



An
Coimisiún
Pleanála

Inspector's Report ACP-322838-25

Development	Construction of a dwelling house with carport and domestic garage, site entrance and all associated site works.
Location	Killeen, Inistioge, Co Kilkenny
Planning Authority	Kilkenny County Council
Planning Authority Reg. Ref.	24/60483
Applicant	Kieran Cummins and Eimear O' Neill
Type of Application	Permission
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party
Appellants	Thomas and Edel Phelan
Observer(s)	None
Date of Site Inspection	27 th August 2025
Inspector	Ian Campbell

1.0 Site Location and Description

- 1.1. The appeal site is located on the western side of a local access road (L-3431-63), in the rural townland of Killeen, c. 3 km south of the village of Inistioge, Co. Kilkenny. The appeal site is located in a rural area outside of a settlement.
- 1.2. The appeal site, which comprises part of a field, is broadly rectangular in shape and has a stated area of 0.303 Ha. Topographical levels on the appeal site fall from west to east, with a level differential of c. 6 metres between the north-west corner of the appeal site and the south-east corner of the appeal site. The front/roadside boundary of the appeal site comprise an embankment.
- 1.3. There are a number of detached dwellings of varying design located in the vicinity of the appeal site.
- 1.4. The lands to the west, south and north are indicated as being within the applicants' control/ownership, as depicted by the blue line boundary.
- 1.5. The area has a high scenic quality and is upland in nature.

2.0 Proposed Development

- 2.1. The proposed development¹ comprises;
 - Construction of a single-storey 4 bedroom house, comprising 2 no. pitched roof volumes;
 - stated floor area 214 sqm.
 - maximum ridge height 4.9 metres.
 - material finishes to the proposed house are indicated as comprising timber cladding, natural stone and plaster for the external walls and slate for the roof (blue/black colour).
 - Installation of waste water treatment system and percolation area.
 - Landscaping and associated site works.
 - Vehicular entrance.

¹ The house initially proposed was 1.5 storey with a maximum height c. 8.5 metres and floor area of 232 sqm however its design was amended following a request for Further Information.

- Detached garage (32 sqm).

3.0 Planning Authority Decision

3.1. Request for Further Information

Prior to the decision of the Planning Authority to grant permission for the proposed development, the Planning Authority requested Further Information.

3.1.1. Further Information was requested on the 4th December 2024 as follows:

Item 1: to address visual impact on this exposed, upland site, and to address potential overlooking of properties to the rear of the site, revise the design of the house to a more traditional single storey house, and separate the proposed garage from the main body of the house.

Item 2: (a) consider the development permitted under PA. Ref. 24/60485 (in the same field) in the context of hedgerow removal; (b) confirm amount of hedgerow/trees/walls/banks etc. to be removed to achieve sightlines; (c) submit confirmation of any consents to facilitate sightlines; (d) submit details of splayed entrance; (e) submit revised drainage details to reflect the elevated relationship of the site entrance to the road.

Item 3: indicate overhead lines on a site layout plan and confirm if relocation of same is required, and submit necessary consents if applicable.

Item 4: landowner requested to confirm intention for landholding, noting increasing pressure for rural housing in the area.

3.1.2. Further information² submitted on 17th April 2025.

Item 1: scale and design of house revised. Location of house amended. House revised to single storey and now comprises 2 no. single storey volumes. Proposed garage now detached and situated in north-west corner of site. Height of house reduced from 8.4 metres to 4.9 metres. The design of the house, topography of the area and

² The Further Information was deemed Significant by the Planning Authority and was readvertised in accordance with Art. 35 of the Planning and Development Regulations, 2001, as amended.

separation distance to houses in the area, with the closest house being c. 85 metres from the proposed house, effectively mitigate any potential for overlooking.

Item 2: (a) 19 metres of hedgerow is to be removed to the north and 37 metres of hedgerow is to be removed to the south (see *Drawing No. 24.PP.1.01. Rev A*). Hedgerow removal on the adjoining site is not required; (b) all boundary treatments to be set back 1 metre behind visibility lines/alterations to existing boundaries indicated in green; (c) letter of consent submitted re. hedgerow removal; (d) *Drawing No. 24. PP. 1. 03* indicates entrance detail; (e) *Drawing No. 24. PP. 1. 01. Rev A* indicates surface water proposal.

Item 3: overhead line indicated on submitted site layout plan. The overhead line is 41 metres from the site and will not be affected by the proposal.

Item 4: the landowner indicates that the remainder of the landholding will be kept in agricultural use.

