



An
Coimisiún
Pleanála

Inspector's Report ACP-322895-25

Development	Construction of a house, garage, wastewater management system together with all associated site works.
Location	Tromaun, Co. Roscommon.
Planning Authority	Roscommon County Council
Planning Authority Reg. Ref.	2460332
Applicant(s)	John Keogh
Type of Application	Permission
Planning Authority Decision	Refused
Type of Appeal	First Party
Appellant(s)	John Keogh (Applicant)
Observer(s)	None
Date of Site Inspection	5 th September 2025

Inspector

Frank O'Donnell

1.0 Site Location and Description

- 1.1. The subject appeal site is located in the rural townland of Tromaun, c. 3.2 km to the south of Roscommon Town. The site has a stated area of 0.3 hectares (300 sqm) and is generally flat. The front, side (east) and rear site boundaries are defined by mature hedging and trees, the side (west) site boundary is open. There is an existing open drain to the front roadside boundary. The site is accessed via an existing field entrance. There is an existing one and a half storey dwelling on the adjacent site to the immediate east.

2.0 Proposed Development

- 2.1. The proposed development comprises the following:
- Construction of a 3 bedroom single storey dwelling. The proposed dwelling is shown to measure 15 metres in length, 11.5 metres in depth and 5.8 metres in height and is stated to have an overall gross floor area of 128 sqm.
 - Construction of a detached garage to the rear of the proposed dwelling. The garage measures 8 metres in length, 5 metres in width, 4.5 metres in height and is estimates to have an overall gross floor area of 34 sqm.
 - Installation of a wastewater management system with associated percolation area.
 - Provision of a new vehicular/ pedestrian access and viability splay.
 - All associated external works including new boundary fences and landscaping.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. The Local Authority issued a Request for **Further Information** on 5th September 2024, as follows:

1. *Having regard to the information provided with this application, it is not substantially evident how the applicant satisfies the requirements of rural*

generated housing need for this area, as set out Table 3.2 of the Roscommon County Development Plan 2022-2028. It is necessary to further demonstrate how the applicants meets the requirements for rural housing in this area of Co. Roscommon, i.e. Rural Policy Zone A 'Areas under Urban Influence' as set out in Table 3.1: Rural Area Types of the County Development Plan 2022-2028. In the interests of transparency and in order to inform the decision making process, please submit the following evidence to support a claim for a dwelling at this location:

- (a) Full details of the applicants previous and current place of residence and housing status together with documentary evidence of same i.e. statements/utility bills addressed to the applicant over a significant period of time. Also submit evidence of lease/rental agreement in the event that the applicant(s) current place of residence is rented.*
 - (b) Documentary evidence, from official sources, to substantiate that the applicant has spent a substantial period of his life in the area where he is proposing to build. This residence shall be indicated on a map in relation to the application site.*
- 2. Please submit a revised site layout plan which provides detailed specifications of all works required to be carried out in order to achieve the sight lines indicated. If the applicant is proposing to carry works which are not within the legal control of the applicant, then written consent permitting such works will be required from the third party.*
 - 3. Please consult with Uisce Eireann, through the submission of a pre-connection enquiry in order to assess the feasibility of the proposed water connection and submit the Confirmation of Feasibility to the Planning Authority for further consideration.*
 - 4. Please submit a detailed landscaping plan for the site which clearly identifies all existing boundary vegetation proposed to be retained, and provide details of all proposed new planting, which should primarily consist of indigenous species. The plan should include the types of species, numbers and planting locations and should pay particular attention to the western boundary of the site. Please note that the non-essential removal of existing road boundaries is*

discouraged. The landscaping plan should be prepared by a competent landscape professional.

