



An
Coimisiún
Pleanála

Inspector's Report

ACP-323607-25

Development

Construction of a house and all associated site works.

Location

Beagh (Brabazon), Ballinasloe, Co. Roscommon.

Planning Authority

Roscommon County Council

Planning Authority Reg. Ref.

2560326

Applicant(s)

Michael Dolan

Type of Application

Planning Permission

Planning Authority Decision

Refuse Permission

Type of Appeal

First Party

Appellant(s)

Michael Dolan

Date of Site Inspection

20th November 2025

Inspector

Sarah O'Mahony

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1.0 Site Location and Description

- 1.1. The 1.17ha site comprises agricultural land situated 4km east of Ballinasloe town centre and 1.9km east of the Galway/Roscommon County border. The site is situated within the functional area of Roscommon County Council in an area characterised by ribbon development and farmland. There is a GAA club grounds situated 270m to the north however all other surrounding land is in residential or agricultural use.
- 1.2. The site is accessed from a narrow unsurfaced agricultural track with a vehicular entrance from a local road at the east which in turn connects to the R446 regional road 300m south of the entrance.
- 1.3. The 65m laneway runs east to west from the entrance and opens into a 3.6ha field at the west, however only the northern third of this field forms part of the site. The property to the south of the lane is in residential use while that to the north forms a farmyard. The site is situated to the rear (west) of the farmyard property.
- 1.4. The north, west and eastern boundaries of the site are enclosed with hedgerows and mature trees. There is no physical boundary to south of the site adjoining the remainder of the field. There is a timber monopole situated within the site, running parallel to the proposed southern boundary, which carries overhead powerlines on a southwest to northeast axis. Cattle were grazing in the field during the site inspection.
- 1.5. The landform falls down to the south and west with a highpoint of 67m at the roadside falling to 59.5m at the west of the site according to the contours provided on the application drawings.

2.0 Proposed Development

- 2.1. Planning permission is sought for development which comprises the following:
 - A detached 258m², single and two storey, pitched roof dwelling house,
 - A detached 60m², pitched roof garage,
 - Connection to public water and wastewater networks including construction of a pumping station at the north of the site for a rising sewer main.

- All ancillary site development works.

3.0 Planning Authority Decision

3.1. Decision

A notification to refuse permission for 2no. reasons as outlined below was issued by Roscommon County Council on 28th August 2025:

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 the Roscommon County Development Plan 2022-2028. It is the policy of the County Development Plan to restrict housing in this area to those who are intrinsically part of the rural community or who have a rural resource based pre-dominant occupation 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.
2. Having regard to the alignment of the road towards the north of the proposed access, it is considered that the proposal fails to accurately demonstrate the achievement of the required 90 metre sight lines in this orientation. Additionally, the achievement of sightlines is dependent on the maintenance of significant tracts of field boundary vegetation outside of the subject site and outside lands identified as being within the control of the applicant. The proposed development fails to comply with the sight distance requirements as set out in Section 12.24 (and in particular Figure 12.4 Sight Distance Requirements) of the Roscommon County Development Plan 2022-2028 and

if permitted would endanger public safety by reason of traffic hazard. The proposed development would accordingly be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The Planners report recommendation to refuse permission is consistent with the notification of decision which issued. A note is included from the Senior Executive Planner agreeing with the recommendation made.
- Appropriate Assessment (AA) and Environmental Impact Assessment (EIA) issues are both screened out.
- The report noted the applicant's family home is 2.5km west of the site within the urban area of Kilgarve and where the applicant owns land in that urban area which may be suitable for development. It noted details of a herd number and that the applicant stated their occupation to be shopkeeper/farmer, however the Case Planner considered only the latter '*could be considered to constitute a rural resourced based activity and there is no evidence that this is the applicant's predominant occupation*'. A site-specific social or economic housing need was therefore not demonstrated.
- With regard to layout and design, the report considered impacts to existing dwellings were unlikely to occur and the proposal was not considered backland development. It noted previous refusals based on dwelling design and considered this subject proposal has significant revisions which are merited and do not warrant a refusal, but that '*there are still issues with respect to the lack of consistency in the fenestration and issues pertaining to the finishes proposed*'.
- The report refers to previous refusals due to a lack of appropriate sightlines and how vegetation was removed in the interim period, improving sightlines from the existing access. The Case Planner however notes that this area of land is not in the ownership of the applicant and no letter of consent or legal agreement was submitted to demonstrate that sightlines will be achievable in perpetuity. The report also suggests that the sight lines to the north were drawn incorrectly on the site

layout plan ‘so it is difficult to ascertain the extent of sight lines available as there is a bend in the road’ however it does not clarify what the inaccuracy was.