3.2. **Decision**

The Planning Authority issued a Notification of Decision to GRANT Permission on the 25th of May 2025 subject to 16 no. conditions. The following condition is of note;

C10 – occupancy condition.

3.3. **Planning Authority Reports**

3.3.1. Planning Reports

3.3.2. The first report of the Planning Officer generally reflects the issues raised in the request for Further Information. The report also notes that the applicants comply with the applicable rural housing policy; the proposal will not result in ribbon development; and, the site is not located within a High Amenity or important designated/protected area and the proposal will not affect protected views in the area.

Request for Further Information recommended.

3.3.3 The second report of the Planning Officer notes that the Further Information submitted is generally considered acceptable.

The report of the Planning Officer recommends a GRANT of permission consistent with the Notification of Decision which issued.

3.3.4. Other Technical Reports

Area Engineer – first report recommends Further Information in respect of sightlines. Second report recommends specific planning conditions.

3.4. Prescribed Bodies

None.

3.5. Third Party Observations

2 no. observations was received by the Planning Authority. The issues raised in the third-party observations are summarised in the report of the Planning Officer as follows:

- Overlooking.
- Similar developments in area refused on basis of visual impact and traffic concerns.
- Ribbon development/proliferation of housing.
- Visual impact/out of character.
- Inadequacy of local road/inadequate sightlines.
- Proliferation of waste water treatment systems.
- Impact on biodiversity arising from loss of hedgerow.

2 no. observations were submitted in respect of the Significant Further Information submitted by the applicant. The issues raised in these observations are summarised in the report of the Planning Officer as being the same as those raised in respect of the initial application.

4.0 Planning History

Appeal Site:

None.

Lands to north:

PA. Ref. 24/60485 – Permission REFUSED for house and waste water treatment system. Refusal reason refers to visual impact and excessive concentration of dwellings in an serviced location.

5.0 Policy Context

5.1. National Policy

5.1.1. National Planning Framework (NPF)³ – Project Ireland 2040

National Policy Objective 28 states -

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.

5.1.2. Code of Practice Domestic Wastewater Treatment Systems (p.e. ≤ 10) 2021

The Code of Practice (CoP) sets out guidance on the design, operation and maintenance of on-site wastewater treatment systems for single houses.

5.1.3. Ministerial Guidance

Sustainable Rural Housing, Guidelines for Planning Authorities (2005)

The appeal site is located within an area identified as an 'Area Under Strong Urban Influence' - see Figure 7.1 Kilkenny City and County Development Plan 2021-2027. The Guidelines state that these areas exhibit characteristics such as proximity to the immediate environs or close commuting catchment of large cities and towns, rapidly rising population, evidence of considerable pressure for development of housing due

³ First Revision 8th April 2025.

to proximity to such urban areas, or to major transport corridors with ready access to the urban area, and pressures on infrastructure such as the local road network.

5.2. Development Plan

5.2.1. The Kilkenny City and County Development Plan 2021-2027 is the relevant development plan. The appeal site is not subject to any specific land-use zoning under the Kilkenny City and County Development Plan 2021-2027. The appeal site is located within an area identified as an 'Area Under Strong Urban Influence' - see Figure 7.1 Kilkenny City and County Development Plan 2021-2027.

5.2.2. The provisions of the Kilkenny City and County Development Plan 2021-2027 relevant to this assessment are as follows:

7.8.4 – Categories of Rural Compliance and Qualifying Criteria

13.22.1 – Access and Sight Lines

13.22.2 – Wastewater Treatment Systems

5.3. Natural Heritage Designations

The appeal site is not located within or close to any European Site. The closest European Sites are River Barrow and River Nore SAC (Site Code:002162) and River Nore SPA (Site Code: 004233) which are c. 1 km east.

5.4. EIA Screening

(See Form 1 and Form 2 attached to this report) Having regard to the limited nature and scale of the development and the absence of any significant environmental sensitivity in the vicinity of the site, as well as the criteria set out in Schedule 7 of the Planning and Development Regulations, 2001, as amended, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

This is a third-party appeal by Thomas and Edel Phelan against the decision to grant permission. The grounds for appeal may be summarised as follows;

- The footprint of revised house is larger than that initially proposed. The proposal is out of character with the area (a designated scenic area) in terms of its scale, and would impact the amenity of the area.
- The proposal will be the fourth house within 250 metres, and if the house proposed to the north under PA. Ref. 24/60485 is granted will be the fifth house, resulting in ribbon development. The proposal will place pressure on the rural area.
- The loss of hedgerow to facilitate the proposal is excessive, and will impact biodiversity.

