



An  
Coimisiún  
Pleanála

## Inspector's Report ACP-323205-25

<b>Development</b>	Retention of pre-assembly warehouse and final assembly warehouse for structural steel and all associated site works.
<b>Location</b>	Ardan, Tullamore, Co. Offaly.
<b>Planning Authority</b>	Offaly County Council
<b>Planning Authority Reg. Ref.</b>	2498
<b>Applicant(s)</b>	Industrial Research and Technology Limited.
<b>Type of Application</b>	Retention.
<b>Planning Authority Decision</b>	Refuse.
<b>Type of Appeal</b>	First Party
<b>Appellant(s)</b>	Industrial Research and Technology Limited.
<b>Observer(s)</b>	None.
<b>Date of Site Inspection</b>	30 <sup>th</sup> October 2025.
<b>Inspector</b>	Terence McLellan

## **1.0 Site Location and Description**

- 1.1. The subject site is located approximately 2.3km north of Tullamore Town Centre and accessed from Arden Road (R421). The site measures approximately 1.739 hectares and is broadly rectangular in shape, being narrow at the road frontage and increasing in width towards the western boundary. There is a drop in level mid-way across the site, levelling out again for the majority of the western section.
- 1.2. The site is occupied by Industrial Research and Technology Limited for the purposes of pre-assembly and final assembly of structural steel, a use which has long been established on the site. The site is currently occupied by a number of large industrial shed type buildings, in addition to the outdoor storage of materials and various hardstanding areas. A parking area is located at the site entrance from the R421.
- 1.3. Immediately neighbouring sites to the north, east and south-east are in commercial/industrial use and are characterised by large commercial/industrial shed type buildings similar to the subject site, with the concrete manufacturing operation on the opposite side of the R421 being particularly extensive. The south western boundary of the site neighbours a recently completed housing development known as Silverbrook Park. To the west of the site is a disused gravel quarry.

## **2.0 Proposed Development**

- 2.1. Retention permission is sought for two industrial shed/warehouse type buildings. The buildings in question extend from the existing central shed and would be used for pre-assembly and final assembly for structural steel in line with the established use of the site. The proposed buildings would be c. 12m and c. 10m in height above ground level, taking into account the drop in levels on that specific part of the site, and would be of a standard/typical design for these types of structures.
- 2.2. Following receipt of Further Information, the development also proposes improvements to the surface water drainage on site to provide soakaways. Resurfacing of the car park is also proposed, following a request from the Planning Authority at Further Information Stage.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

3.1.1. Planning Permission was refused by Offaly County Council on 9<sup>th</sup> July 2025 for the following two reasons:

1. The Planning Authority is not satisfied that the effluent disposal system on site is capable of treating foul effluent arising from the development and considers that this could increase the risk of serious water pollution in an area which is in proximity to the Source Protection Area for the Arden Public Water Supply. Accordingly, the developments subject of this application would be prejudicial to public health and would be contrary to the proper planning and sustainable development of the area.
2. In the absence of significant detailing in relation to surface water drainage, the applicant has not demonstrated to the satisfaction of the Planning Authority that surface water can be adequately dealt with within the curtilage of the site. The developments subject of this application, therefore, could lead to conditions which would be prejudicial to public health and be contrary to the proper planning and sustainable development of the area.

### **3.2. Planning Authority Reports**

3.2.1. The first Planner's Report notes the neighbouring housing estate where the boundary is marked by a 2m high block wall, and a hedgerow planted on the Applicant's side in the last year or so. Siting and design are acceptable given the historic use of the site and the boundary treatment.

3.2.2. Following concerns raised by the Area Engineer and the Environment and Water Section, the Planner's Report concluded in a Further Information request seeking the following (in summary):

1. Demonstrate compliance with Development Management Standards DMS-71 of the Offaly CDP regarding landscaping and buffer zones, high architectural quality of boundaries, screen planting on the road boundary, protection of amenity, screening and enclosure/cover of waste and recycling areas.