- Lastly, the Case Planner noted the applicant’s proposal to connect to the public water and wastewater networks but outlines that no Confirmation of Feasibility from Uisce Éireann was submitted with the application. It states that this matter, together with the dwelling design would require addressing but are not so substantive as to warrant inclusion as reasons for refusal.

3.2.2. Other Technical Reports

- The application was referred to the Municipal District Office who submitted a report stating that an examination was carried out of the drawings and a site inspection also carried out. The report concludes that there are adequate sightlines at the proposed entrance, and the office has no objection to the proposal subject to specified standard conditions.

3.3. Prescribed Bodies

- The application was referred to Uisce Éireann who did not respond or submit comments.

3.4. Third Party Observations

- None

4.0 Planning History

4.1. The following planning history on the same site in the applicant’s name:

- 25/60310: Incomplete application
- 22/544: Planning permission refused to Michael Dolan to construct a dwelling house and all ancillary site development works. Permission was refused for 2no. reasons relating to a lack of sightlines and a failure to demonstrate compliance with local need policy.
- 20/148: Planning permission refused to Michael Dolan to construct a dwelling house, garage and all associated works. Permission was refused for 3no. reasons

including inadequate sightlines, dwelling design which did not comply with local guidance, and a failure to demonstrate compliance with local need policy.

- 4.2. The following is planning history on the same landholding in other applicant's names:
 - 08/880: Planning permission granted to Martin McQuaid for a change of house design to dwelling previously permitted under ref. PD/03/1121 & ABP ref. PL.20.205233 and to construct septic tank and percolation area.
 - 03/1121, ABP Ref. PL20.205233: Planning permission granted to Martin McQuaid for Change of house design previously granted under planning register reference no.98/1118.
 - 98/1118, ABP Ref. PL20.110171: Planning permission granted to Martin McQuaid to erect a dwelling house and construct a septic tank.
- 4.3. I note the planning history in the Case Planner's report makes reference to an application made by Vivian Caulfield however this appears to be a typographical error related to planning application ref. 03/1131 which is situated in a different area of County Roscommon and is not relevant to the subject site or proposal.
- 4.4. I also note additional planning history provided in the appeal documents referring to proposed development on a site situated within the functional area of Galway County Council. Ref. 24/61459 applies. The narrative in the appeal suggests that this development sought permission for a private dwelling on farmlands in the applicant's ownership. A copy of the notification of decision to refuse permission was however submitted with the appeal and refers to a proposal, in the applicant's name, to construct 10no. glamping pods with no reference to a dwelling. I therefore consider this proposed development to be irrelevant to the subject application and appeal.

5.0 Policy Context

5.1. Development Plan

- 5.1.1. The site is governed by the policies and provisions contained in the Roscommon County Development Plan 2021-2027 hereafter referred to as the CDP. The site is situated in a rural area and not subject to any land use zonings.

5.1.2. Section 3.9 of the CDP refers to rural housing and identifies the site as being situated within Rural Policy Zone A which is an Area Under Urban Influence. Table 3.2 sets out rural housing need criteria under two headings of economic need and social need as follows:

Economic Need	<ul style="list-style-type: none"> - Persons engaged full-time in a rural-based activity, who can show a genuine need to live closer 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.
Social Need	<ul style="list-style-type: none"> - 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 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.
	<ul style="list-style-type: none"> - 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 as set out above, for a period of 7 years.

5.1.3. Policy Objective PPH 3.12 reinforces the need to comply with the above criteria by seeking to *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.*

5.1.4. Development management standards are provided in Chapter 12 and Section 12.24 refers to Roads and Transportation. A heading of 'Accessibility and Sightlines' is noted where it states '*sight lines shall be provided as follows:*' and the subsequent data comprises Figure 12.3 which outlines recommended sight distance requirements. An accompanying table states 90m should be provided for local roads when measured from 2.4m back from the road edge. The following text is also provided under the same section:

'Visibility splays for local roads will be determined on a site-specific basis subject to traffic safety. In general, only the minimum interference with existing roadside boundaries and hedges shall be permitted.