6.2. Applicant Response

The applicants' response can be summarised as follows:

- The proposed dwelling is single storey with a ridge height of 4.9 metres and is in keeping with the pattern of development and character of the area. The scale and proportion of the dwelling has been reduced and the dwelling follows the guidance set out in the County Kilkenny Rural Design Guide. The dwelling follows the natural contours of the site. Landscape proposals will also soften the impact of the proposal.
- The site is not within a designated scenic area, as stated by the appellant.
- The appellant's house is 95 metres from the proposed dwelling, an adequate separation distance to address any adverse impact. Also, the proposed dwelling does not result in any overlooking of the appellant's property. Landscaping will further assist in mitigating potential overlooking. The proposed dwelling will not block views from the appellant's property.

- The proposal does not result in ribbon development, if the dwelling proposed under PA. Ref. 24/60485 is included the proposal would be the forth house within 250 metres.
- Rural housing is supported in the NPF. Over the past 5 years c. 6 houses have been permitted in the wider area, this affirms the areas ability to absorb single houses. The proposal was also assessed on its merits. The proposed wastewater treatment system serving the dwelling complies with the EPA CoP.
- The applicants comply with the rural settlement policy of Development Plan. Kieran Cummins lived at the family home in Kilcullen (townland) for 30 no. years.
- Adequate sightlines are achieve and minimal hedgerow removal is required to facilitate same. Replacement hedgerow will be planted.

6.3. Planning Authority Response

None received.

6.4. Observations

None received.

7.0 Assessment

7.1. Having examined the application details and all other documentation on file, including the appeal, the applicants' submission in response to the third party appeal, and having inspected the site, and having regard to the relevant national and local policy and guidance, I consider the main issues in relation to this appeal are as follows:

- Rural Housing Policy
- Ribbon Development
- Waste Water
- Visual Impact & Impact on Residential Amenity
- Other Issues

- Screening for Appropriate Assessment

7.2. Rural Housing Policy

- 7.2.1. The appeal site is located within an area identified as an 'Area Under Strong Urban Influence' - see Figure 7.1 Kilkenny City and County Development Plan 2021-2027. Section 7.8.4 of the Development Plan sets out Categories of Rural Compliance and Qualifying Criteria, and sets out specified circumstances where applicants may be considered eligible for a dwelling in a rural area. The Planning Authority considered that the applicants complied with the rural settlement strategy. Having reviewed Section 7.8.4 of the Development Plan I consider that subsection 2 (a) is pertinent to the applicants' circumstances (and specifically to Kieran Cummins). Subsection 2 (a) provides that;

Persons with a demonstrable social need to live a particular local rural area,

a. Persons born within the local rural area, or who have lived a substantial period of their lives in the local rural area (minimum 5 years), who have never owned a rural house and who wish to build their first home close to the original family home. Persons born in the area without having lived for the minimum of 5 years must be able to demonstrate strong family and social connections to the area to demonstrate a demonstrable social need.

- 7.2.2. Based on the documentation submitted with the planning application I note that Kieran Cummins has resided at the family home (Kilcullen, Inistioge, Co. Kilkenny), which is located in a rural area (c. 8km by road/c. 4.7 km straight line distance from the application site) for a duration exceeding 5 no. years and that he has never owned a house in the rural area. Regarding the requirements of Section 7.8.4, subsection 2 (a), I am therefore satisfied that the Kieran Cummins is a '*persons with a demonstrable social need to live a particular local rural area*'. I therefore consider that the applicant has demonstrated compliance with the Kilkenny City and County Development Plan 2021 – 2027 in relation to proposals for single housing in the rural area.

7.3. Ribbon Development

- 7.3.1. The appellant raises concerns in relation to the creation of ribbon development. Ribbon development is described in Sustainable Rural Housing, Guidelines for

Planning Authorities, April 2005, (DoEHLG) as 5 or more houses on any one side of a given 250 metres of road frontage. There are 2 no. existing dwellings to the north of the appeal site. The proposed development would therefore result in 3 no. houses on the same side of the road over a 250 metre section of road frontage. I note that the Planning Authority have recently refused permission for the dwelling on the site to the immediate north of the appeal site (see PA. Ref. 24/60485) and at the time of this report I am unaware of any appeal to the Commission in respect of this decision. In any event the proposed dwelling in conjunction with this dwelling, should it have been/be permitted, would not result in ribbon development.