5. *Please clarify the content of Section 20 of the application form, as the proposed waste water management proposal therein differs to that proposed in the Site Characterisation Report received.*

3.1.2. The Local Authority issued a decision to **Refuse** Planning Permission on 5th June 2025 for 1 no. reason as follows:

1. *The proposed development is located in Rural Policy Zone A – ‘Areas under Urban Influence’ as set out in Table 3.1: Rural Area Types in Roscommon County Development Plan 2022-2028. It is the policy of the County Development Plan to restrict housing in this area to applicants who are intrinsically part of the rural community or who have an occupation predominantly based in the rural community. The Planning Authority is not satisfied, based on the information submitted, that the applicant has sufficiently demonstrated compliance with the criteria for a rural generated housing in accordance with the Sustainable Rural Housing Guidelines, and Table 3.2 of the Roscommon County Development Plan 2022-2028. The proposed development fails to satisfy the requirements of Policy Objective PPH 3.13 of the Roscommon County Development Plan 2022-2028 which requires applicants to demonstrate a social or economic link (as per Table 3.2 of the Plan) to the rural area in which they propose to build. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.*

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The **Local Authority Planner** noted that the Applicant is proposing to construct a dwelling c. 33 km away from the rural area where he has demonstrated that he has links to (Strokestown in North County Roscommon). The Local Authority Planner considered that the Applicant has therefore not provided satisfactory evidence of having lived in the community where he is proposing to build for a period of 5 years nor has the Applicant otherwise a

significant link to the Roscommon rural community in which he wishes to reside and hence does not comply with Table 3.2 Rural Housing Need criteria in the Roscommon County Development Plan 2022-2028-Volume 1. The Local Authority Planner therefore recommended that permission be refused for the proposed development.

- The Local Authority Planner further considered that issues in relation to sightlines and the feasibility of a water connection would have required further clarification but that these matter are no so substantive as to merit inclusion in the recommendation and associated schedule.

3.2.2. Other Technical Reports

- The **Environment Department** raise no objection to the proposed development subject to 6 no. standard conditions.

3.3. Prescribed Bodies

- **Uisce Eireann** recommend that Further Information be sought in relation to the feasibility of a water connection/ submission of a Pre-Connection Enquiry (PCE). A Confirmation of Feasibility (COF) must be submitted to the Local Planning Authority as part of the Response to the Request for Further Information. 3 no. standard conditions recommended.

3.4. Third Party Observations

- None

4.0 Planning History

4.1. Planning History on the subject appeal site:

- **05/799:** Permission to erect 1 no. dwellinghouse and install a septic tank system and percolation area and all associated site works. Permission was GRANTED on 23rd February 2006 subject to 20 no. conditions. Applicant: John Keogh.

- **07/239:** Permission to construct a garage/fuel store. Permission was GRANTED on 15th May 2007 subject to 3 no. conditions. Applicant: John Keogh.

5.0 Policy Context

5.1. Development Plan

- ***Roscommon County Development Plan, 2022 to 2028 (Volume I)***

5.1.1. Chapter 3 – People, Places and Housing. Section 3.10 relates to Rural Area Types where the following is stated:

Any rural areas located within the commuter catchment of a city or large town are considered to be areas under urban influence. As per National Policy Objective 19 of the NPF, single housing in such rural areas will be facilitated based on the core consideration of demonstrable economic or social need to live in a rural area and siting and design criteria and the viability of smaller towns and rural settlements.

5.1.2. As per Table 3.1, Rural Policy Zone A relates to Areas under Urban Influence. As per Map 3.1 the subject appeal site is located within an Area under Urban Influence surrounding Roscommon Town.

In relation to Rural Housing Need, it is stated, inter alia, that

‘Depending on the Rural Policy Zone in which a dwelling is proposed, applicants will be required to demonstrate to the Planning Authority how they qualify with the applicable criteria.’

In respect of Areas under Urban Influence, it is stated, inter alia, that

‘The areas are designated to support the sustainable growth of towns and villages and to provide for the rural community who have a genuine locally based housing requirement, while otherwise directing urban generated housing into designated settlements. Those seeking planning permission for single dwellings in these areas must have a demonstrable economic or social need to live there, as detailed in Table 3.2.’