Planning applications shall also include third party consent letters and accompanying Land Registry Maps for sight distance triangles, if applicable. A legally binding agreement shall be signed by both parties all parties (sic) where there is a transfer of land or where the physical movement of a boundary is necessary to achieve the required sightlines.'

5.2. Natural Heritage Designations

5.2.1. The site is situated 2.5km northeast of the River Suck Callows Special Area of Conservation and 2.6km southwest of Cranberry Lough proposed Natural Heritage Area.

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

- The planning history section of the Case Planner's report incorrectly refers to an application made by Vivien Caulfield. It also failed to reference older relevant history, specifically ref. 98/1118, ABP ref. PL20.110171.
- The Case Planner's report did not raise any issues with the siting of the dwelling which was not referenced in the refusal reasons.
- The Case Planner's report stated concerns regarding fenestration and external finishes but did not elaborate on the concerns or how they could be addressed. The applicant is willing to accept any amendments recommended by An Coimisiún Pleanála and attached by condition.
- The site is already serviced with a watermain and it is proposed to provide a connection to the public sewer. The applicant is willing to accept a condition regarding obtaining a confirmation of feasibility from Uisce Éireann.

6.1.1. The following grounds of appeal specifically refer to refusal reason no. 1 regarding non-compliance with local need:

- The 20-acre farm landholding is a typical size for the area and can accommodate a dwelling without impacting adjacent amenity or property values. Most farms in County Roscommon are small and '*of a size where its not viable to derive a livelihood from full-time farming*'.
- The CDP explicitly provides that farmers and members of farming families will achieve special consideration in rural areas and where housing is proposed related to the agricultural use of a farmers land that planning permission would be granted.
- The dwelling is required for the applicant to carry out their farming activities unlike the pre-existing ribbon development facing the local road east of the site.
- The Planning Authority are restricting the applicant's reasonable use of his land for farming purposes and effectively seeking to sterilise the efficient agricultural use of the land. They are seeking to limit the natural and appropriate use of the farmland based on errors of the past where suburban type housing was permitted, resulting the area now being classified as a rural area under urban influence. This limiting approach may be fair if the reasons for refusal were appropriate however they are contested as set out below.
- The applicant resides 1.1miles from the site and has lived there all his life. He is actively involved in the community and the appeal states that '*he owns and runs the family business and farms the lands on a part time basis*',
- The applicant's place of residence and family home is situated in a rural area according to the CDP and not an urban area as stated in the Case Planner's report. This was accepted by the Planning Authority as part of planning application ref. 23/161. The applicant owns a number of businesses in the rural area.
- The applicant previously obtained planning permission for a dwelling on the lands in the area of the businesses but chose not to build the dwelling due to:
 - The low-lying nature of the land,
 - The poor quality of the ground,
 - The location of the site adjacent a busy entrance to the old N6,
 - The long-term commercial development potential use of the lands as a local neighbourhood centre, and

- Road safety issues in tandem with young children.
- That site '*has the same status as the site the subject of this appeal in that it is located in a serviced rural area*'.
- The reason for refusal states the applicant has not complied with policy objective PPH 3.13 which seeks to direct urban generated housing to settlements. The appeal states this is unfounded and the applicant complies with the local need criteria set out in table 3.2. The applicant is a farmer who must travel to and from this 20-acre landholding daily to carry out the farming activity and therefore is a person who needs to live in the area. The applicant is willing to accept a condition preventing further development on the landholding.
- The same documentation submitted with the application is again submitted with this appeal and includes the applicant's birth certificate, demonstration of lands in his ownership, a letter of school attendance, herd number, utility bill and a letter from the local GAA club.

6.1.2. The following responds to the second refusal reason regarding matter of access and sightlines.

- The sightlines related reason for refusal was copied from a previous application which was not referred to the Area Engineer. The Case Planner disregarded the Area Engineer's report in this case which provided new information stating that sightlines were acceptable and did not provide any reason why the recommendation therein was not taken on board.
- The applicant sought and obtained the consent of the adjoining landowner to remove and set back the previous front boundary wall in order to achieve sightlines to the north.
- The Planning Authority and An Bord Pleanála deemed the previous arrangement to be acceptable, subject to improvements, in the older grants of permission at the site. The works carried out adhered to these recommendations and therefore there is no reason on which to refuse permission on these grounds.
- The entrance is in daily use with no history of road accidents in this location and the sightlines are far more superior than adjoining existing entrances or other permitted developments in the County.