7.4. Waste Water

- 7.4.1. The Site Characterisation Report submitted with the application identifies that the subject site is located in an area with a 'Locally Important Aquifer' where the bedrock vulnerability is 'Extreme'. A ground protection response to R2(1)⁴ is noted in the applicants' Site Characterisation Report. The applicants' Site Characterisation Report identifies that there is no Groundwater Protection Scheme in the area.
- 7.4.2. The trial hole depth referenced in the Site Characterisation Report is 2.4 metres. Bedrock was encountered in the trial hole at 0.8 metres below ground level (bgl). The water table was not encountered in the trial hole. The soil conditions found in the trial hole are described as comprising silt. Percolation test holes were dug and pre-soaked. A T value/sub-surface value of 4.28 was recorded. A P value/surface value of 36.42 was recorded. Based on the EPA CoP 2021 (Table 6.4) the site is suitable for a secondary treatment system and soil polishing filter, as proposed. I note that a raised polishing filter is proposed noting the requirement for a depth of 0.9 metres of unsaturated sub-soil (see Table 6.3). I observed the trial hole during my site inspection and the conditions in the trial hole are commensurate with the information contained in the Site Characterisation Report. I am satisfied that the proposal complies with the required separation distances set out in Table 6.2 of the CoP 2021.

⁴ Acceptable subject to normal good practice. Where domestic water supplies are located Nearby, particular attention should be given to the depth of subsoil over bedrock such that the minimum depths required in Chapter 6 are met and the likelihood of microbial pollution is minimised.

7.5. Visual Impact & Impact on Residential Amenity

- 7.5.1. The appellant raises concerns in relation to the impact of the proposed dwelling on the visual amenity of the area, and on the residential amenity of property in the area, including as a result of overlooking. The design of the proposed dwelling was amended following a request for Further Information. The proposed dwelling now comprises two single storey elements with a ridge height of 4.9 metres. The car port has also been omitted. The material finishes are sympathetic to the character of the rural area. The proposed dwelling is sited on the lower part of the site, thereby responding to the topography of the site. I am satisfied that the design and scale of the proposed dwelling integrates with the rural area would not be incongruous at this location. Furthermore, the appeal site is not situated in a specifically designated high amenity area/landscape, as stated by the appellant.
- 7.5.2. The proposed dwelling is c. 95 metres from the appellant's property. Noting the single storey nature of the proposed dwelling; the proposal for screen planting along the boundary of the appeal site; the topography of the area, with the appellant's property situated on a more elevated level relative to the proposed dwelling; and the distance and relationship of the proposed dwelling relative to the appellant's property, I do not consider that any significant overlooking would arise. In my view, given the nature and scale of the proposed dwelling, its relationship of other residential property in the area, and the pattern of development in the vicinity, the proposed dwelling would not have any significant adverse impacts on the residential amenity of property in the area.

7.6. Other Issues

7.6.1. Impact on Biodiversity:

The appellants contend that the proposed development will have adverse effects on biodiversity arising from the loss of hedgerow. The applicants' propose to remove some hedgerow to facilitate sightlines however replacement hedgerow is proposed which will in my opinion effectively mitigate the loss of this. I do not consider that a refusal of permission is warranted on the basis of its impact on biodiversity.

7.7. Screening for Appropriate Assessment

- 7.7.1. I have considered the proposed development at Killeen, Inistioge, Co Kilkenny in light of the requirements S177U of the Planning and Development Act, 2000, as amended. The subject site is located c. 1 km west of River Barrow and River Nore SAC (Site Code:002162) and River Nore SPA (Site Code: 004233). The proposed development comprises permission for the construction of 1 no. dwelling and a wastewater treatment system.
- 7.7.2. 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 European Site. The reason for this conclusion is based on the following;
- The distance from nearest European Site(s) and absence of connectivity between the development site and European Sites.
 - The nature and scale of the proposed development.

I conclude that on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act, 2000) is not required.

8.0 Recommendation

- 8.1. Having regard to the above it is recommended that permission is granted based on the following reasons and considerations and subject to the attached conditions.

9.0 Reasons and Considerations

Having regard to the provisions of the Kilkenny City and County Development Plan 2021-2027, and to the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the development as proposed would not seriously injure the residential or visual amenities of the area or

of property in the vicinity, would not be prejudicial to public health, would be acceptable in terms of traffic safety and would not give rise to ribbon development, would not have a significant impact on ecology or on European sites in the vicinity, and, would be in accordance with the proper planning and sustainable development of the area.

