



An  
Coimisiún  
Pleanála

## Inspector's Report ACP-323685-25

### Development

Development previously granted under Planning Reference 15/600824 consisting of: a) the provision of a new entrance, b) car and truck parking and c) the operation of development for truck stop and driver rest area including all associated site works, services and infrastructure.

### Location

Scarnaglorane, Cahir, Co. Tipperary.

### Planning Authority

Tipperary County Council

### Planning Authority Reg. Ref.

2560626

### Applicant(s)

John O' Leary.

### Type of Application

Permission.

### Planning Authority Decision

Refuse Permission.

### Type of Appeal

First Party vs Refusal.

### Appellant(s)

John O' Leary.

### Observer(s)

None.

**Date of Site Inspection**

8<sup>th</sup> December 2025.

**Inspector**

C. Daly.

## 1.0 Site Location and Description

- 1.1. The subject site, of area 1.37ha., consists of a mainly flat area of land with hard core ground covering with a number of containers left at various points on the site and a truck parked on the date of my visit. There is a single storey pitched roof structure towards the north which was intended to function as a restaurant in line with the parent permission.
- 1.2. The site is adjacent to the regional road, the R639, with frontage along it and there are no boundaries on the ground for the west and north boundaries with the site adjacent to grass fields towards these areas. The southern boundary includes an area of hedging between it and the regional road.
- 1.3. There is an area of trees adjacent to the site boundary to the east and adjacent to the driveway/access to the site. There is a bungalow and sheds located adjacent to the north-east end of the driveway access to the site. The site is accessed off a local road c.60m from a roundabout which links the R639 regional road (designated as a strategic road) to a north-east bound slip access to the M8 as well as providing access to the local road network to the north.
- 1.4. There are overhead lines crossing the site close to its southern boundary.

## 2.0 Proposed Development

2.1. The proposed development, in summary, consists of the following:

- The provision of a new entrance, car and truck parking and the operation of a truck stop and driver rest area as previously granted permission under reg. ref. 15/600824 including provision for 17 no. HGV parking spaces and 31 car parking spaces, a restaurant building of 240sqm and new vehicular entrance from the R639 within the 100kph speed limit zone.
- The development requires works to the R639 including new right turn lane, new left lane filter, relocation of barriers and signs.

## 3.0 Planning Authority Decision

### 3.1. Decision

Tipperary County Council decided to refuse permission for two no. reasons which can be summarised as follows:

1. The proposal would add to the provision of service/rest areas in the presence of an existing motorway service area on the M8 at a junction where the need for this has not been identified having regard to Policy 12-5 of the Development Plan, and Section 2.8 of the Spatial Planning and National Roads Guidelines and consultation paper reviewing this policy. The proposal would represent a proliferation of such service /rest areas contravening national and local planning objectives.
2. Having regard to the location in close proximity to the north side roundabout serving the M8 at junction 11, to the location of the entrance on a designated strategic route and the failure to demonstrate that the required sightlines can be achieved, the proposed development would give rise to complex and potentially conflicting traffic movements would endanger public safety by reason of a traffic hazard.

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports

The Planner's Report assessment noted in relation to the two previous permissions (10/277 (PL23.237520) and extended by 15600374) for a truck stop, driver rest area, restaurant and new entrance that the entrance was to from the local road, L-33062-0 to the north-east. It noted a third permission granted (15600824) included provision for a new entrance on to the R639 to the south of the site. It noted that these permissions expired in 2021 and that the application should be assessed de novo.

It also noted a number of refusals of permission (12/397 (PL 23.242382), 14/600036 (PL 94.242135), 17/600342 and 19/600012 (ABP-304104-19) and 23/70).relating to the intensification of the use of the site related to road traffic concerns. It also noted a withdrawn application (22/586) for the construction of two diesel pumps, truck and car parking spaces, signage and provision of a 40,000L above ground diesel storage tank. It noted the restaurant permitted under the parent permission has been

finished out but is not operational. It considered there to be no valid permission on the site.

It noted the absence of guidance at the time of the grant of the parent permission in relation to the location of service areas. It noted the National Roads Authority Service Area Policy (2014) which has been adopted in the interim. It noted this policy targets the provision of large scale service areas at least every 100km on the dual carriageway network and where the gap between these areas is over 85km a rest area should be provided. It noted the permission granted under reg. ref. 14/06188 (PL 04.244411) for a motorway service area at M8 junction 14 c.40km to the south-west. It noted there to be a sufficient number of service areas along this stretch of the motorway in the context of the developments along the M8 in the intervening period. It noted that since permission was originally granted there are a number of additional service areas in operation at junctions 3, 8 and 14 of the M8. It noted the absence of a justification for the proposal. It considered there to be no local or national policy support for the rest area and noted it would result in a proliferation of such areas on the M8 contrary to the SPNR Guidelines and Section 12-5 of the CDP such that permission should be refused.