- The road has good vertical and horizontal alignment at this location. The road is a traffic controlled zone where a 60km/h speed limit applies however an assessment was made under the basis of a county road where 90m sightlines are required.
- Table 4.2 of DMURS sets out sightlines for 60 km/h roads as 59m. Compliance with this is established following the setting back of the adjacent boundary wall.
- Sightlines of 90m to both the north and south will be provided in compliance with Geometric Design of Major/Minor Priority Junctions and Vehicular Access to National Roads, Volume 6, Section 3, Part 6, NRA TD 41-42/11.
- The Case Planner's report refers to future maintenance of significant tracts of field and boundary vegetation which is misleading. This is also a new departure by the Planning Authority in seeking to refuse permission which is not being applied elsewhere. Maintenance of the road from boundary to boundary is the responsibility of the Local Authority and therefore '*the applicant cannot be refused consent to maintain this area unless the Local Authority prevent him from doing so*'. The applicant is willing to obtain a letter of consent for the maintenance of the area if An Coimisiún considers it necessary. It is proposed to pave the area and that grass will not exceed 1.05m in height.
- It is unfair to refuse permission for an entrance which would have adequate sightlines above and beyond the requirements. Given the modest nature of the proposed development utilising an existing entrance it is submitted that the development would not endanger public safety by reason of traffic hazard.

6.2. Planning Authority Response

- None

7.0 Assessment

7.1. Introduction

7.1.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the report/s 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 relate to the following:

- Rural Housing Need
- Design
- Access

7.2. **Rural Housing Need**

7.2.1. The subject site is situated within the rural area. The applicant's family home and stated place of current residence is situated 1.7km southwest of the site adjacent to a filling station and small commercial/business park stated to be in the ownership of the applicant and all of which is also situated in the rural area according to the CDP.

7.2.2. The site, existing dwelling and commercial property are identified in the CDP as being situated within an 'area under urban influence' and therefore the principle of constructing a dwelling in this location is facilitated by Policy Objective PPH 3.12 which requires applicants to demonstrate compliance with local need categories as set out in Table 3.2 of the CDP.

7.2.3. The appeal documents state that the applicant is farming on a part time basis. The first category of economic need set out in Table 3.2 provides for 'persons engaged full-time in a rural-based activity'. I note the contents of the appeal imply that the applicant's 20acre landholding is a typical size for Roscommon and that it is difficult to obtain a fulltime occupation from same. This local need criteria was however written specifically for Roscommon and adopted by the elected members of Roscommon County Council. It does not provide for part-time agriculture as a basis to construct a dwelling in this rural area type and in my view the applicant therefore does not comply with that category.

7.2.4. The second category of economic need provides for a person whose business requires them to reside in the rural area. It goes on to state that '*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.*'

7.2.5. I acknowledge the requirement to reside on the landholding in the case of an agricultural occupation, however I consider this occupation is accommodated in the aforementioned first category along with other location specific occupations such as forestry and the peat industry as specified in Table 3.2. In this context, I consider that the second economic category is for other unspecified occupations not included the specified list including.

7.2.6. The applicant's other stated occupation is a shopkeeper which is not, in my view, specific to the rural area. Additionally, the applicant currently resides directly adjacent to this commercial property and therefore there is no demonstratable need outlined in the application and appeal documents to move further away based solely on this occupation. The application documents imply that the only requirement to reside on the subject site is to facilitate farming activities. I consider the applicant has therefore not demonstrated an economic need to reside on the subject site.

7.2.7. Two categories of social need are also provided in table 3.2. The first provides for '*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*'. The applicant has submitted a birth certificate which states the family home at the time of his birth as 'Kilgorrive, Ballinasloe'. In my view this is an alternative spelling for Kilgarve which is the location of the family home. As the applicant resided in this rural area at birth I consider he complies with the social need requirement of 'persons who were born within the local rural area'.

7.2.8. I also note a schooling record provided to the applicant at the same address and referring to the years 1981 to 1987. It is reasonable to assume in my view that the applicant resided in the same family home from birth until 1981. The schooling record then covers the following period until 1987 which cumulatively is a 17yr period and demonstrates that the applicant again complies with the above first category of social need as he has lived permanently in the local rural area for a substantial period of their life at any stage(s).

