



An
Bord
Pleanála

Inspector's Report ABP-322119-25

Development	Demolition of agricultural barn and construction of a house, garage and wastewater treatment system, together with all ancillary site development works.
Location	Newtown, Clarina, Co. Limerick
Planning Authority	Limerick City and County Council
Planning Authority Reg. Ref.	2461314
Applicants	Enda Curran & Karen Browne
Type of Application	Permission
Planning Authority Decision	Refuse permission
Type of Appeal	First Party
Appellants	Enda Curran & Karen Browne
Observers	None
Date of Site Inspection	23 rd of May 2025
Inspector	Siobhan Carroll

Contents

1.0 Site Location and Description	4
2.0 Proposed Development	4
3.0 Planning Authority Decision	4
3.1. Decision	4
3.2. Planning Authority Reports	5
3.3. Third Party Observations	6
3.4. Submission from Elected Representatives	6
4.0 Planning History.....	6
5.0 Policy Context.....	6
5.1. National Planning Framework – First Revision – April 2025	6
5.2. Southern Regional Assembly Spatial and Economic Strategy (RSES)	7
5.3. Sustainable Rural Housing Guidelines for Planning Authorities, 2005.....	8
5.4. Climate Action Plan 2025.....	8
5.5. National Biodiversity Action Plan 2023 – 2030.....	8
5.6. Limerick Development Plan 2022 – 2028	8
5.7. Natural Heritage Designations	10
5.8. EIA Screening	10
6.0 The Appeal	11
6.1. Grounds of Appeal	11
6.2. Planning Authority Response.....	19
7.0 Assessment.....	19
7.3. Other Issues.....	24
8.0 AA Screening.....	24

9.0 Water Framework Directive Screening	25
10.0 Recommendation	26
11.0 Reasons and Considerations.....	26
Appendix 1 – Form 1: EIA Pre-Screening	
Appendix 2 – Form 2: EIA Preliminary Examination	
Appendix 3 – Screening for Appropriate Assessment	
Appendix 4 – Form 3: Water Framework Directive Screening	

1.0 Site Location and Description

- 1.1. The appeal site is located in a rural area in the townland of Newtown, Clarina, County Limerick. It is situated on a local road L8045, approximately 2km to the north of the village of Clarina and the N69 national road, and approximately 11km to the west of Limerick City. The site has an existing agricultural entrance.
- 1.2. The site has a stated area of 0.31 hectares. It has frontage of 74m on the western side onto the L8045 and frontage of 39m along the narrower local road to the northern side of the site. The site contains an agricultural barn located to the southern end of the site. The roadside boundary is formed by a stonewall and hedgerow. The southern site boundary is formed by a fence and hedgerow. The eastern site boundary is undefined. To the south of the site there is a large two-storey detached dwelling which is setback circa 50m from the local road. There are houses immediately to the west of the appeal site comprising a row of seven detached dormer and two-storey properties with further linear residential development located along the L8045 to south and also to the north.

2.0 Proposed Development

- 2.1. Permission is sought for the demolition of an agricultural barn and construction of a house, garage, on-site wastewater treatment system, percolation area and connection to existing services together with all ancillary site development works.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. By order dated 25th August 2025 Limerick City & County Council issued a notification to refuse permission for the following reasons:
 1. The proposed development would contribute to the already extensive ribbon development in the immediate area and would give rise to the inappropriate build-up of unsustainable development in a rural area, which is lacking in certain services and community facilities. The proposed development would

therefore be detrimental to the rural character of the local area and would be contrary to the proper planning and sustainable development.

2. In the absence of a comprehensive proposal including supporting documentation, the Planning Authority cannot be satisfied that the proposed development would not endanger public safety by reason of traffic hazard because the traffic movements generated by the proposed development, where the sightlines are restricted, would interfere with the safety and free flow of traffic on the public road.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The report of the Planning Officer dated 17/2/2025 – It was concluded that the proposed development would exacerbate the existing pattern of ribbon development along the L8045, contrary to the provisions of the Limerick Development Plan 2022-2028 and the Sustainable Rural Housing Guidelines, and as such should be refused. The Guidelines clearly discourage ribbon development in rural areas to prevent issues such as high-density road frontage, wastewater disposal difficulties, and negative impacts on rural character. With 13 houses already in a row on the same side of the road and the proposed site becoming the 5th house within a 250m stretch, the development would significantly contribute to an unsustainable pattern of housing. Therefore, refusal is recommended to uphold sustainable rural planning principles and maintain the integrity of the rural landscape.

3.2.2. Other Technical Reports

3.2.3. Environment Department: Report dated 13/02/25 – No objection subject to conditions.

3.2.4. Roads Department: Report dated 17/02/25 – Further information requested in relation to sightlines and surface water.

3.2.5. Council Ecologist: Report dated 17/02/25 – Further information requested,

3.2.6. MWNRDO: Report dated 31/1/25 – No observations.

3.3. Third Party Observations

- 3.3.1. The Planning Authority did not receive any submissions/observations in relation to the application.

3.4. Submission from Elected Representatives

- 3.4.1. A submission from Cllr. Dan McSweeney was received in relation to the application.

4.0 Planning History

- 4.1.1. None on site

Adjacent site

- 4.1.2. Reg. Ref. 07/3080 - Permission was granted for the construction of a two-storey dwelling together with a wastewater treatment system, percolation areas and ancillary works.

5.0 Policy Context

5.1. National Planning Framework – First Revision – April 2025

- 5.1.1. The National Planning Framework is a planning framework to guide development and investment over the coming years. It empowers each region to lead in the planning and development of their communities, containing a set of national objectives and key principles from which more detailed and refined plans will follow.
- 5.1.2. National Policy Objective 28 - Ensure, in providing for the development of rural housing, that a distinction is made between areas under urban influence, i.e. within the commuter catchment of cities and large towns and centres of employment and elsewhere:
- In rural areas under urban influence, facilitate the provision of single housing in the countryside based on the core consideration of demonstratable 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.

