p>regular plant maintenance.</p> <ul style="list-style-type: none"> - Site drainage to collect surface run-off prior to discharge to the proposed new soakaways. - Surface water will be drained or pumped to a construction site water treatment arrangement. The water will be directed into a proprietary settlement tank with a proprietary 		
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					<p>silt bag to intercept bulk silt volumes.</p> <ul style="list-style-type: none"> - Off-site disposal discharge water generated during the placement of concrete. - No washing out of any concrete trucks. - Specific areas for storage, delivery and loading/unloading of materials with spill protection measures. - Waterproof covers on 		
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					<p>stockpiles or waste.</p> <ul style="list-style-type: none"> - Avoid prolonged exposure of contaminated soils or groundwater to the atmosphere. - Appropriate storage of deleterious substances. - Appropriate Spill Response Plan and Environmental Emergency Plans. - Control measures and spill clean-up equipment. 		
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					<ul style="list-style-type: none"> - A register of hazardous substances. - Mapping of all existing services and a plan to deal with any unknown drains. - Minimise any surface water inflow into the main areas of excavation. - Maintenance of plant and machinery. - Earthworks mitigation including water misting on 		
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					<p>stockpiles and minimising stockpiles exposure to wind.</p> <ul style="list-style-type: none"> - Appropriate storage and use of fuels, oils and chemicals. - Waste management and disposal including the provision of portaloo's and the disposal of mixer washings at a suitably licenced facility. 		
3.	Groundwater r Body	GWDTE – Lough Owel Fens and Mires	Underlying groundwater body	Spillages, uncontrolled release of silt and sediments,	- Good housekeeping on the site and the proper use,	No	Screened Out

		Groundwater Body		<p>increased noise, dust or vibrations from construction activity and surface and foul water drainage from the site.</p>	<p>storage and disposal of potential pollutants.</p> <ul style="list-style-type: none"> - Correct storing and handling of pollutants and hazardous materials. - Bunding for silos, oil containers, wheel washers and dust suppression on site roads and regular plant maintenance. - Site drainage to collect surface run-off prior to 		
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					<p>discharge to the proposed new soakaways.</p> <p>- Surface water will be drained or pumped to a construction site water treatment arrangement. The water will be directed into a proprietary settlement tank with a proprietary silt bag to intercept bulk silt volumes.</p> <p>- Off-site disposal discharge water generated during</p>		
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					<p>the placement of concrete.</p> <ul style="list-style-type: none"> - No washing out of any concrete trucks. - Specific areas for storage, delivery and loading/unloading of materials with spill protection measures. - Waterproof covers on stockpiles or waste. - Avoid prolonged exposure of contaminated soils 		
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					<p>or groundwater to the atmosphere.</p> <ul style="list-style-type: none"> - Appropriate storage of deleterious substances. - Appropriate Spill Response Plan and Environmental Emergency Plans. - Control measures and spill clean-up equipment. - A register of hazardous substances. - Mapping of all existing services and a plan to deal 		
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					<p>with any unknown drains.</p> <ul style="list-style-type: none"> - Minimise any surface water inflow into the main areas of excavation. - Maintenance of plant and machinery. - Earthworks mitigation including water misting on stockpiles and minimising stockpiles exposure to wind. - Appropriate storage and use of 		
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					fuels, oils and chemicals. - Waste management and disposal including the provision of portaloo's and the disposal of mixer washings at a suitably licenced facility.		
OPERATIONAL PHASE							
3.	Lake Water Body	Lough Owel – Lake Water Body	None	None	None	None	Screened Out
4	Surface	Brosna_10_Surface Water Body	None	None	None	None	Screened Out

5	Groundwater r Body	GWDTE – Lough Owel Fens and Mires Groundwater Body	None	None	None	None	Screened Out
DECOMMISSIONING PHASE							
5.	N/A						