2. Compliance with parking standards, including EV provision.
3. Provision of a site plan showing all on-site foul sewerage infrastructure.
4. Details of deliveries/collections and provision of Auto Track analysis.
5. Submission of details showing concrete/macadam for parking area/site entrance.
6. Comprehensive request relating to surface water/site drainage, including:
  - a) Details of surface water drainage. To include four new road gullies at the site entrance to be piped to soakaways in the site/surface water sewer. Soakaways to be design in line with BRE Digest 365.
  - b) Surface water to be treated on site or discharge to the public network.
  - c) Flow control to achieve Greenfield rates.
  - d) Details of flow rates to be provided. Climate change allowance of 20% to be included.
  - e) Details of petrol interceptor and maintenance.
  - f) Details of flow control device and attenuation.
  - g) Additional SUDS to be considered (permeable paving, rainwater harvesting etc..).
  - h) SUDS to incorporate an outfall to a water course or public system to cater for overflow.
7. The site is served by a private well and a conventional septic tank. It is a requirement to connect to the public water supply and wastewater infrastructure.
  - a) Liaise with Uisce Éireann and submit an updated water supply and wastewater drainage scheme.
  - b) Apply for a Trade Effluent Discharge to Sewer Licence.
8. Submit a formal Environmental and Waste Management Plan

3.2.3. Further Information was submitted on 29<sup>th</sup> November 2025 and considered in the second Planner's Report which noted compliance with Point 1 of the FI request only. On the remaining points of the FI request the Applicant noted that the buildings for

retention have been constructed over existing concrete/hard-standing areas that were used for assembling steel components and that the buildings were constructed to screen operations from the new houses to the south.

3.2.4. The Applicant also noted that no new car parking is being proposed, alterations to the car parking/entrance are not proposed, there is no public surface water or foul sewer to connect to (noting that the foul sewer manhole close to the site entrance is privately owned by another business), and that the site's location on a discussed gravel pit provides adequate drainage capabilities. On the septic tank the Applicant noted that this was installed in 1991 in line with the planning permission.

3.2.5. The Area Engineer and the Environment/Water Section both considered the Applicant's response to be insufficient and largely reiterated their previous requests. The second Planner's Report therefore concluded in a request for Clarification of Further Information.

3.2.6. The Applicant's Clarification of Further Information was received on 12<sup>th</sup> June 2025 and included:

- Uisce Éireann Confirmation of Feasibility for a water connection.
- Soakaway trench design calculations.
- Details of proposed bypass separator maintenance.
- Amended plans showing car parking, EV spaces and bicycle parking.
- Auto-track analysis.
- Resurfacing of car par.
- Plans showing surface water drainage scheme and soakaway trenches.

3.2.7. The Applicant's submission was considered in the third Planner's Report which noted that the concerns of the Area Engineer had been addressed but concerns were still outstanding from the Environment/Water Services Section. The third Planner's Report contains the following points of note:

- The drainage design does not address the FI request, principally, the requirement for a design capable of mitigating a 1 in 30 year rain event with 20% climate change allowance.

- The foul sewer design does not address the FI request. A pre-connection enquiry to connect to the foul sewer infrastructure should be explored by the applicant as Uisce Eireann have a foul sewer located on the public road to the south of the site. In the absence of a connection a full appraisal of the existing wastewater treatment system is required.
- The site is question is more than 200m from a public sewer and dependant on an existing septic tank constructed in 1991 and is, at best, built to standards from 30 years ago. No details of its current state have been provided.
- There is a source protection area 370 metres to the northeast of the site. Refusal is recommended having regard to the lack of evidence that the development has access to a septic tank which meets the relevant standards and that the surface water design has not demonstrated that it can mitigate a 1 in 30 year rain event with 20% climate change allowance.