5.2. Southern Regional Assembly Spatial and Economic Strategy (RSES)

- 5.2.1. The NPF and RSES make a distinction between areas under urban influence, i.e. those within the commuter catchment of cities and large towns and centres of employment, and rural areas outside these catchments where a more flexible approach to rural housing will apply.
- 5.2.2. RPO 27 - To support rural economies and rural communities through implementing a sustainable rural housing policy in the Region which provides a distinction between areas under urban influence and other rural areas through the implementation of National Policy Objective 19 regarding Local Authority County Development Plan Core Strategies. Local authorities shall:
- a. Include policies for the protection of the viability of smaller towns and rural settlements as key priority within Development plans;
 - b. Have regard for the viability of smaller towns and rural settlements. Core Strategies shall identify areas under urban influence and set the appropriate sustainable rural housing policy response which facilitates the provision of single housing in the countryside based on the core consideration of demonstrable economic, social or local exceptional need to live in a rural area and siting, environmental and design criteria for rural housing in statutory guidelines and plans;
 - c. Having regard for the viability of smaller towns and rural settlements, in rural areas elsewhere, facilitate the sustainable provision of single housing in the countryside based on siting and design criteria for rural housing in statutory guidelines and plans;
 - d. Provide for flexibility in zoning and density requirements to ensure that rural villages provide attractive easily developed options for housing.

5.3. Sustainable Rural Housing Guidelines for Planning Authorities, 2005

- 5.3.1. These guidelines differentiate between Urban Generated Housing and Rural Generated Housing and directs urban generated housing to towns and cities and lands zoned for such development. Urban generated housing has been identified as development which is haphazard and piecemeal and gives rise to much greater public infrastructure costs. Rural generated housing includes sons and daughters of families living in rural areas and having grown up in the area and perhaps seeking to build their first home near the family place of residence. Appendix 4 of the Sustainable Rural Housing Guidelines recommends against the creation of ribbon development for a variety of reasons relating to road safety, future demands for the provision of public infrastructure as well as visual impacts.

5.4. Climate Action Plan 2025

- 5.4.1. The Climate Action Plan 2025 (CAP25) is the third annual update to Ireland's Climate Action Plan. It should be read in conjunction with Climate Action Plan 2024.
- 5.4.2. The purpose of the Climate Action Plan is to lay out a roadmap of actions which will ultimately lead us to meeting our national climate objective of pursuing and achieving, by no later than the end of the year 2050, the transition to a climate resilient, biodiversity rich, environmentally sustainable and climate neutral economy. It aligns with the legally binding economy-wide carbon budgets and sectoral emissions ceilings that were agreed by Government in July 2022.

5.5. National Biodiversity Action Plan 2023 – 2030

- 5.5.1. Ireland's 4th National Biodiversity Action Plan (NBAP) sets the national biodiversity agenda for the period 2023-2030 and aims to deliver the transformative changes required to the ways in which we value and protect nature.

5.6. Limerick Development Plan 2022 – 2028

- 5.6.1. Chapter 4 refers to Housing
- 5.6.2. Section 4.4 refers to Rural Housing

- 5.6.3. The site is located at Newtown, Clarina, Co. Limerick is located within the countryside. Within the open countryside, the Plan identifies two types of areas for rural housing: 1. Areas under urban influence and 2. Rural areas elsewhere. These two areas are identified on
- 5.6.4. Map 4.1: Rural Housing Strategy Map - As illustrated on this map the appeal site is located with the Area of Strong Urban Influence.
- 5.6.5. Objective HO O20 – Rural Areas under Strong Urban Influence - It is an objective of the Council to consider a single dwelling for the permanent occupation of an applicant in the area under Strong Urban Influence, subject to demonstrating compliance with ONE of the criteria below:
1. Persons with a demonstrable economic need to live in the particular local rural area; Persons who have never owned a house in the rural area and are employed in rural-based activity such as farming/bloodstock, horticulture or other rural-based activity, in the area in which they wish to build, or whose employment is intrinsically linked to the rural area in which they wish to build, or other persons who by the nature of their work have a functional need to reside permanently in the rural area close to their place of work (within 10km). (Minimum farm size shall be 12 hectares for farming or bloodstock). The applicant must demonstrate that they have been actively engaged in farming/bloodstock/horticulture or other rural activity, at the proposed location for a continuous period of not less than 5 years, prior to making the application. In the event of newly acquired land, to demonstrate that the proposed activity would be of a viable commercial scale, a detailed 5-year business plan will be required.
 2. Persons with a demonstrable social need to live in a particular local rural area; Persons who have never owned a house in the rural area and who wish to build their first home on a site that is within 10km of where they have lived for a substantial period of their lives in the local rural area (Minimum 10 years). The local rural area is defined as the area outside all settlements identified in Levels 1 – 4 of the Settlement Hierarchy. Excluding Level 4 settlements, where there is no capacity in the treatment plant.
 3. Persons with a demonstrable local exceptional need to live in a particular local rural area, examples include: a) Returning emigrants who have never owned a

house in the rural area, in which they lived for a substantial period of their lives (Minimum 10 years), then moved away or abroad and who now wish to return to reside in the local rural area (within 10km of where they lived for a substantial period of their lives). The local rural area is defined as the area outside all settlements identified in Levels 1 – 4 of the Settlement Hierarchy. Excluding Level 4 settlements, where there is no capacity in the treatment plant. b) A person who has lived a substantial period of their lives in the local rural area, (at least 10 years), that previously owned a home and is no longer in possession of that home, due to the home having been disposed of following legal separation/ divorce/ repossession and can demonstrate a social or economic need for a new home in the rural area.

5.6.6. Within the Limerick Development Plan 2022-2028, under Table DM 5: Design Guidelines for Rural Houses, a note is included which states that ‘Suburban-type and/or ribbon development is not acceptable in rural areas as set out in the Sustainable Rural Guidelines and any subsequent update’.

5.6.7. Chapter 11 refers to Development Management Standards

5.7. Natural Heritage Designations

5.7.1. Lower River Shannon SAC (Site Code 002165) is situated circa 1.5km to the east of the appeal site at the closest point.

5.7.2. River Shannon and River Fergus Estuaries SPA (Site Code 004077) is located approximately 1.6km to the east of the appeal site.