5.1.3. Table 3.2 relates to Rural Housing Need Criteria and this includes Economic Need and Social Need. The following Economic Need criteria is presented in Table 3.2:

- *Persons engaged full-time in a rural-based activity, who can show a genuine need to live close to their workplace and have been engaged in this employment for over five years. This would include those working in agriculture, horticulture, farming, forestry, bloodstock, peat industry, inland waterway or marine-related occupations, as well as part-time occupations where the predominant occupation is farming or natural resource-related;*
- *A person whose business requires them to reside in the rural area. The nature of the operations of the business shall be specific to the rural area. Any such application shall demonstrate the viability of the business and clearly set out the nature of activities associated with the business and why it requires the owner to reside in the vicinity.*

The following Social Need criteria is also presented in Table 3.2:

- *Persons who were born within the local rural area, or who are living or have lived permanently in the local rural area for a substantial period of their life at any stage(s) prior to making the planning application. It therefore includes returning emigrants seeking a permanent home in their local rural area who meet this definition;*
- *Persons with a significant link to the Roscommon rural community in which they wish to reside, by reason of having lived in this community for a minimum period of five years prior to applying for planning permission or by the existence in this community of long established ties with immediate family members.*

In addition to the above Economic and Social criteria, the following guidance is provided in Table 3.2:

- *Demonstration of an economic need or social need will not warrant the granting of permission for a dwelling in the rural area where an individual has already benefitted from a permission for a dwelling on another site, or owns an existing property within the rural area, unless exceptional circumstances can be demonstrated.*

- *Successful applicants will be required to enter into a Section 47 legal agreement restricting the occupancy of the dwelling to the applicant and their immediate family, or to other persons who fulfil the economic or social need criteria set out above, for a period of 7 years.*
- *Applicants relying on economic need criteria involving part-time occupations in farming or natural resources related activities will be required to submit sufficient evidence to demonstrate same, for example (but not limited to) a herd number or hours of activity as a farmer.*

5.1.4. The following policy objectives are included in Chapter 3:

- ***PPH 3.13:*** *Facilitate single houses in rural areas subject to appropriate siting and design criteria, including demonstration of adherence to the principles set out in the County Roscommon Rural Design Guidelines. In addition, in the case of proposals for single houses in defined Areas under Urban Influence, applicants will be required to demonstrate a social or economic link (as per Table 3.2) to the rural area in which they proposed to build.*
- ***PPH 3.14:*** *Direct urban generated housing in rural areas to the towns and villages (serviced and unserviced) in the county as set out in the Settlement Hierarchy in Table 2.3.*
- ***PPH 3.15:*** *Promote cluster type layouts appropriate to the rural area, where more than one house is proposed on a landholding. Discourage proposals for single dwellings which give rise to or exacerbate patterns of ribbon development in the rural area.*

5.1.5. Chapter 12 relates to Development Management Standards.

5.2. Guidelines

- Sustainable Rural Housing Guidelines, 2005
- Development Management Guidelines, 2007

5.3. Natural Heritage Designations

5.3.1. The site is not located within or adjacent to a Natura 2000 site. The nearest Natura 2000 sites are as follows:

- Ballinturly Turlough SAC (Site Code 000588), c. 2.6 km to the southwest.
- Lough Ree SAC (Site Code 000440), c. 4 km to the northeast;
- Lough Ree SPA (Site Code 004064), c. 5 km to the southwest;
- River Suck Callows SPA (Site Code 004097), c. 7 km to the southeast.

5.4. EIA Screening

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

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. The Grounds of Appeal can be summarised as follows:

- Lack of consistency by the Local Authority in determining planning application. In this regard, the Applicant refers to
 - the Local Authority Further Information Request (Point no. 4) to provide a landscaping plan and
 - the Local Authority Assessment of the issue of Economic Need.
- The Social Need criteria is ambiguous and needs definition.
- The Rural Housing Need Criteria cannot be considered as proper planning policy, is not prescriptive, is unnecessarily restrictive, open to interpretation,

unbalanced, discriminatory and does not promote sustainability or growth in rural Ireland.