7.2.9. In this context the applicant has also demonstrated compliance with the second category of social need which provides for '*persons with a significant link to 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’.

7.2.10. I therefore conclude that the applicant has demonstrated a social need to live at the site.

7.2.11. Table 3.2 includes additional text as follows: ‘*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*’.

7.2.12. The appeal sets out details of planning permission granted to the applicant for a dwelling adjacent to the family home. A reference number is not provided however this information is available on the Roscommon County Council online planning enquiry system and I note in this regard that the reference number is ref. 04/1635. The appeal states that the applicant decided not to enact this permission for a number of reasons listed previously in this report, none of which are exceptional in my view given the applicant’s current stated place of residence in the family home adjacent to that site.

7.2.13. The applicant submitted a utility bill dated 2022 and addressed to him at the same address in Kilgarve however given the location of the commercial premises immediately adjacent to the family home, it is not explicitly clear in my opinion if the applicant is in fact still residing in the family home. I note however that the criteria in Table 3.2 do not explicitly require an applicant to reside in the rural area at the time of making the application.

7.2.14. I also note the appeal states that the subject site where the applicant already received planning permission ‘has the same status as the site the subject of this appeal in that it is located in a serviced rural area’ and therefore I further consider that exceptional circumstances are not set out.

7.2.15. Table 3.2 does not distinguish between permissions which were enacted or not, however it clearly restricts the granting of planning permission for a dwelling in the rural area to persons who were previously granted planning permission for a dwelling in a rural area.

7.2.16. I therefore conclude that the applicant has demonstrated a social need to reside in the rural area however due to the previous grant of planning permission for a dwelling in the rural area, the applicant does not comply with Table 3.2 of the CDP and therefore does also not comply with Policy Objective 3.12.

7.3. **Dwelling Design**

- 7.3.1. The proposed dwelling design is contemporary in nature with references to a traditional vernacular pitched roof dwelling with accompanying storey and a half barn structure. It is a narrow plan structure and with a total height of 7.4m however the bulk and massing of the structure is broken down into simple shapes. Fenestration is varied but the majority on the front elevation comprises long vertical emphasis shapes which are acceptable in my view.
- 7.3.2. Finishes comprise nap render and burnt larch sheeting which I consider to be appropriate for the rural area.
- 7.3.3. I have reviewed the provisions of the Roscommon Rural Design Guidelines and consider the dwelling design is modern but identifiably rural and therefore complies with the requirements and advices set out therein.

7.4. **Access**

- 7.4.1. It is proposed to utilise an existing agricultural laneway and entrance which is not currently accessible to a domestic vehicle and therefore requires upgrading. The entrance however benefits from good quality sightlines in both directions as outlined in the Area Engineer's report. The application documents and appeal also demonstrate that 90m sightlines are provided in both directions which complies with the requirements of the CDP.
- 7.4.2. Reason for refusal no. 2 states that proposal fails to accurately demonstrate the achievement of the required 90 metre sight lines to the north. The Case Planner's report states '*the sight lines have not been drawn correctly on the site layout plan submitted so it is difficult to ascertain the extent of sight lines available as there is a bend in the road*'. The assessment section of that report discussing does not refer to the Area Engineer's assessment and conclusion.

- 7.4.3. I have assessed the documentation received and also inspected the site and consider the sightlines to be adequate and in compliance with Section 12.24 of the CDP. I do not agree that utilising the entrance for domestic purposes would endanger public safety by reason of traffic hazard.
- 7.4.4. The second reason for refusal also refers to a lack of consent provided in the application documents from an adjoining landowner regarding maintenance of vegetation outside of the subject site and outside the lands within the control of the applicant.
- 7.4.5. I note that section 12.24 of the CDP states the following in relation to such matters:

Planning applications shall also include third party consent letters and accompanying Land Registry Maps for sight distance triangles, if applicable. A legally binding agreement shall be signed by both parties all parties (sic) where there is a transfer of land or where the physical movement of a boundary is necessary to achieve the required sightlines.'

- 7.4.6. In my opinion the above text is only applicable where it is proposed to move a boundary or vegetation etc in order to facilitate proposed development. In the subject application however, the boundary has already been moved and does not form part of the proposed development. I therefore do not consider it appropriate that permission is refused on the basis of a lack of consent for vegetation which does not exist and for development which is not proposed.