5.8. EIA Screening

5.8.1. 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

A third party appeal has been submitted by Irene Curran on behalf of the applicants Enda Curran & Karen Browne. The issues raised are as follows;

- The proposed development comprises a single dwelling with a total floor area of 125sq m and a total site area of 0.31 hectares. The dwelling includes four bedrooms as well as living accommodation with a proposed garage. The proposal also includes the demolition of the existing agricultural barn that occupies the southern section of the site.
- The application site falls within Rural Housing Category 1 – Areas Under Strong Urban Influence and is subject to the requirements of objective HO 020: Rural Areas Under Strong Influence.
- Objective HO 020: It is an objective of the Council to consider a single dwelling for the permanent occupation of an applicant in the area under Strong Urban Influence, subject to demonstrating compliance with ONE of the criteria below... Persons with a demonstrable social need to live in a particular local rural area; Persons who have never owned a house in the rural area and who wish to build their first home on a site that is within 10km of where they have lived for a substantial period of their lives in the local rural area (Minimum 10 years). The local rural area is defined as the area outside all settlements identified in Levels 1 – 4 of the Settlement Hierarchy. Excluding Level 4 settlements, where there is no capacity in the treatment plant.
- Table DM5: Design Guidelines for Rural Houses sets out the standards and guidelines against which rural housing development should be evaluated. This includes, site area, building line and road frontage, water, waste water, siting, design and materials, site entrance and sightlines, landscaping and boundary treatments. A footnote attached to Table DM5, which states “Suburban-type and/or ribbon development is not acceptable in rural areas as set out in the Sustainable Rural Guidelines and any subsequent update.”

- It is stated that there is no specific development plan policy that specifically relates to ribbon development.
- The Sustainable Rural Housing Guidelines for Planning Authorities, 2005 sets out policies and guidelines for rural housing to inform development plan policies. Section 3.2.3 is highlighted it refers to Rural Generated Housing: 'a key question for planning authorities, particularly those with extensive areas under major urban influence, is how to define rural generated housing needs....Persons who are an intrinsic part of the rural community - Such persons will normally have spent substantial periods of their lives, living in rural areas as members of the established rural community. Examples would include ...people who have lived most of their lives in rural areas and are building their first homes. Examples in this regard might include sons and daughters of families living in rural areas who have grown up in rural areas and are perhaps seeking to build their first home near their family place of residence.
- The guidelines also set out a number of criteria against which rural housing proposals should be evaluated including; Design & Siting, Access, Natural Resources, Water Quality, Landscape, Natural and Cultural Feature.
- Appendix 4 of the Guidelines sets out guidance in respect of ribbon development. It sets out as follows; These guidelines recommend against the creation of ribbon development for a variety of reasons relating to road safety, future demands for the provision of public infrastructure as well as visual impacts. Other forms of development, such as clustered development, well set back from the public road and served by an individual entrance can be used to overcome these problems in facilitating necessary development in rural areas. In assessing individual housing proposals in rural areas planning authorities will therefore in some circumstances need to form a view as to whether that proposal would contribute to or exacerbate ribbon development. Taking account of the above and the dispersed nature of existing housing in many rural areas, areas characterised by ribbon development will in most cases be located on the edges of cities and towns and will exhibit characteristics such as a high density of almost continuous road frontage type

development, for example where 5 or more houses exist on any one side of a given 250 metres of road frontage.

- Whether a given proposal will exacerbate such ribbon development or could be considered will depend on:
 - The type of rural area and circumstances of the applicant,
 - The degree to which the proposal might be considered infill development, and
 - The degree to which existing ribbon development would be extended or whether distinct areas of ribbon development would coalesce as a result of the development.
- Planning authorities will need to arrive at a balanced and reasonable view in the interpretation of the above criteria taking account of local circumstances, including the planning history of the area and development pressures.
- The first reason for refusal states;
 1. The proposed development would contribute to the already extensive ribbon development in the immediate area and would give rise to the inappropriate build-up of unsustainable development in a rural area, which is lacking in certain services and community facilities. The proposed development would therefore be detrimental to the rural character of the local area and would be contrary to the proper planning and sustainable development.
- The report of the Planning Officer assessed the proposed development having regard to Appendix 3 and Appendix 4 of the Sustainable Rural Housing Guidelines (2005). Box 2 of Appendix 3 is written to inform the forward planning process, it is not written as a prescriptive policy to be applied in determining individual planning applications.
- Limerick City & County Council have utilised the guidelines set out in Box 2 to establish Rural Housing Category 1 – Areas under Strong Urban Influence & Objective HO O20 Rural Areas under Strong Urban Influence.
- It is highlighted that the Development Plan does not include a specific policy on ribbon development and Objective HO O20.

- The report of the Planning Officer referred to Objective HO O22 however it appears to be a typo error with the correct reference being HO O20.
- Table DM5: of the Development Plan refers to Rural Housing and it makes reference to ribbon development. It is a footnote which directly references the Sustainable Rural Housing Guidelines (2005).
- The report of the Planning Officer provides an assessment against Appendix 4 of the Sustainable Rural Housing Guidelines.
- In assessing the proposed development against Appendix 4 the Planning Officer solely examined the number of houses along the road frontage. The application of no more than 5 houses within 250m ignores the full text of Appendix 4 which emphasises the need to arrive at a balanced and reasonable view which takes into account not only the number of houses along the road but also factors such as circumstances of the applicant and the type of rural area.
- It is highlighted that the guidelines do not expressly preclude ribbon development but rather recommend against ribbon development for reasons relating to road safety, public infrastructure and visual impact.
- It is stated that there are no road safety issues as adequate visibility can be achieved. The site is already occupied by a substantial barn which has a strong visual influence on the site. The proposed dwelling will be sited at the lowest contour to minimise visual impact. The site is serviced by mains water and electricity. Within 1km of the site there is a local shop, pre-school, community centre and church.
- It is submitted that the prescriptive approach of 5 houses within 250m is open to a looser interpretation. The wording provides the Local Authority the opportunity to examine each site on its own merits taking into account density, extent of road frontage development and number of houses along the road.
- It is noted that the existing development to the south is low density at 2.4 dwellings per hectare, that the existing development to the south does not have 'an almost continuous road frontage.' There are 3 existing undeveloped gaps in the 250m frontage. These gaps are unlikely to be filled due to the

location of St. James's Well SMR:LI004-017 and a second gap located at a bend in the road with the third gap being a paddock which is not considered of a sufficient size to accommodate a dwelling.