In relation to the site layout, it noted adequate vehicular manoeuvrability. In relation to the entrance while it noted the similar parking quantum to that previously permitted, it noted the report from the District Engineer that there may be adverse impacts from vehicular movements on the adjacent road network given that fast moving traffic would be required to react suddenly or stop to facilitate slow moving HGVs. The sightlines (120m from a 3m setback) were noted to not to have been provided. Based on this and the lack of any supporting traffic assessment or road safety audit, it considered that it would give rise to conflicting traffic movements and would endanger public safety be reason of a traffic hazard.

In relation to surface water, it noted the requirement for a storm water attenuation system with no details provided. In relation to water and wastewater it noted no provisions for same despite the requirement for the provision for such services. In relation to the adjacent residence to the north it considered that F.I. is required to assess potential impacts on residential amenity.

In relation to AA Screening, it noted in the absence of information in relation to surface water collection and disposal that the screening could not be concluded although it considered that it would likely be screened out if such information was provided. Refusal of permission was recommended for the two reasons outlined in Section 3.1 above.

### 3.2.2. Other Technical Reports

- District Engineer: Concerns noted in relation to 120m sightlines which are not adequate and slow moving HGVs entering and exiting requiring fast moving traffic to react or stop.
- Water Services: No response received.
- Environment: No response received.
- Chief Fire Officer: No response received.

### 3.3. Prescribed Bodies

- Uisce Eireann: No response received.
- TII: – No response received.

### 3.4. Third Party Observations

No observations received.

## 4.0 Planning History

### Subject Site

**10/277** Permission refused by the P.A. and granted on appeal (ABP ref. (PL23.237520) for a truck stop and rest area with restaurant and toilet facilities and retention of an area of hardcore of 0.59ha and retention of WWTS. Access was permitted from the local road to the north-east.

**12/397:** Permission refused by the P.A. and refused on appeal (ABP ref. PL 23.242382) for a service station and forecourt including 8 petrol/diesel pumps.

The ABP reason for refusal related to the significant increase in traffic generation by comparison with the permitted development, traffic conflict would be created, in particular in relation to the slip lane off the R639 and the local road between the site

entrance and the M8 roundabout. The internal traffic layout was considered convoluted and impractical and the design and layout would endanger public safety be reason of a traffic hazard.

**14/600036:** Permission granted by the P.A. and refused on appeal (ABP ref. PL 94.244135) for a service station and forecourt including 8 petrol/diesel pumps.

The 4 no. reasons for refusal by ABP related to the following:

1. The provision of an off-line motorway service area at the location would not fall within the scope of national policy for such areas and there has been a failure to demonstrate a need for this development type on unserviced, unzoned lands in the open countryside. It would contravene CDP policy in relation to preserving route capacity and for petrol filling and service stations. It would prejudice and undermine the delivery of strategic infrastructure.
2. It would give rise to complex and potentially conflicting traffic movements which would endanger public safety be reason of a traffic hazard.
3. The Board was not satisfied that effluent from the proposed development could be satisfactorily treated and disposed of on the site.
4. The Board was not satisfied that the proposed development would not seriously injure the amenities of property in the vicinity.

**15600824:** Permission granted on 18<sup>th</sup> November 2016 by the P.A. for a new entrance and revised site layout for the development permitted under reg. ref. 10/277. This permitted a vehicular entrance from the R639 regional road including as confirmed in Condition no. 2.

**17/600342:** Permission refused by the P.A. for fuel dispensers, canopy and storage tanks. The three reasons for refusal related to:

1. The provision of an off-line motorway service area at the location would not fall within the scope of national policy for such areas and there has been a failure to demonstrate a need for this development type on unserviced, unzoned lands in the open countryside. It would contravene Policy T13 (Strategic Road Network) and Policy T14 (Motorway Service Stations and Rest Area) (off line) of the CDP.

2. Given the location and in the absence of an up to date TTA and RSA, the proposed development would give rise to complex and potentially conflicting traffic movements and would endanger public safety by reason of a traffic hazard.
3. The P.A. is not satisfied that the effluent from the proposed development can be satisfactorily treated or disposed of on the site.

**19/600012:** Permission refused by the P.A. and refused on appeal (ABP ref. ABP-304104-19) for revisions to the permission under reg. ref. 10/277 to include extending the permitted restaurant at ground and first floor levels to include a shop and bedroom accommodation consisting of 6 no. twin room, two no. double rooms and 4 no. family rooms with office, reception and associated services. Parking and hygiene facilities for 22 no. campervans, solar panels on building roofs, charging facilities for 20 no. electric cars, 34 no. car parking spaces, 23 truck parking spaces and 5 no. coach parking spaces and relocation of WWTS.

The ABP two reasons for refusal related to:

1. The off-line motorway service area would be outside the cope of the Service Area Policy of the National Roads Authority (2014) and there has been a failure to demonstrate a need for this development type on unserviced, unzoned lands in the open countryside. The proposed development would materially contravene the policy of South Tipperary County Development Plan, 2009 (as varied) with respect to Policy T14 Motorway Service Stations and rest areas (offline) and with respect to Policy ED4, which relates to the location of tourism related facilities and accommodation. The developer has failed to show a clear and demonstrated need for tourism accommodation at this specific location. The proposed development would prejudice and undermine the delivery of strategic infrastructure and would comprise inappropriate facilities and accommodation in this rural area.
2. Having regard to the location and significant change in nature and scale of development, the proposed development would give rise to complex and potentially conflicting traffic movements, which would endanger public safety by reason of traffic hazard.