### 3.3. Other Technical Reports

- 3.3.1. **Area Engineer (05.09.2024, 02.07.2025):** Initial responses included request for Further Information regarding parking requirements, surface water drainage, foul drainage, clarification of deliveries, provision of auto-track analysis, and details of concrete/macadam for the parking area/site entrance. Following Clarification of Further Information, the Area Engineer raised no objections to the development subject to conditions.
- 3.3.2. **Chief Fire Officer (02.10.2024):** No objections.
- 3.3.3. **Environment/Water Services (06.09.2024, 10.12.2024, 07.07.2025):** A detailed Further Information request was issued (set out in Section 3.2.2 above, Points, 6, 7 and 8) regarding surface water drainage, flow rates, flow control and interceptors, SUDS, attenuation and designing in a 20% climate change allowance. The response noted that the site uses a septic tank and the Council's policy is that developments connect to public water supply and wastewater infrastructure.
- 3.3.4. In the event that connection to the public sewer is not practical, a full appraisal of the existing wastewater treatment system is required, providing details on the current PE load compared to the original PE design load as well as a condition/performance report.

- 3.3.5. Following FI and a subsequent clarification of FI, refusal was recommended on the basis that it has not been demonstrated that the surface water drainage system can mitigate a 1 in 30 year rain event with 20% climate change allowance and also due to the lack of connection to a public wastewater sewer, noting that there is no evidence that the development has access to a septic tank which meets relevant standards.

#### 3.4. **Prescribed Bodies**

- 3.4.1. No response.

#### 3.5. **Third Party Observations**

- 3.5.1. None.

### 4.0 **Planning History**

#### Subject Site

- 4.1. **Planning Authority Reference 91/209:** Permission was granted by Offaly County Council in September 1991 for the retention of an extension to the existing factory premises and the retention of unauthorised buildings (drawing office, lean-to extension and premises sheltering machines).
- 4.2. The following permissions have been highlighted in the Planner's Report but are unavailable on the planning register as they are pre 1986:
- 4.3. **Planning Authority Reference P2454:** Permission was granted for an extension to a workshop.
- 4.4. **Planning Authority Reference P1376:** Permission granted for the erection of a workshop.

#### Adjacent Sites

##### *Condrón Concrete Limited (immediate north)*

- 4.5. **Planning Authority Reference 15204:** Permission was granted by Offaly County Council in October 2015 for the erection of a single storey manufacturing facility, external waste water treatment plant, concrete paving, site drainage including a sump area. and connections to public services.

## **5.0 Policy Context**

### **5.1. Offaly County Development Plan 2021-2027**

5.1.1. The subject site is located on unzoned lands on the northern edge of the town.

5.1.2. Chapter 5: Economic Development Strategy, states that Offaly County Council will positively contribute towards the promotion of the maintenance and growth of employment across every sector in County Offaly that is sustainable, competitive, inclusive and resilient, so that the people of Offaly will have access to a range of quality employment opportunities enabling them to live and work in the County. Relevant policies include:

- ENTP-11 It is Council policy to strengthen and channel development into Tullamore the primary driver for economic development within the county, which is designated as a Key Town in the Regional Spatial and Economic Strategy.
- REDP-14 It is Council policy to favourably consider proposals for the expansion of existing industrial or new business enterprise in the open countryside where the proposal; a) is an appropriate size and scale, b) does not negatively impact on the character and amenity of the surrounding area, c) has regard to and complies with guidelines/standards including traffic, noise and environmental considerations, and d) is rural in nature by being rural resource based and not urban in nature.

5.1.3. Chapter 11: Water Services and Environment notes that Offaly County Council is committed to working with Irish Water in the provision of water services for the sustainable growth of the county and delivering on the key principles of environmental protection and climate action as a backdrop to sustainable growth. Relevant policies include:

- WSP-04 - It is Council policy to require developments to connect to public wastewater infrastructure and public water supplies, where available, including group water schemes, unless otherwise approved by the Planning Authority.
- WSP-17 - It is Council policy to encourage and support a changeover from septic tanks/private wastewater treatment plants to public collection networks



wherever feasible, subject to connection agreements with Irish Water and to ensure that any future development connects to the public wastewater infrastructure where it is available.