- The dwelling to the south of the site is setback from the road frontage by 48m. It is submitted that the pattern of development is therefore relatively loose.
- It is submitted that that applicant has demonstrated to the satisfaction of Limerick City and County Council that he complies with Objective HO O2O. Their family home is located 710m south-east of the site and is occupied by his parents.
- Under Reg. Ref. 22/293 an application for a house at Camheen, Mungret, Co. Limerick represented the introduction of a fifth dwelling in a circa 176m stretch and that it was considered acceptable by the Planning Authority due to the circumstances of the applicant.
- In relation to infill development, it is stated that the Sustainable Rural Housing Guidelines do not define what 'infill' development is. Limerick City and County Council have in the past interpreted undeveloped sites within existing stretches of development as 'infill'. Reg. Ref. 21/744 an application which adjoins the applicant's family home is cited. It is stated that it was classified by the Council as infill and resulted in 12 houses within 427m. Reg. Ref. 21/347 on a site to the south was also considered as 'infill' and it represented the eighth house within 297m.
- It is submitted that due to the presence of the substantial barn and existing access track on the appeal site and that fact that two of its boundaries are defined roads the site could be considered to be an 'infill' site.
- The Planning Statement accompanying the application examined the matter of whether existing ribbon development would be extended or coalesced. The existing development to the south of the site does not comprise 'almost continuous road frontage type development', the pattern of development is considered looser and less suburban in appearance.
- The proposed development does not introduce a new access road. The removal of the existing barn would open up a new gap in the frontage. The

gap is not of a size to provide for additional residential development. The proposed dwelling would be sited over 1m lower than the existing barn and set back from the road frontage.

- Under Reg. Ref. 16/280 permission was granted for a sixth dwelling within 230m which is the site opposite the applicant's family home.
- In relation to Appendix 4 of the Sustainable Rural Housing Guidelines and Table DM5 of the Development Plan it is considered that on balance the proposed development can be delivered without significant effects on the rural character of the area and that it would not exert a suburban type influence on the site.
- The second refusal reason refers to the proposed vehicular access and restricted sightlines.
- The proposed development seeks to provide access to the site via an existing agricultural access. A revised site layout plan has been submitted which demonstrates that sightlines, stopping sight distance and forward visibility of 90m can be achieved.
- The documents submitted with the application highlighted that trees on the site were infected by Ash dieback disease. It is highlighted that two of the trees located on the eastern corner of the site have suffered extensive storm damage. A report on Ash Trees Affected by Ash Dieback has been submitted with the appeal. The report highlights the signs of disease on the trees.
- It is proposed to remove the infected trees, and it is proposed to replace the trees with a mix of native species.
- It is stated that the proposed vehicular entrance and sightlines does not require the setting back of any roadside boundary on lands which are outside the ownership of the applicant. The existing boundary wall is within the control of the applicant and can be set back at least 0.5m from the sightline triangle. This is detailed in the report prepared by Coakley Consulting Engineers.
- It is stated that the wording in the report of the Planning Officer and the internal report from the Roads Department make it clear that reason for

refusal no. 2 could have been resolved by means of a request of further information, however this was not afforded to the applicant.

- It is noted that the report of the Council's Ecologist requested further information. The matters raised referred to groundwater protection and if any trees having potential suitability for bats are planned for removal.
- In relation to the matter of groundwater vulnerability it is highlighted that the wastewater system proposed includes primary, secondary and tertiary treatment to ensure protection of groundwater resources. The proposed system comprises a Tricel Novo Package Plant and Tricel Sand polishing filter. It is stated that sand filtration is a widely accepted and effective method for treating wastewater.
- The AA screening which accompanied the application evaluated the Natura 2000 sites which had potential connectivity to the application site. The closest site was the River Shannon and River Fergus Estuary SPA 004077 which is a SPA designated for birds and the Lower River Shannon SAC 002165 which is designated for coastal and estuarine habitats, bottlenose dolphin, otter, salmon and lamprey.
- The design of the wastewater treatment system is in accordance with the EPA Code of Practice for Wastewater Treatment and Disposal Systems for single dwelling and subject to correct installation, operation and maintenance. There would be no likely significant effects on either ground or surface water quality. The potential for cumulative effects is eliminated and as there is no potential for an individual effect on the SAC or SPA. Stage 2: Appropriate Assessment is not required because it can be excluded on the basis of the latest and best objective scientific information following screening that the project, individually and or in combination with other plans or projects will not have a likely significant effect on the Natura 2000 sites in view of their conservation objectives.
- It is highlighted that the report for the Environmental Department dated 13/02/2025 stated that "there is no objection to granting this application on Environmental grounds."

- The existing barn and the trees on the site were assessed as part of the planning application for their suitability for bats. There was no evidence of bats in the barn, and it was considered unsuitable to support bats. The trees were assessed and were identified as having a “low roosting potential”. In accordance with BS8596 trees that are assessed as ‘low risk’ require no further assessment unless new evidence is found to upgrade the category.
- The Ash Trees were assigned ‘low risk’ in recognition of the fact that the trees represent mature specimens. Due to the presence of Ash dieback, the trees have suffered limb loss, no evidence of bats was recorded on any of the trees including primary or occasional signs.
- As identified in the AA screening the closest European sites to the appeal site are the River Shannon and River Fergus Estuaries SPA 004077 which is a SPA designated for birds and the Lower River Shannon SAC 002165, which was designated for coastal and estuarine habitats, bottlenose dolphin, otter, salmon and lamprey. Neither of these sites includes any bat species as Special Conservation Interests or Qualifying Interests.
- The closest Natura 2000 site that is designated for bat species is Curraghchase Woods SAC which includes Lesser Horseshoe Bat as one of the Qualifying Interests. Curraghchase Woods SAC is over 10km from the application site and the limits for foraging range for Lesser Horseshoe Bat is 8km. It is considered that there is no potential connectivity between the application site and Curraghchase Woods SAC. As a consequence of the lack of a source-receptor-pathway, Curraghchase Woods SAC can be eliminated from further evaluation in relation to AA screening.
- In conclusion, it is submitted that the proposed development seeks to deliver a single residential dwelling on a site that includes a previously developed element, which exerts a strong visual influence on the site. The development has been designed to provide a site-specific design solution that is informed by a combination of the landscape setting, residential context and topography. It is submitted that the development can be successfully delivered without any negative effects on roads, residential amenity or water quality. It is submitted that the proposed development can be successfully delivered without exerting

a suburban influence on the area and without exacerbating ribbon development.