- By contrast, the Vacant Property Grant places no restrictions to aspiring rural homeowners such as demonstrating social and or economic need.
- The Applicants case is solely based on social criteria as, according to the Development Plan, his job is not an acceptable job for anyone seeking to build a new house in the rural countryside.
- The Applicant submits they have sufficient credentials to demonstrate social connection to the area including the landownership of the land (Applicants' Father), house of grandparent to rear of application site (mothers original homeplace), grandparents land purchased and farmed by the Applicants' father for a period of 26 years until 2006, sibling and other relatives in the area, planning permission previously granted on the site to the Applicant (Planning Reg. Ref. No. 05-799) and his brother on a nearby site (Planning Reg. Ref. no. 05-1590).
- The Applicant considers the design and siting of the proposed dwelling to be appropriate and unobtrusive.
- The applicant respectfully requests that the decision of the Local Authority be overturned.

6.2. Planning Authority Response

- None

6.3. Observations

- None

6.4. Further Responses

- None

7.0 Assessment

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

- Reason for Refusal
- Other matters
 - *Inconsistency of Decision Making*

7.2. Reason for Refusal

7.2.1. The Commission will note the 1 no. reason for refusal as per the decision issued by the Local Authority on 5th June 2025.

- *Rural Area Type*

7.2.2. I note Section 3.10 of the Development Plan relates to Rural Area Types and that, as per Table 3.1, there are 2 no. Rural Area Types identified in the County, i.e. Areas under urban influence, to which Rural Policy Zone A applies and Remaining Rural Areas, to which Rural Policy Zone B applies. I also note as per Map 3.1 on page 44 of the Plan, that the subject appeal site falls within the defined Area Under Urban Influence surrounding Roscommon Town where *‘those seeking planning permission for single dwellings in these areas must have a demonstrable economic or social need to live there, as detailed in Table 3.2.’*

- *Housing Need*

7.2.3. As per Table 3.2 of the Plan, Rural Housing Need Criteria comprises an Economic Need and/ or Social Need. Based on the information provided, it is my opinion that the Applicant is not engaged full-time in a rural-based activity nor has it been demonstrated that the Applicant has a genuine need to live close to their workplace. The Applicants' stated employment does not fall within any of the rural based employment categories set out in Table 3.2. Nor, similarly has the Applicant demonstrated that they have a business which requires them to reside in the rural

area. I am therefore satisfied that the Applicant has not demonstrated an Economic Need to live in this specific rural area under urban influence.

- 7.2.4. I note the Planning Case presented as part of the Application and Appeal in relation to the Applicants' Social Need to reside at this rural location under urban influence. Based on the information received, there is no indication that the Applicant has, at any stage, lived within this specific local rural area, let alone for any substantial period of time, prior to making the subject application nor indeed was the Applicant born in this specific local rural area. The Applicants stated homeplace, as per the aerial map submitted as part of the response to further information, is located c. 33 km to the northeast of the subject appeal site, (c. 9.3 km to the northeast of Strokestown, Co. Roscommon). Although the Applicant spent some short periods of time working abroad, I do not consider he qualifies as a returning emigrant, and I note the Application is not presented on this basis. I therefore do not consider the Applicant satisfies the first element of the Social Need Criteria set out in Table 3.2 (Rural Housing Need Criteria) of the Development Plan.
- 7.2.5. The second part of the Social Need criteria set out in Table 3.2 of the plan relates to *'persons with a significant link to the Roscommon rural community in which they wish to reside, by reason of having lived in this community for a minimum period of five years prior to applying for planning permission or by the existence in this community of long established ties with immediate family members.'*
- 7.2.6. The above quoted criteria has two distinct parts where the onus is upon the Applicant to demonstrate they satisfy either the first or second elements or indeed both elements. The Applicant, although a member of the wider Roscommon Rural Community, has not demonstrated that he has lived in this specific Roscommon Rural Community in which he wishes to now reside, for a period of five years prior to making this application. It is my opinion therefore that the Applicant does not satisfy the first element of the above quoted extract from Table 3.2.
- 7.2.7. The Commission will note that the Applicants' brothers' dwelling is located within 120 metres to the southeast of the subject appeal site. This said dwelling was the subject of planning reg. ref. no. 03/214 and was granted prior to the Applicant being previously granted permission for a dwelling at the subject appeal site, as planning reg. ref. no. 05/799 and a subsequent permission for a domestic garage on site,