- WSP-22 - It is Council policy to ensure adequate surface water drainage systems are in place which meet the requirements of the Water Framework Directive and the River Basin Management Plan and to promote the use of Sustainable Drainage Systems.
- WSP-23 - It is Council policy to limit and manage the permitted stormwater runoff from all new developments. The maximum permitted surface outflow from any new development shall be restricted to that of a greenfield site before any development takes place unless otherwise agreed with Offaly County Council.
- WSP-24 - It is Council policy to require new development to provide a separate foul and surface water drainage system and to incorporate Sustainable urban Drainage Systems (SuDS).

## **5.2. Natural Heritage Designations**

- 5.2.1. The site is not located within or immediately adjacent to any European sites. The nearest European site is the Charleville Wood SAC (Site Code 000571), located approximately 2.85km to the south/south-west of the site.

## **5.3. EIA Screening**

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

## **6.0 The Appeal**

### **6.1. Grounds of Appeal**

6.1.1. A First Party appeal has been received from Frank Murray Architectural Services Limited, for and on behalf of the Applicant, Industrial Research and Technology Limited, against the decision of Offaly County Council to refuse retention permission. The grounds of appeal can be summarised as follows:

- The engineering works were established in 1966 and moved to the current site in 1969, purchasing the site to the front of the existing Readymix Concrete works on Arden Road.
- The first workshop was constructed under planning permission P1376. This included a septic tank and the workforce comprised up to ten employees.
- The original shed was extended in 1975 under planning reference P2454. The workforce increased to 15 employees.
- In 1983 the site expanded through the purchase of the Readymix Concrete site to the rear. This included the batching plant, the block yard and additional land. The block yard and batching plant featured concrete pads.
- Although the batching plant was dismantled and sold, manufacturing activities resumed on the newly acquired concrete pads.
- Further expansion took place between 1989 and 1992. A second shed was constructed over one of the existing concrete pads and additional concrete pads were constructed to connect all the pads.
- Retention permission for these works was obtained under reference 91/209. Condition 8 required a septic tank and percolation area to be constructed in accordance with SR6. Employment at this time was around 20 full time staff.
- The septic tank is regularly desludged and has not given any trouble in the past.
- There is no foul or surface water sewer in the area. The only foul sewer in the area is private and belongs to Condrón Concrete, it has not been possible to obtain permission to date. The Applicant would be willing to connect to a sewer if one becomes available.

- Employment peaked at 34 employees by 2007 and has since reduced to 24 employees. The development does not increase staffing levels.
- Safety representatives advocated for roofing over the assembly yard for many years. Following the construction of the new dwellings, potential privacy issues were identified where employees could see into the new houses. This prompted the construction of the sheds to cover over existing working areas/concrete pads.
- The application is for the roofing over of an existing hard standing area that already had concrete pads beneath them. The sheds do not impact on rainfall or run-off.
- Rainwater naturally filters into the graven and soil. Covering these areas has likely reduced the risk of contamination from spills.
- The Applicant is open to introducing a rainwater harvesting system and/or upgrading attenuation measures. Water that comes off the roof is uncontaminated and is proposed to discharge to a water harvesting area.
- The development is in close proximity to a Source Protection Area, but this is not in use.
- There has never been any evidence of excessive ponding or flooding.
- Other requests of the Planning Authority have been agreed to including full surface water drainage, oil interceptors, resurfacing of the car park, parking and EV charging.
- The development provides a contribution to the local economy as well as employment, training and apprenticeships.

## **6.2. Planning Authority Response**

- 6.2.1. Attention is drawn to the technical reports on file. It is respectfully requested that the Commission support the decision to refuse permission.

## **6.3. Observations**

- 6.3.1. 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, the reports of the local authority, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Wastewater (Reason for Refusal 1)
- Surface Water (Reason for Refusal 2)