6.2. Planning Authority Response

- None received

7.0 Assessment

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

- Rural housing and pattern of development
- Vehicular access
- Other issues

7.1. Rural housing and pattern of development

- 7.1.1. The appeal site is located is located approximately 2km to the north of the village of Clarina and the N69 national road, and approximately 11km to the west of Limerick City. The site is served by a local road the L8045 with the area notably under significant pressure in the provision of providing one - off rural type dwellings. The site fronts onto the L8045 and it is located on the east side of the road.
- 7.1.2. The first refusal reason issued by the Planning Authority stated that proposed development would contribute to the already extensive ribbon development in the immediate area and would give rise to the inappropriate build-up of unsustainable development in a rural area, which is lacking in certain services and community facilities. The proposed development would therefore be detrimental to the rural character of the local area and would be contrary to the proper planning and sustainable development.

- 7.1.3. In relation to the matter of ribbon development I would note that areas characterised by ribbon development will exhibit characteristics such as a high density of almost continuous road frontage type development. Section 4.4 of the Limerick Development Plan refers to 2022-2028 refers to Rural Housing and it is set out that the NPF and RSES acknowledge that our countryside 'is and will continue to be, a living and lived-in landscape, focusing on the requirements of rural economies and rural communities, based on agriculture, forestry, tourism and rural enterprise, while at the same time avoiding ribbon and overspill development from urban areas and protecting environmental qualities'. Furthermore, I would highlight Table DM 5: Design Guidelines for Rural Houses, in the development plan and a note is included which states that 'Suburban-type and/or ribbon development is not acceptable in rural areas as set out in the Sustainable Rural Guidelines and any subsequent update'.
- 7.1.4. The matter of ribbon development was discussed in the report of the Planning Officer, and it was set out that they had serious concerns in relation to the established pattern of development in the vicinity of the site on both sides of the L8045. Within the Limerick Development Plan 2022-2028, under Table DM 5: Design Guidelines for Rural Houses, a note is included which states that 'Suburban-type and/or ribbon development is not acceptable in rural areas as set out in the Sustainable Rural Guidelines and any subsequent update'. The Planning Authority in their assessment of the proposal also had regard to the relevant provisions of the Sustainable Rural Guidelines. It was highlighted in their report that as detailed in Box 2 which refers to Stronger Rural Areas that carefully monitoring development trends to avoid areas becoming overdeveloped in terms of leading, for example, to extensive ribbon development. The overall approach in this regard in such areas is to ensure these areas maintain a stable population base in both urban and rural parts and that development in rural areas should be monitored, to identify pockets where very significant rural housing is occurring leading to ribbon development, wastewater disposal difficulties and other issues.
- 7.1.5. Appendix 4 of the Sustainable Rural Guidelines refers to ribbon development. The report of the Planning Officer outlined that appendix 4 of the guidelines recommends against ribbon development. Ribbon development, as defined in the Sustainable

Rural Housing Guidelines for Planning Authorities (2005), is characterized by the presence of 5 or more houses along a given 250 meters of road frontage.

- 7.1.6. It is submitted in the grounds of appeal that there is no specific development plan policy that specifically relates to ribbon development. It is stated in the appeal that in assessing the proposed development against Appendix 4 the Planning Officer solely examined the number of houses along the road frontage and did not account of the need to arrive at a balanced and reasonable view also considering other factors such as circumstances of the applicant and the type of rural area.
- 7.1.7. The appellant considers the decision of the Planning Authority to be inconsistent and draws attention to recent grants of permission in the area which were considered to be infill development rather than to constitute ribbon development. I would highlight that each application is assessed on its own merits. It is put forward in the appeal that the proposed development should be considered in the context of the presence of the substantial barn and existing access track on the appeal site and that fact that two of its boundaries are defined roads the site could be considered to be an 'infill' site. I would not agree with this assertion on the basis that the existing agricultural barn is development which is specific to the rural area whereas a new dwelling is a separate form of development which generates different land use requirements. It is set out in the appeal that the pattern of development to the south of the site does not comprise 'almost continuous road frontage type development' and that the pattern of development is considered looser and less suburban in appearance.
- 7.1.8. It is further set out in the appeal that the proposed development should be considered on the basis that the removal of the existing barn would open up a new gap in the frontage and that there are 3 existing undeveloped gaps in the 250m frontage. These gaps are unlikely to be filled due to the location of St. James's Well SMR:LI004-017 and a second gap located at a bend in the road with the third gap being a paddock which is not considered of a sufficient size to accommodate a dwelling.
- 7.1.9. During my site visit, I observed that there are examples of ribbon development in-situ along the local road, which serves the site. There are 13 no. existing dwelling houses located to the southeast of the subject site within 500m of the edge of the subject site and the development of the proposed dwelling would result in a fifth dwelling

within a 250m section of the local road. I note the points made by the appellant in relation to infill development, however the subject site is located at the northern end of a section of linear development which extends for circa 500m along the eastern side of the L8045. Therefore, I would not accept the argument that the site could be considered an infill site. In relation to the matter of gaps within the 250m frontage, I would not accept this argument on the basis of the existing pattern of development along both sides of the road which constitutes extensive ribbon development

7.1.10. Accordingly, I would conclude that the proposed development on the subject site would represent ribbon development. Given the prevalence of one-off rural dwellings in the area, the proposed addition of another dwelling would further contribute to the encroachment of random development in this rural area.