8.0 AA Screening

8.1. Screening

- 8.1.1. I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended.
- 8.1.2. The site is situated 2.5km northeast of the River Suck Callows Special Area of Conservation. The proposed development seeks to construct a detached dwelling, detached garage, utilise an existing vehicular entrance and connect to public water and wastewater networks.

8.1.3. 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 rural, domestic nature and modest scale of the works,
- The location of the site removed from any waterbodies and lack of any hydrological connectivity,
- Proposed connection to public water services and
- Taking into account the screening report/determination by Roscommon County Council.

8.2. Conclusion

8.2.1. I conclude, 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.

8.2.2. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

9.0 WFD Screening

9.1. Screening

9.1.1. The subject site is located 500m east of the Cuileen Stream which is a tributary of the River Suck. It is situated in the Upper Shannon water catchment area and the Suck sub-catchment and sub-basin. The Aughrim aquifer underlies the site and is a poorly productive bedrock aquifer with moderate vulnerability at the site.

9.1.2. The proposed development seeks to construct a detached dwelling, detached garage, utilise an existing vehicular entrance and connect to public water and wastewater networks.

9.1.3. No water deterioration concerns were raised in the planning appeal.

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

- The rural, domestic nature and modest scale of the works.
- The location of the site removed from any waterbodies and lack of any hydrological connectivity.
- Proposed connection to public water services.

9.2. Conclusion

9.2.1. I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

10.0 Recommendation

I recommend that planning permission is refused in accordance with reason set out below:

1. Policy Objective PPH 3.12 of the Roscommon County Development Plan 2022-2028 requires applicants for single houses in rural areas defined as Areas Under Urban Influence to demonstrate a social or economic link to the area as per the criteria set out in Table 3.2. Table 3.2 further states that 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. Having regard to the information submitted with the application and the appeal, it is considered that the applicant has already benefited from a permission for a dwelling on another site within the rural area and that exceptional circumstances have not been demonstrated to justify the grant of permission on this subject

site. The applicant has therefore not demonstrated compliance with Table 3.2 of the CDP or Policy Objective PPH 3.12. The proposed development would contravene Table 3.2 and Policy Objective PPH 3.12 of the Roscommon County Development Plan 2022-2028, and would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Sarah O'Mahony
Planning Inspector

17th December 2025

Form 1 - EIA Pre-Screening

Case Reference	323607-25
Proposed Development Summary	A detached dwelling, detached garage and connection to existing public services.
Development Address	Beagh (Brabazon), Ballinasloe, Co. 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) Construction of more than 500 dwelling units.</p> <p>Threshold = 500 dwellings.</p> <p>Proposed development = 1 dwelling.</p>

<p>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</p>	
<p>Yes <input type="checkbox"/></p>	<p>Screening Determination required (Complete Form 3)</p>
<p>No <input checked="" type="checkbox"/></p>	<p>Pre-screening determination conclusion remains as above (Q1 to Q3)</p>

Form 2 - EIA Preliminary Examination

<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</p>	<p>The rural site is serviced and its size is not exceptional in the context of the prevailing plot size in the area.</p>

<p>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>A short-term construction phase would be required and the development would not require the use of substantial natural resources, or give rise to significant risk of pollution or nuisance due to its scale. The development, by virtue of its type and nature, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change. Its operation presents no significant risks to human health.</p> <p>The size and scale of the proposed development is not significantly or exceptionally different to the existing dwellings.</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 environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).</p>	<p>The development is situated in a rural area adjacent to and in close proximity to existing residential properties which is not exceptional in the context of surrounding development.</p> <p>It is not likely to have any cumulative impacts or significant cumulative impacts with other existing or permitted projects.</p> <p>The development is removed from designated sites and landscapes of identified significance in the County Development Plan.</p>
<p>Types and characteristics of potential impacts</p> <p>(Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).</p>	<p>Having regard to the nature of the proposed development and works constituting development within an existing built up area, likely limited magnitude and spatial extent of effects, and absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.</p>
Conclusion	
<p>Likelihood of Significant Effects</p>	<p>Conclusion in respect of EIA</p>
<p>There is no real likelihood of significant effects on the environment.</p>	<p>EIA is not required.</p>

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Inspector: _____ **Date:** _____