planning reg. ref. no. 07/239, refer. The subject appeal site is also in the ownership of the applicant. In my opinion, the Applicants' immediate family member, i.e. the Applicants' brother, has long established ties with this specific rural community. In addition, the Applicant's mother was born in the adjacent former dwelling structure (stated to now be derelict) located further to the northeast and the surrounding lands have been in family ownership for a considerable length of time and were farmed by the Applicants' father until 2006. I do not consider the Applicants link to this specific rural area to be insignificant. Therefore, owing to the foregoing and, in particular, to the existence in this community of long established ties with immediate family members, the Applicant, in my opinion, satisfies the Social Need element of the Rural Housing Need Criteria set out in Table 3.2 of the Development Plan.

7.3. Other Matters

- *Inconsistencies in Decision Making*

7.3.1. The Applicant raises the issue of inconsistencies in the assessment of rural planning applications by the Local Authority. In particular, the Applicant refers to a perceived inconsistent approach of the Local Authority in relation to the assessment of the issue of the Applicants Rural Housing Need case and particularly the issue of Economic Need and separately the requirement for a detailed landscaping plan. Each planning application is assessed on its own merits having regard to the proper planning and sustainable development of the area. As noted further above, the Applicant has not demonstrated an Economic need to reside at this location. I am satisfied that the Local Authority has correctly assessed the case presented in this regard. Whether or not there is an inconsistency on behalf of the Local Authority in terms of the assessment of economic need for applications for rural housing is, in my opinion, outside the scope of this appeal.

7.3.2. The Local Authority sought a detailed landscaping plan as part of the Request for Further Information, see point no. 4. The Applicant considers the Local Authority to be inconsistent in its approach to the requirement for a detailed landscaping plan and, in this regard, refers to a separate similar project lodged at the same time where no such request was sought. The fact that in one case the Local Authority has sought a landscaping plan and has not sought one in another case does not, in my opinion, in of itself, prove there has been an inconsistency as each case is typically

dealt with on its own merits. The Local Authority, in my opinion, is entitled to seek clarity as to the proposals being submitted. I note the revised landscaping plan differs significantly from that initially presented and has resulted in the proposed retention of the existing front roadside boundary hedgerow. The role of the Commission, in the case of an appeal, is, in my opinion, to assess the decision of the Local Authority, as opposed to determining, whether or not, the Local Authority has been consistent in terms of its assessment of rural housing planning applications and requests for a landscaping plan. Such matters are, in my view, outside the scope of this appeal.

- *Public Water Supply*

- 7.3.3. I note the applicant proposes to connect to the public mains. Point no. 3 of the Request for Further Information related to the issue of water supply and sought for the Applicant to liaise with Uisce Éireann in relation to same and, in doing so, to submit a Confirmation of Feasibility (COF) in relation to same. In response, the Applicant states *‘response to pre connection enquiry submitted confirming feasibility’* however the Local Authority Planners Assessment notes such a Confirmation of Feasibility is absent from the Response and that if the development had otherwise been acceptable the Local Authority would have required evidence of this engagement in order to be satisfied that a water connection is feasible. I note the Assessment of the Local Authority Planner in relation to this matter also states that based on their records of the Uisce Éireann network supply in the area, that a mains supply serves the site. Having regard to the foregoing, I am satisfied that the proposed development can be suitably served by means of a potable water supply.

8.0 AA Screening

8.1. Screening the need for Appropriate Assessment: Screening Determination (Stage 1, Article 6(3) of Habitats Directive)

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 Ballinturly Turlough SAC, Lough Ree SAC and Lough Ree SPA in view of the conservation objectives of this/ these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- The nature of the proposed works comprising a single dwelling, wastewater treatment system, percolation area and associated site development works.
- The location of the subject site from nearest European site and lack of any direct connections to same.