7.1.11. I concur with the Planning Authority's reason of refusal as the proposed development would give rise to further undue ribbon development and give rise to demands for the provision of urban type services. In respect of the provisions of the Limerick Development Plan 2022-2028 it is the policy of the planning authority as set out in to control urban sprawl and ribbon development as set out in section 4.4 of the Plan and also in the note attached to Table DM 5: Design Guidelines for Rural Houses. Therefore, I would conclude that the proposed development would be contrary to these policies.

7.1.12. In conclusion, having regard to the existing development in the vicinity of the site, I would consider that the proposed development would consolidate and contribute to the build-up of ribbon development in an open rural area, and this would militate against the preservation of the rural environment.

7.1.13. Having regard to the above I recommend planning permission be refused.

7.2. Vehicular Access

7.2.1. The site is served by an existing agricultural entrance on the L8045. It is proposed to utilise the location of the existing agricultural entrance. It is detailed in the report of the Planning Officer that the Planning Statement submitted with the application set out that sightlines in excess of 55m can be achieved in both directions from 2.4m back from the road edge. However, it was highlighted by the Planning Officer that the

Roads Department in their report had stated that the applicant had failed to show sightlines and stopping distance and that 90m sightlines, stopping sight distances and forward visibility are required.

- 7.2.2. The second refusal reason issued by the Planning Authority stated that in the absence of a comprehensive proposal including supporting documentation, they could not be satisfied that the proposed development would not endanger public safety by reason of traffic hazard because the traffic movements generated by the proposed development, where the sightlines are restricted, would interfere with the safety and free flow of traffic on the public road.
- 7.2.3. In response to the matter a revised site layout plan was submitted with the appeal on the 21st of March 2025. The revised plan demonstrates that sightlines, stopping sight distance and forward visibility of 90m can be achieved. The appeal includes a 'Sightline Assessment' report prepared by Coakley Consulting Engineers. It is outlined in the report that sightline requirements and standards are contained in a number of Transport Infrastructure Ireland (TII) publications, 'Rural Road Link Design DN-GEO-03032, 2017 and Geometric Design of Junctions DN-GEO-03060, 2017 and that based on a speed limit of 60km/h on the local road that the required sightlines are 90m. In order to achieve this, it is proposed to setback the roadside boundary of the site. It is proposed to remove the existing Ash trees because they are infected by Ash dieback disease. It is proposed to replace them with trees located 0.5m behind the required sightline triangle. The existing wall is proposed to be setback a minimum of 0.5m behind the required sightlines.
- 7.2.4. In relation to the issue of stopping sight distance, it is set out in the report from Coakley Consulting Engineers that the required stopping sight distance for drivers approaching the proposed site access is 90m for the speed limit of 60km/h. It is confirmed by Coakley Consulting Engineers in their report that stopping sight distance approaching the site from both directions is in excess of 90m.
- 7.2.5. Having inspected the site and viewed the location of the proposed entrance and having regard to the details set out above I am satisfied that an adequate sightline distance is available in both directions and that stopping sight distance and forward visibility of 90m can be achieved. Accordingly, I consider the proposed location of the entrance acceptable.

7.3. Other Issues

Bats

- 7.3.1. The appeal addresses the matter of potential impacts on Bats. The matter was addressed because it was raised in the report from the County Ecologist as an item for further information. The question was raised whether any trees assessed as having potential suitability for bats were planned for removal as they would require a bat roost survey prior to felling.
- 7.3.2. In response to the issue the first party have highlighted that the existing barn and the trees on the site were assessed as part of the planning application for their suitability for bats. It is confirmed in the appeal that there was no evidence of bats in the barn, and it was considered unsuitable to support bats. In relation to the existing trees on the site they were assessed and were identified as having a “low roosting potential”. It was highlighted that a number of Ash trees on the site have been identified as having of Ash dieback and that the trees have suffered limb loss. It is confirmed in the appeal that no evidence of bats was recorded on any of the trees including primary or occasional signs.

8.0 AA Screening

- 8.1.1. See Appendix 3 of this report for Appropriate Assessment Screening Determination. In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on European Sites, namely, Lower River Shannon SAC and River Shannon and River Fergus Estuaries SPA or any other European site, in view of the sites Conservation Objectives, and Appropriate Assessment (and submission of a NIS) is not therefore required.
- 8.1.2. This determination is based on:
- The nature and scale of the development and the proposal for tertiary treatment of on-site effluent,
 - The lack of impact mechanisms that could significantly affect a European Site

- Distance from and weak indirect connections to the European sites

9.0 Water Framework Directive Screening

- 9.1. The proposed development has been subject to a screening for Water Framework Directive Assessment (refer to Appendix 4 of this report).
- 9.2. The subject site is located in the townland of Newtown, Clarina and lies approximately 3km to the north of Clarina village, Co. Limerick. The East Carrig Stream (East Carrig_010) is situated circa 244m to the east. The River Shannon Upper Estuary is located 1.7km to the east. The River Maigue a tributary of the River Shannon is situated circa 2.9km to the west. The Limerick City Southwest (IE_SH_G_141) groundwater body underlies the site.
- 9.3. The proposed development comprises the demolition of an agricultural barn and construction of a house, garage, on-site wastewater treatment system, percolation area and tertiary sand filter, and connection to existing services together with all ancillary site development works.
- 9.4. No water deterioration concerns were raised in the appeal.
- 9.5. The Planning Authority granted permission, and no issues were raised by Environmental Health, the treatment of wastewater was not raised in the grounds of appeal, and I have no reason to believe that effluent cannot be treated on the site.
- 9.6. I have assessed the proposed the demolition of an agricultural barn and construction of a house, garage, on-site wastewater treatment system, percolation area and connection to existing services together with all ancillary site development works.
- 9.7. I have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.
- 9.8. The reason for this conclusion is as follows:

- The nature and scale of the development
- The proposed tertiary treatment of on-site effluent which will remove inorganic compounds, pathogens, nitrogen and phosphorous to mitigate groundwater contamination.

Conclusion

9.9. 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.