### **7.2. Wastewater (Reason for Refusal 1)**

- 7.2.1. The first reason for refusal relates to wastewater and the Planning Authority's view that it has not been demonstrated that the effluent disposal system on site is capable of treating foul effluent arising from the development and that this could increase the risk of serious water pollution in an area which is in proximity to the Source Protection Area for the Arden Public Water Supply.
- 7.2.2. The Planning Authority initially requested the Applicant to connect the site to a foul sewer although noting that the nearest sewer is 200 metres to the south. The Applicant advised that the foul sewer at the site entrance is in private ownership, and they have not managed to secure connection rights.
- 7.2.3. The septic tank was installed on foot of the 1991 permission. It is, in some respects, a settled matter in planning terms, despite the Planning Authority's preference that the site connect to a public sewer. The scope to revisit the septic tank as part of the retention permission therefore relates to the potential intensification of its use and additional pressures placed on it.
- 7.2.4. The Applicant submits that staff numbers have reduced and that the development is not proposing to increase staff numbers nor does it propose new foul connections. This infers that there would be no intensification, and the Applicant argues that the septic tank has never caused any concerns in the past and that it is desludged regularly. The Applicant submits that the sheds sought for retention were installed to prevent privacy issues with the newly constructed dwellings to the south west.

- 7.2.5. I'm not entirely convinced that the reasoning for the construction of such large sheds related to the protection of privacy for the nearby dwellings, the closest of which is 35 metres from the smaller of the sheds and 50 metres from the larger, Although I accept that there may be some amenity benefits by covering over the concrete pads.
- 7.2.6. In any event, the question is one of intensification. The Applicant submits that staff numbers are not increasing and that they have reduced. The septic tank was installed on foot of the 1991 retention permission. From the information available to me, staff numbers at that time equated to 20 full time persons. It can therefore reasonably be assumed that the septic tank had a design load at least sufficient to handle 20 employees. I note that employees then increased to a peak of 34 before reducing as a result of the economic downturn post 2007. It is stated that the current workforce is 24 full time employees.
- 7.2.7. The sheds sought for retention almost double the amount of covered operational space. In my opinion, this clearly equates to a substantial intensification in the use of the site, and it is my opinion that it will likely facilitate an increase in staffing. From the site history commentary provided by the Applicant, it is clear that staff numbers have increased each time a building has been granted planning permission or retention permission, and I see no reason why that pattern wouldn't continue under the current proposal. In my opinion, it should therefore at least be clarified that the existing septic tank has capacity to deal with an increase in staffing, noting that there are 24 employees now, which is already more than when the septic tank was approved and installed.
- 7.2.8. I note that part of the Planning Authority concerns regarding the septic tank relate to its age and that it was installed under older standards that have since been superseded. At the time of my site inspection, I viewed the location of the septic tank. It is located immediately on the southern site boundary, bound by a concrete yard within the site and the adjacent industrial shed buildings. Given its location and the surrounding nature of the ground/buildings, it is not clear how or to where the septic tank is draining, there is no evidence of a percolation area.
- 7.2.9. In my opinion, it should first be demonstrated that the septic tank has sufficient capacity and is operating effectively before retention permission is granted for a development that will no doubt intensify the use of the site and result in a likely

increase in staff numbers. Having regard to the foregoing, I am not satisfied, on the basis of the submissions made in connection with the planning application and the appeal, that the current effluent disposal system on site is capable of treating foul effluent arising from the development.

### **7.3. Surface Water (Reason for Refusal 2)**

- 7.3.1. The Planning Authority consider that the Applicant failed to demonstrate that surface water can be adequately dealt with within the curtilage of the site and that the development could lead to conditions that would be prejudicial to public health.
- 7.3.2. The Planning Authority originally requested the Applicant to connect to the public drainage network however, as advised by the Applicant, there isn't one nearby and the sewer close to the site entrance is in private ownership and the Applicant has not been able to secure permission to connect to it. The Applicant was requested to make provision for the re-surfacing of the car park and provision of drainage to soakaways. Further requests were that a climate change allowance of 20% should be provided for, greenfield rates should be achieved, attenuation provided, flow control devices employed, and silt traps/bypass separator installed. The Applicant was advised to consider further SUDs measures.
- 7.3.3. The surface water drainage regime proposed is for disposal on site via soakaways/trenches. This would include drainage of the car park area to the front of the site via four gulleys to the soakaway trenches at the north western end of the site. Silt traps and a bypass separator would be provided. Run off from the roofs of the sheds sought for retention would be piped to the soakaways/trenches as well as diversion to rainwater harvesting. The Applicant is not proposing attenuation or flow control devices on the basis that the ground conditions of the site (gravel) can adequately deal with surface water and run off.
- 7.3.4. From the information available to me and from my site inspection, I accept the Applicant's position that the sheds effectively cover over existing concrete pads and that the level of hardstanding/impermeable surfaces has not increased, or at least not increased to any significant degree. As such I am satisfied that the level of run-off would not be significantly different to the previously existing situation.
- 7.3.5. The site is partially on a disused gravel pit, the majority of which lies to the west. This aligns with soil/subsoil data available for the site on the EPA website. In my mind the