9.0 Recommendation

9.1. I recommend that permission be GRANTED for the following reason.

10.0 Reasons and Considerations

10.1. Having regard to the provisions of the Roscommon County Development Plan 2021-2027, to the location of the site in an area identified as under urban influence and, to the prevailing pattern and character of existing development in the vicinity 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 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, and would be acceptable in terms of traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

11.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on 12th July 2024 and 9th May 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 in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. (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.

(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.

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.

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 in the interest of the proper planning and

sustainable development of the area.

3. 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.

Reason: In the interest of clarity.

4. Details of the materials, colours and textures of all the external finishes of the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

5. All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road or adjoining properties.

Reason: In the interest of traffic safety and to prevent pollution.

6. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground.

Reason: In the interest of visual and residential amenity.

7. (a) The treatment system shall be located, constructed and maintained in accordance with the details submitted to the planning authority, and in accordance with the requirements of the document "Wastewater Treatment Manual: Treatment Systems for Single Houses (P.E. < 10)", issued by the Environmental Protection Agency in 2021. No system other than the type proposed in the submissions shall be installed unless agreed in writing with the planning authority.

(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 Tertiary Treatment System and

Infiltration/treatment area is constructed in accordance with the standards set out in the EPA document.

Reason: In the interest of public health.

8. The garage shall be used solely for use incidental to the enjoyment of the main dwelling and shall not be sold, rented or leased independently of the main dwelling and shall not be used for the carrying on of any trade, business or commercial/industrial activity. The structure shall not be used for the purposes of independent habitation.

Reason: To ensure that the development shall be in accordance with the permission, and that effective control be maintained.

9. The design of the access and achievement of sightlines shall be subject to agreement with the planning authority. The existing front boundary hedge shall be retained except to the extent that its removal is necessary to provide for the entrance and sightlines to the site.

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

10. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefitting 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 the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developers or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the

Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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

Frank O'Donnell
Planning Inspector

14th October 2025

Form 1 - EIA Pre-Screening

Case Reference	ACP-322895-25
Proposed Development Summary	Construction of a house, garage, wastewater management system together with all associated site works.
Development Address	Tromaun, County Roscommon.
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2. <input type="checkbox"/> No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road	

<p>development under Article 8 of the Roads Regulations, 1994.</p> <p>No Screening required.</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class 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>Class 10 b) (i)</p> <p>Construction of more than 500 dwelling units.</p> <p>Class 10 b) (iv)</p> <p>Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere. (In this paragraph, “business district” means a district within a city or town in which the predominant land use is retail or commercial use.)</p>

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes <input type="checkbox"/>	
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ Date: _____

Form 2 - EIA Preliminary Examination

Case Reference	ACP-322895-25
Proposed Development Summary	Construction of a house, garage, wastewater management system together with all associated site works.
Development Address	Tromaun, County Roscommon
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).	<p>The subject appeal site has a stated site area of 0.3 hectares. The proposed development is for the construction of a 3 bedroom single storey dwelling, detached garage, wastewater treatment plant and percolation area and the provision of a new vehicular entrance.</p> <p>The site is a greenfield site and is currently in agricultural use. There is an existing dwelling located to the immediate east. The surrounding lands, aside from some sporadic one off housing, is in agricultural use.</p> <p>It is anticipated that the proposed development will not result in any significant use of natural resources, will not result in any significant production of waste, will not give rise to significant pollution or nuisance impacts, will not give rise to any significant risk of accident/ disaster or impacts upon human health.</p>
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).	<p>The development is a greenfield site situated in a rural area. There are no Protected Structures on the subject site or within the general vicinity and the site is not located within an Architectural Conservation Area.</p> <p>The site is not located within or adjacent to sensitive sites or European Sites including any Natura 2000 sites. The site is not located in what can be considered a densely populated area.</p> <p>The site is not located within an area identified as being of archaeological potential.</p>
Types and characteristics of potential impacts	

(Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	Having regard to the relatively small scale nature of the proposed development, its location removed from sensitive habitats/features, the likely limited magnitude and spatial extent of effects, and the absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.