10.0 Recommendation

10.1. I recommend that permission be refused for the following reasons and considerations.

11.0 Reasons and Considerations

1. It is the policy of the planning authority as set out in the Limerick Development Plan 2022-2028 to control urban sprawl and ribbon development. When taken in conjunction with existing development in the vicinity of the site, the proposed development would be in conflict with this policy, as it would consolidate and contribute to the build-up of ribbon development in an open rural area. This would militate against the preservation of the rural environment and lead to demands for the provision of urban type services which would be uneconomic and inappropriate in such a rural setting. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Siobhan Carroll
Planning Inspector

27th June 2025

Appendix 1

Form 1 - EIA Pre-Screening

Case Reference	ABP 321848-25
Proposed Development Summary	Demolition of an agricultural barn and construction of a house, garage, on-site wastewater treatment system, percolation area and connection to existing services together with all ancillary site development works.
Development Address	Newtown, Clarina, Co. Limerick.

	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 checked="" type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	Part 2, Class 10(b)(i) construction of more than 500 dwellings
<input 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	

<p>and meets/exceeds the threshold.</p> <p>EIA is Mandatory. No Screening Required</p>	
<p><input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p>Preliminary examination required. (Form 2)</p> <p>OR</p> <p>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	<p>Part 2, Class 10(b)(i) construction of more than 500 dwellings</p> <ul style="list-style-type: none"> - The proposed development is below the 500 dwelling threshold. The proposed development is for the construction of 1 no. dwelling unit.

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)?	
Yes <input type="checkbox"/>	Screening Determination required (Complete Form 3)
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ Date: _____

Appendix 2

Form 2 - EIA Preliminary Examination

Case Reference	ABP 322119-25
Proposed Development Summary	Demolition of an agricultural barn and construction of a house, garage, on-site wastewater treatment system, percolation area and connection to existing services together with all ancillary site development works.
Development Address	Newtown, Clarina, Co. Limerick.

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 nature and size of the development comprising the demolition of agricultural barn and construction of house, garage and on-site wastewater treatment system is not exceptional in the context of the existing rural environment. The proposed development will not result in the production of any significant waste, emissions or pollutants. Localised construction impacts will be temporary. The development, by virtue of its type (residential), does not pose a risk of major accident and/or disaster.
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	The development is situated in a rural area with a residence located to the south and also a residence located on the opposite side of the road to the south-east. The development is removed from sensitive natural habitats, centres of population and designated sites and landscapes of identified significance in the County Development Plan.
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	There is no real likelihood of significant effects on the environment arising from the proposed development. There is no real likelihood of significant cumulative effects having regard to existing or permitted projects.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA <i>[Delete if not relevant]</i>

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.	Schedule 7A Information required to enable a Screening Determination to be carried out.
There is a real likelihood of significant effects on the environment.	EIAR required.

Inspector: _____ Date: _____

DP/ADP: _____ Date: _____

(only where Schedule 7A information or EIAR required)

Appendix 3 – Screening for Appropriate Assessment

Screening for Appropriate Assessment Test for likely significant effects	
Step 1: Description of the project and local site characteristics	
Brief description of project	Demolition of an agricultural barn and construction of a house, garage, on-site wastewater treatment system, percolation area and connection to existing services together with all ancillary site development works

Brief description of development site characteristics and potential impact mechanisms	<p>The proposed development site is located in a rural area with agricultural lands surrounding the site. There is a dwelling immediately to the south and there is linear development of housing along the local road on the opposite side of the road and also further to the south on both sides of the local road.</p> <p>The development will comprise the demolition of an agricultural barn and construction of a house, garage, on-site.</p> <p>There are no watercourses or other ecological features of note on the site that would connect directly to European Sites in the area.</p>				
Screening report	Yes				
Natura Impact Statement	No				
Relevant submissions	Uisce Éireann - No objection in principle				
Step 2. Identification of relevant European sites using the Source-pathway-receptor model					
European Site (code)	Qualifying interests¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections²	Consider further in screening³ Y/N	
Lower River Shannon SAC (Site Code: 002165) -	Site specific cons obj	1.5km to the east of the site	Potential hydrological connection to the European site via overland flow to Carrig East_10 Stream	Yes	
River Shannon and River Fergus Estuaries SPA (Site Code: 004077)	Site specific cons obj	1.6km to the east of the	Potential hydrological connection to the European site via overland flow to Carrig East_10 Stream	Yes	
Askeaton Fen Complex SAC (Site Code: 002279)	ConservationObjectives.rdl	7.9km	No connections	No	
Curraghchase Woods SAC	CO000174.pdf	10km	No connections	No	

(Site Code: 000174)				
Step 3. Describe the likely effects of the project (if any, alone <u>or</u> in combination) on European Sites				
AA Screening matrix				
Site name	Possibility of significant effects (alone) in view of the conservation objectives of the site*			
Qualifying interests				
	Impacts	Effects		
<p>Site 1: Lower River Shannon SAC (Site Code: 002165)</p> <p>Sandbanks which are slightly covered by sea water all the time [1110]</p> <p>Estuaries [1130]</p> <p>Mudflats and sandflats not covered by seawater at low tide [1140]</p> <p>Coastal lagoons [1150]</p> <p>Large shallow inlets and bays [1160]</p> <p>Reefs [1170]</p> <p>Perennial vegetation of stony banks [1220]</p> <p>Vegetated sea cliffs of the Atlantic and Baltic coasts [1230]</p> <p>Salicornia and other annuals colonising mud and sand [1310]</p> <p>Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330]</p> <p>Mediterranean salt meadows (Juncetalia maritimi) [1410]</p> <p>Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation [3260]</p> <p>Molinia meadows on calcareous, peaty or clayey-</p>	<p>Direct: None</p> <p>Indirect: localized, temporary, low magnitude impacts from noise, dust and construction related emissions to surface water during construction.</p> <p>During the operational phase the development would be served by an on-site effluent treatment system proposed to provide primary, secondary and tertiary treatment.</p>	<p>The contained nature of the site, proposed tertiary treatment of on-site effluent, no direct ecological connections or pathways, and distance from receiving features connected to the SAC make it highly unlikely that the proposed development could generate impacts of a magnitude that could affect habitat quality within the SAC for the QIs listed.</p> <p>Conservation objectives would not be undermined.</p>		