principle of discharging surface water to soakaways on the site is acceptable. At the time of my site inspection there was no evidence of significant ponding. There were some large puddles on the vehicular routes around the site but in my opinion, these were more reflective of the severely rutted and compacted nature of the site in combination with the prolonged and heavy rain that day.

- 7.3.6. Given the local ground subsoil conditions (gravels) and the drainage calculations for the soakways/trenches, which are in my opinion reasonable and cautious, I have no concerns regarding the ability of the proposed drainage regime to drain the site. The use of silt traps and bypass separators will prevent polluted material from entering the soakaways and an appropriate maintenance regime has been proposed.
- 7.3.7. The Planning Authority's reason for refusal is predicated on the surface water drainage scheme not demonstrating that it could mitigate a 1 in 30 year rain event with a 20% climate change allowance. Again, given the ground conditions, the depth and capacity of the trenches proposed, and the absorption capacity, I am satisfied that the proposed surface water drainage regime could handle such an event. Regardless, I am of the view that this is a matter that could appropriately be dealt with by condition, with the trenches increased in number/capacity should further calculations regarding a 20% climate change allowance or a 1 in 30 year rain event indicate that this would be required. For this reason, I consider that reason for refusal 2 should be set aside.

## **8.0 AA Screening**

- 8.1. I have considered the proposal in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located in central Dublin on a serviced site located c. 2.85km to the north/north-east of the Charleville Wood SAC (Site Code 000571), which is the nearest European site. The development comprises retention of industrial sheds as set out in Section 2.1 of this report. No appropriate assessment issues were raised as part of the appeal. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European site. The reason for this conclusion is as follows:

- The nature of the works, the location of the site, and the proposed drainage regime, including standard measures to reduce the risk of polluting material.

- The significant separation distance from the nearest European site, the intervening urban lands, and lack of viable hydrological connections.
- The screening determination of the Planning Authority.

8.2. I conclude, on the basis of objective information, that the 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 (under Section 177V of the Planning and development Act 2000) is not required.

## 9.0 Water Framework Directive

- 9.1.1. Water quality and quantity in Ireland's rivers, lakes, groundwaters, estuaries and coastal waters is assessed under the Water Framework Directive. The WFD requires EU member States to achieve water quality of at least Good Status in rivers, lakes, groundwater, estuaries and coastal waters, by 2027 at the latest. Planning Authorities are required to consider whether proposals for new developments have the potential to cause a deterioration of any quality element of a water body from its current status or potential, and/or prevent future attainment of good status or potential where not already achieved.
- 9.1.2. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration.
- 9.1.3. There are no water courses within the appeal site or immediately surrounding it. The development seeks retention of industrial sheds. The Planning Authority raised concerns regarding polluting material potentially affecting a source protection area as a result of potential issues with the existing septic tank. The site is 370 metres from the Source Protection Zone referred to by the Planning Authority, but it is located adjacent to and partially within an Unused Source Protection Zone.
- 9.1.4. The site is also located within the Tullamore Groundwater Body (IE\_SH\_G\_232). This groundwater body is classified as 'Not at Risk' and had a 'Good' overall groundwater



status for the period 2016-2021 under the WFD. Whilst remaining 'Not at Risk', the overall groundwater status has reduced to 'Poor' for the period 2019-2024. Although concerns have been raised by the Planning Authority with respect to the adequacy of the wastewater treatment system on site and its ability to effectively treat and dispose of foul water, I would note that the poor rating for the groundwater body derives solely from the quantitative groundwater status and that the chemical status remains good, including for the drinking water protected area.