Inspector: _____ **Date:** _____

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

(only where Schedule 7A information or EIAR required)

Template 2: Standard AA Screening Determination Template

Test for likely significant effects

(For use in all cases beyond de minimis criteria)

Screening for Appropriate Assessment Test for likely significant effects				
Step 1: Description of the project and local site characteristics				
Brief description of project		Construction of a house, garage, wastewater management system together with all associated site works.		
Brief description of development site characteristics and potential impact mechanisms		<p>The subject appeal site has a stated site area of 0.3 hectares. The site is a greenfield site and is currently in agricultural use. There is an existing open drain located along the roadside site frontage which likely flows in an eastern direction.</p> <p>There is an existing dwelling located to the immediate east. The surrounding lands, aside from some sporadic one off housing, is in agricultural use.</p>		
Screening report		Yes – Local Authority		
Natura Impact Statement		No		
Relevant submissions		None		
Step 2. Identification of relevant European sites using the Source-pathway-receptor model				
[List European sites within zone of influence of project in Table and refer to approach taken in the AA Screening Report as relevant- there is no requirement to include long list of irrelevant sites.]				
European Site (code)	Qualifying interests ¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections ²	Consider further in screening ³ Y/N
Ballinturly Turlough SAC (Site	Turloughs [3180] https://www.npws.ie/protected-sites/sac/000588	c. 2.6 km	No direct connection	N

Code 000588)				
Lough Ree SAC (Site Code 000440)	Natural eutrophic lakes, Semi-natural dry grasslands and scrubland facies on calcareous substrates, Active raised bogs, Degraded raised bogs capable of natural regeneration, Alkaline fens, Limestone pavements, Bog woodland, Alluvial Forests, Otter. https://www.npws.ie/protected-sites/sac/000440	c. 4 km	No direct connection Possible indirect connection via surface water	Y
Lough Ree SPA (Site Code 004064)	Waterbirds https://www.npws.ie/protected-sites/spa/004064	c. 5 km	No direct connection Possible indirect connection via surface water	Y

¹ Summary description / **cross reference to NPWS website** is acceptable at this stage in the report

² Based on source-pathway-receptor: Direct/ indirect/ tentative/ none, via surface water/ ground water/ air/ use of habitats by mobile species

³if no connections: N

Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites

[From the AA Screening Report or the Inspector's own assessment if no Screening Report submitted, complete the following table where European sites need further consideration taking the following into account:

- Identify potential direct or indirect impacts (if any) arising from the project alone that could have an effect on the European Site(s) taking into account the size and scale of the proposed development and all relevant stages of the project (See Appendix 9 in Advice note 1A).
- Are there any design or standard practice measures proposed that would reduce the risk of impacts to surface water, wastewater etc. that would be implemented regardless of proximity to a European Site?

(c) Identify possible significant effects on the European sites in view of the conservation objectives (alone or in combination with other plans and projects)

AA Screening matrix

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
<p>Site 1: Lough Ree SAC (Site Code 000440)</p> <p><u>QI list</u></p> <p>Natural eutrophic lakes with Magnopotamion or Hydrocharition - type vegetation [3150]</p> <p>Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [6210]</p> <p>Active raised bogs [7110]</p> <p>Degraded raised bogs still capable of natural regeneration [7120]</p> <p>Alkaline fens [7230]</p> <p>Limestone pavements [8240]</p> <p>Bog woodland [91D0]</p> <p>Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae) [91E0]</p> <p><i>Lutra lutra</i> (Otter) [1355]</p>	<p>Direct: None</p> <p>Indirect:</p> <p>Negative impacts (temporary) on surface water/water quality due to construction related emissions including increased sedimentation and construction related pollution.</p>	<p>The contained nature of the site (no direct ecological connections or pathways) and distance from receiving features connected to the SAC and SPA make it highly unlikely that the proposed development could generate impacts of a magnitude that could affect habitat quality within the SAC or SPA for the QIs listed.</p> <p>Conservation objectives would not be undermined.</p>