<p>silt-laden soils (Molinion caeruleae) [6410]</p> <p>Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0]</p> <p>Margaritifera margaritifera (Freshwater Pearl Mussel) [1029]</p> <p>Petromyzon marinus (Sea Lamprey) [1095]</p> <p>Lampetra planeri (Brook Lamprey) [1096]</p> <p>Lampetra fluviatilis (River Lamprey) [1099]</p> <p>Salmo salar (Salmon) [1106]</p> <p>Tursiops truncatus (Common Bottlenose Dolphin) [1349]</p> <p>Lutra lutra (Otter) [1355]</p>		
	Likelihood of significant effects from proposed development (alone): Y/N	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects?	
	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
<p>Site 2: River Shannon and River Fergus Estuaries SPA (Site Code 004077)</p> <p>Cormorant (Phalacrocorax carbo) [A017]</p> <p>Whooper Swan (Cygnus cygnus) [A038]</p> <p>Light-bellied Brent Goose (Branta bernicla hrota) [A046]</p> <p>Shelduck (Tadorna tadorna) [A048]</p> <p>Teal (Anas crecca) [A052]</p> <p>Pintail (Anas acuta) [A054]</p>	<p>Direct: none</p> <p>Indirect: localized, temporary, low magnitude impacts from noise, dust and construction related emissions to surface water during construction</p> <p>During the operational phase the development would be served by an on-site effluent treatment system proposed to provide primary, secondary and tertiary treatment.</p>	<p>The contained nature of the site, proposed tertiary treatment of on-site effluent, no direct ecological connections or pathways, and distance from receiving features connected to the SAC make it highly unlikely that the proposed development could generate impacts of a magnitude that could affect habitat quality within the SAC for the QIs listed.</p>

<p>Scaup (Aythya marila) [A062]</p> <p>Ringed Plover (Charadrius hiaticula) [A137]</p> <p>Golden Plover (Pluvialis apricaria) [A140]</p> <p>Grey Plover (Pluvialis squatarola) [A141]</p> <p>Lapwing (Vanellus vanellus) [A142]</p> <p>Knot (Calidris canutus) [A143]</p> <p>Dunlin (Calidris alpina) [A149]</p> <p>Black-tailed Godwit (Limosa limosa) [A156]</p> <p>Bar-tailed Godwit (Limosa lapponica) [A157]</p> <p>Curlew (Numenius arquata) [A160]</p> <p>Redshank (Tringa totanus) [A162]</p> <p>Greenshank (Tringa nebularia) [A164]</p> <p>Black-headed Gull (Chroicocephalus ridibundus) [A179]</p> <p>Wigeon (Mareca penelope) [A855]</p> <p>Shoveler (Spatula clypeata) [A857]</p> <p>Wetland and Waterbirds [A999]</p>		Conservation objectives would not be undermined.
	Likelihood of significant effects from proposed development (alone): No	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? No	
Step 4 Conclude if the proposed development could result in likely significant effects on a European site		
I conclude that the proposed development (alone or in combination with other plans or projects) would not result in likely significant effects on a European site. No further assessment is required for the project.		

No mitigation measures are required to come to these conclusions.

Screening Determination

Finding of no likely significant effects

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on European Sites, namely, Lower River Shannon SAC and River Shannon and River Fergus Estuaries or any other European site, in view of the conservation objectives of **these** sites and is therefore excluded from further consideration. Appropriate Assessment (and submission of NIS) is not required.

This determination is based on:

- The relatively minor scale of the development and the proposal for tertiary treatment of on-site effluent,
- The lack of impact mechanisms that could significantly affect a European Site
- Distance from and weak indirect connections to the European sites

Appendix 4

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Bord Pleanála ref. no.	322119-25	Townland, address	Newtown, Clarina, Co. Limerick
Description of project		Demolition of agricultural barn and construction of a house, garage, on-site wastewater treatment system, percolation area and connection to existing services together with all ancillary site development works.	
Brief site description, relevant to WFD Screening,		The site is located within a rural area at a low elevation of approximately 10m contour. The soil type is AminSW - Shallow well drained mineral soil derived from mainly acidic parent materials. The subsoil is shallow and well drained mineral. The bedrock is Limestone. The East Carrig Stream (East Carrig_010) is situated circa 244m to the east. The River Shannon Upper Estuary is located 1.7km to the east. The River Maigue a tributary of the River Shannon is situated circa 2.9km to the west. The Limerick City Southwest (IE_SH_G_141) groundwater body underlies the site.	
Proposed surface water details		Soak aways proposed	
Proposed water supply source & available capacity		Uisce Éireann mains water connection	

Proposed wastewater treatment system & available capacity, other issues			Secondary Treatment System and soil polishing filter to discharge to Ground Water with a PE of 6 is proposed.			
Others?			No			
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection						
Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)
River Waterbody	244m	East Carrig_10	Poor	Under review	Under review	Yes -drainage ditches hydrologically connected to watercourses
Transitional Waterbody	1.7km	Upper Shannon Estuary IE_SH_060_0800	Poor	At risk	Agriculture	Not hydrologically connected to transitional waterbody

Transitional Waterbody		2.9km	MAIGUE ESTUARY IE_SH_060_0700	Moderate	At risk	Agriculture	Not hydrologically connected to transitional waterbody
Groundwater Waterbody		Underlying Site	Limerick City Southwest IE_SH_G_141	Good	At risk	Agriculture	Free draining soil conditions
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.	Site clearance/Co nstruction	IE_SH_24N15 0630	Existing drainage ditches, watercourse	Siltation, pH (concrete),	Standard construction practice	No	Screened out

				hydrocarbon spillages			
OPERATIONAL PHASE							
2.	Discharges to Ground	Limerick City Southwest IE_SH_G_141	Pathway exists	Treated effluent to discharge to groundwater	Tertiary Effluent Treatment system and infiltration/treatment area proposed which will remove inorganic compounds, pathogens, nitrogen and phosphorous to mitigate groundwater contamination	No	Screened out
DECOMMISSIONING PHASE							
3.	NA	NA	NA	NA	NA	NA	NA