9.2. Having considered the nature, scale and location of the project, and notwithstanding the reason for refusal regarding the septic tank, I am satisfied that it can be eliminated from further assessment because there is no significant risk to any surface and/or groundwater water bodies either qualitatively or quantitatively. The reason for this conclusion is as follows:

- The nature and overall scale of the works.
- The location of the site in an urban area, the distance from the nearest water bodies, and the lack of direct hydrological connections.
- Proposed mains connection for water supply.
- The current chemical status of the groundwater body.

9.3. I conclude that on the basis of objective information, that the proposed development will not result in a risk of significant 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**

10.1.1. I recommend that the Commission REFUSE permission, for the reason stated below.

## **11.0 Reasons and Considerations**

1. The Commission is not satisfied, on the basis of the submissions made in connection with the planning application and the appeal, that the existing effluent disposal system is capable of treating and disposing of foul effluent

arising from the development on site. The proposed development would, therefore, be prejudicial to public health and would not be in accordance with 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.

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Terence McLellan  
Senior Planning Inspector

7<sup>th</sup> November 2025

### Form 1 - EIA Pre-Screening

<b>Case Reference</b>	ACP-323205-25
<b>Proposed Development Summary</b>	Retention of pre-assembly warehouse and final assembly warehouse for structural steel and all associated site works.
<b>Development Address</b>	Ardan, Tullamore, Co. Offaly
<b>In all cases check box /or leave blank</b>	
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b>  (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.
<b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in Part 1.  <b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
<b>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?</b>	
<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><b>No Screening required.</b></p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p><b>EIA is Mandatory. No Screening Required</b></p>	
<p><input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p><b>Preliminary examination required. (Form 2)</b></p> <p><b>OR</b></p> <p><b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b></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"/>	<b>Pre-screening determination conclusion remains as above (Q1 to Q3)</b>

Inspector: \_\_\_\_\_ Date: \_\_\_\_\_

## Form 2 - EIA Preliminary Examination

<b>Case Reference</b>	ACP-323205-25
<b>Proposed Development Summary</b>	Retention of pre-assembly warehouse and final assembly warehouse for structural steel and all associated site works.
<b>Development Address</b>	Ardan, Tullamore, Co. Offaly
<b>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</b>	
<b>Characteristics of proposed development</b>  (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 site is located in an urban area characterised by other large scale industrial uses as well as residential development. The proposed development would therefore not be exceptional in the context of the existing environment in terms of its nature. The development would not result in the production of any significant waste, emissions or pollutants.</p>
<b>Location of development</b>  (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 site is not located within, or immediately adjoining, any protected areas. The development would be in an urban area and would not have the potential to significantly impact on any ecologically sensitive site or location. The proposal would not give rise to significant impact on nearby water courses (whether linked to any European site or other sensitive receptors). The site is not considered to be an environmentally sensitive site.</p> <p>It is considered that no Appropriate Assessment issues arise, and it is not considered that the proposed development would be likely to have a significant effect, individually, or in combination with other plans or projects, on any European Site. Notwithstanding the issues raised regarding the septic tank, the proposed development would not give rise to waste, pollution or nuisances that differ significantly from that arising from other urban developments.</p> <p>The site is opposite a residential development however, it is not considered to give rise to any significant impacts.</p> <p>Given the nature of the development and the site/surroundings, it would not have the potential to</p>

	significantly affect other significant environmental sensitivities in the area.
<b>Types and characteristics of potential impacts</b>  (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	The development would generally be consistent with the scale of surrounding developments and would not be exceptional in the context of the existing urban environment. There would be no significant cumulative considerations with regards to existing and permitted projects/developments.
<b>Conclusion</b>	
<b>Likelihood of Significant Effects</b>	<b>Conclusion in respect of EIA</b>
<b>There is no real likelihood of significant effects on the environment.</b>	<b>EIA is not required.</b>

**Inspector:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**DP/ADP:** \_\_\_\_\_ **Date:** \_\_\_\_\_

(only where Schedule 7A information or EIAR required)