	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	
	Possibility of significant effects (alone) in view of the conservation objectives of the site* None	
	Impacts	Effects
Site 2: Lough Ree SPA (Site Code 004064) <u>QI list</u> Little Grebe (Tachybaptus ruficollis) [A004] Whooper Swan (Cygnus cygnus) [A038] Teal (Anas crecca) [A052] Mallard (Anas platyrhynchos) [A053] Tufted Duck (Aythya fuligula) [A061] Common Scoter (Melanitta nigra) [A065] Goldeneye (Bucephala clangula) [A067] Coot (Fulica atra) [A125] Golden Plover (Pluvialis apricaria) [A140] Lapwing (Vanellus vanellus) [A142] Common Tern (Sterna hirundo) [A193] Wigeon (Mareca penelope) [A855]	Direct: None Indirect: Negative impacts (temporary) on surface water/water quality due to construction related emissions including increased sedimentation and construction related pollution.	The contained nature of the site (no direct ecological connections or pathways) and distance from receiving features connected to the SAC and SPA make it highly unlikely that the proposed development could generate impacts of a magnitude that could affect habitat quality within the SAC or SPA for the QIs listed. Conservation objectives would not be undermined.

Shoveler (Spatula clypeata) [A857]		
Wetland and Waterbirds [A999]		
	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	
	Possibility of significant effects (alone) in view of the conservation objectives of the site* None	
Further Commentary / discussion (only where necessary)		
Step 4 Conclude if the proposed development could result in likely significant effects on a European site		
<p>I conclude that the proposed development (alone) would not result in likely significant effects on [insert European site(s)]. The proposed development would have no likely significant effect in combination with other plans and projects on any European site(s). No further assessment is required for the project].</p> <p>No mitigation measures are required to come to these conclusions.</p>		

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 Ballinturly Turlough SAC, Lough Ree SAC and Lough Ree SPA in view of the conservation objectives of this/ these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- The nature of the proposed works comprising a single dwelling, wastewater treatment system, percolation area and associated site development works.
- The location of the subject site from nearest European site and lack of any direct connections to same.

WFD IMPACT ASSESSMENT STAGE 1: SCREENING

Step 1: Nature of the Project, the Site and Locality

An Bord Pleanála ref. no.	322895-25	Townland, address	Tromaun, County Roscommon
Description of project		Construction of a house, garage, wastewater treatment system and percolation area and the provision of a new vehicular entrance.	
Brief site description, relevant to WFD Screening,		The site is a greenfield site and is currently in agricultural use. The soil is described in the SIS National Soils list as fine laomy drift with limestones (Luvisol: well drained mineral soil) with imperfect drainage. The sub soil is till (limestone till) of variable texture (till is sediment deposited by or from glacier ice). There is an existing shallow open drain located along the roadside site frontage and open drains on the side (west) and rear (north) site boundary which were dry on the day of the site inspection.	
Proposed surface water details		It is proposed to dispose of surface water to a soakpit.	
Proposed water supply source & available capacity		Uisce Eireann mains water connection (proposed).	

Proposed wastewater treatment system & available capacity, other issues			On site Wastewater Treatment System			
Others?			N/a			
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection						
Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)
River Waterbody	221m	HIND_020 (IE_SH_26H010400)	Good	Not at risk	No pressures	Drainage ditch hydrologically connected to watercourse.
Groundwater Waterbody	Underlying site	Funshinagh (IE_SH_G_091)	Good	Not at risk	No pressures	No – poorly draining clay soils offer protection to groundwaters

Step 3: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.							
CONSTRUCTION PHASE							
No.	Component	Waterbody receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.
1.	Surface	HIND_020 (IE_SH_26H010 400)	Existing drainage ditches, watercourse	Siltation, pH (Concrete), hydrocarbon spillages	Standard construction practice CEMP	No	Screened out
2.	Ground	Funshinagh (IE_SH_G_091)	Pathway exists but poor drainage characteristics	spillages	As above	No	Screened out
OPERATIONAL PHASE							
3.	Surface	HIND_020 (IE_SH_26H010 400)	Existing drainage ditches, watercourse	Hydrocarbon spillage	None	No	Screened out

4.	Ground	Funshinagh (IE_SH_G_091)	Pathway exists but poor drainage characteristics	Spillages	None	No	Screened out
DECOMMISSIONING PHASE							
5.	NA						