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted to the Planning Authority on the 17th of April 2025, 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 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 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>Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the detailed requirements of the Planning Authority for such works and services.</p> <p>Reason: In the interest of public health.</p>
4.	<p>(a) The proposed effluent treatment and disposal system shall be located, constructed and maintained in accordance with the details submitted to the Planning Authority on the 11th of October 2024, and as revised in the submission to the Planning Authority on the 17th of April 2025, and in accordance with the requirements of the document entitled "Code of Practice – Domestic Waste Water Treatment Systems (p.e. ≤ 10)" – Environmental Protection Agency, 2021. Arrangements in relation to the ongoing maintenance of the system shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development.</p> <p>(b) Within three months of the first occupation of the dwelling, the developer shall submit a report from a suitably qualified person with professional indemnity insurance certifying that the proprietary effluent treatment system has been installed and commissioned in accordance with the approved details and is working in a satisfactory manner in accordance with the standards set out in the EPA document.</p> <p>Reason: In the interest of public health.</p>
5.	<p>The external finishes to the proposed development shall be as indicated on <i>Drawing no. 24.PP.3.01 24.PP3.02 and 24.PP.4.01</i>, unless otherwise agreed with the Planning Authority prior to commencement of development. In default of agreement the matter(s) in dispute shall be referred to An Coimisiún Pleanála for determination.</p> <p>Reason: In the interest of visual amenity.</p>

6.	<p>The landscaping scheme shown on <i>Drawing No. 24.PP.1.04</i>, as submitted to the Planning Authority on the 11th day of October 2024 shall be carried out within the first planting season following substantial completion of external construction works. All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the Planning Authority.</p> <p>Reason: In the interest of visual amenity.</p>
7.	<p>All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.</p> <p>Reason: In the interests of visual and residential amenity.</p>
8.	<p>Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
9.	<p>The developer shall pay to the Planning Authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, 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</p>

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

Ian Campbell
Senior Planning Inspector

3rd September 2025

Appendix 1 - Form 1

EIA Pre-Screening

An Coimisiún Pleanála	ACP-322838-25		
Case Reference			
Proposed Development Summary	Construction of a dwelling house with carport and domestic garage, site entrance and all associated site works		
Development Address	Killeen, Inistioge, Co. Kilkenny		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	X
		No	
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes	X	Part 2, Sch. 5, Class 10, (b), (i) Part 2, Sch. 5, Class 10, (b), (iv)	Proceed to Q3.
No			
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes			
No	X		Proceed to Q4

4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	X	<p>Class 10, (b), (i) (threshold is 500 dwelling units) – proposal is for 1 no. dwelling.</p> <p>Class 10, (b), (iv) (threshold is 20 Ha.) – site area is 0.303 ha.</p>	<p>Preliminary examination required (Form 2)</p>

Form 2

EIA Preliminary Examination

An Coimisiún Pleanála Case Reference	ACP-322838-25
Proposed Development Summary	Construction of a dwelling house with carport and domestic garage, site entrance and all associated site works
Development Address	Killeen, Inistioge, Co. Kilkenny
<p>The Commission carried out a preliminary examination [ref. Art. 109(2)(a), Planning and Development regulations 2001, as amended] of at least the nature, size or location of the proposed development, having regard to the criteria set out in Schedule 7 of the Regulations.</p> <p>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</p>	
<p>Characteristics of proposed development</p> <p>(In particular, the size, design, cumulation with existing/proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).</p>	<p>The proposed development comprises the construction 1 no. house served by a wastewater treatment system in a rural area.</p> <p>The proposed development will not give rise to the production of significant waste, emissions or pollutants.</p>
<p>Location of development</p> <p>(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</p>	<p>The development is located in a rural area. The site is c. 1 km from a European Site. Following screening for Appropriate Assessment, it has been</p>

environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).		ascertained that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Given the scale and nature of development there will be no significant environmental effects arising.	
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).		During the construction phase noise, dust and vibration emissions are likely. However, any impacts would be local and temporary in nature and the implementation of standard construction practice measures would satisfactorily mitigate potential impacts. The proposed wastewater treatment system is designed to comply with the relevant EPA CoP.	
Conclusion			
Likelihood of Significant Effects	Conclusion in respect of EIA		Yes or No
There is no real likelihood of significant effects on the environment.	EIA is not required.		Yes
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.		No

There is a real likelihood of significant effects on the environment.	EIAR required.	No
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Inspector:

Date:

DP/ADP: _____

Date: _____

(only where Schedule 7A information or EIAR required)