**22/586:** Application to the P.A. withdrawn for two diesel pumps, truck and parking spaces and associated works.

**23/70:** Permission refused by the P.A. for the as constructed entrance from that which was previously granted and Permission for b.) car parking spaces including electric car charging points and c.) the provision of totem signage and all associated site works.

The three no. reasons for refusal relate to:

1. The proposal would add to the provision of service/rest areas in the presence of an existing motorway service area on the M8 at a junction where the need for this has not been identified having regard to Policy 12-5 of the Development Plan, and Section 2.8 of the Spatial Planning and National Roads Guidelines and consultation paper reviewing this policy. The proposal would represent a proliferation of such service /rest areas contravening national and local planning objectives.
2. Having regard to the location in close proximity to the north side roundabout serving the M8 at junction 11, to the significant increase in traffic by comparison with the permitted development, the failure to demonstrate that the required sightlines can be achieved and the failure to support the application with a TTA and RSA, the proposed development would give rise to complex and potentially conflicting traffic movements would endanger public safety by reason of a traffic hazard.
3. Having regard to the absence of any details in relation to the operation and location in close proximity to residential properties, the proposer has failed to demonstrate that it will not seriously injure the residential amenity of such dwellings by way of light spill, noise and general disturbance.

**S5/23/63:** The completion of an entrance was deemed to be development but not exempted development (ABP-317685-23).

Relevant Other Sites:

**14/06188:** Permission granted by the P.A. and by ABP on appeal (ABP ref. 04.244411) for a motorway service area at Junction 14 on the M8 motorway.

## Live Enforcement Cases

**TUD-23-007:** Noncompliance with permission under ABP ref. PL23.237520 in relation to the opening of an entrance on to the R639.

## 5.0 Policy Context

### 5.1. Tipperary County Development Plan 2022-2028 (the CDP)

The site is not zoned for development and is located within a rural area.

#### Volume 1

#### Section 12.6

*Policy 12-3 Protect the viability of the 'Strategic Transport Investment' priorities in the road network as set out in Section 12.5.1, by reserving corridors for the proposed routes free from inappropriate development.*

*Policy 12-4 Maintain and protect the safety, capacity and efficiency of Tipperary's roads network and associated junctions in accordance with the Spatial Planning and National Roads Guidelines for Planning Authorities, (DECLG, 2012) and the Trans-European Networks Regulations and to avoid the creation of additional access points to national roads to which speed limits greater than 60kmh apply.*

*Policy 12-5 Consider proposals for off-line motorway service stations in accordance with the Spatial Planning and National Roads: Guidelines for Planning Authorities, DECLG 2012 (or any amendment thereof) and the National Roads Authority Service Area Policy, 2014 (or any amendment thereof). In the consideration of proposals, the Council will ensure that the development will not act as a draw from, or negatively impact on the vitality or viability of any town or village.*

*Policy 12-6 (a) Facilitate a limited level of new accesses, or the intensified use of existing accesses to the national road network, on the approaches to, or exit from urban centres that are subject to a speed limit zone between 50kmph and 60kmph, otherwise known as the transition zone noting the provisions of TII Publication Standard DN-GEO-03084 'The Treatment of Transition Zones to Towns and Villages on National Roads.*

*(b) Such accesses will be considered where they facilitate orderly urban development and would not result in a proliferation of such entrances, leading to a diminution in the role of these transitional zones.*

*(c) A Road Safety Audit, prepared in accordance with the Design Manual for Roads and Bridges (TII, 2010), shall be submitted, where appropriate.*

### Volume 3

#### Section 6.1 Road Design and Visibility at a Direct Access

*....New direct accesses shall not be permitted within 90m of the exit of a roundabout on a national road, or within 50m of the exit on a non-national road.... Any direct access to an urban national primary or national secondary road shall comply with the visibility parameters contained in Section 4.4.5 of the Design Manual for Urban Roads and Streets DoT, 2019)....*

Table 6.1 sets out the X-distance requirements which for regional and local roads with stop control is 2.4m setback and is 3m setback with yield control.

*For direct access to a non-national road, the same principles apply as for national roads. Where posted mandatory speed limits are provided the design speeds and associated Y-Distances in Table 6.2 shall apply:*

For roads where the mandatory speed limit is 100kph, the required Y-Distance is 215m.

## **5.2. National Policy and Guidance**

*NRA Service Area Policy, National Roads Authority (2023).*

Sections 3.1 and 3.2 relate to design standards for service areas and Section 5.0 relates to planning and notes that “*a proliferation of off-line service area facilities at National Roads junctions should be avoided*”.

Section 4.3 relates to revised policy which provides for a maximum distance between service areas of 60km, in line with EU Regulations. Table 4.1 notes the current distances between service areas including on the M8. Between Junction 8 (Cashel) and Junction 14 (Fermoy) it notes a distance of 54km. It then outlines under Section 4.4 the “*Identified Need for New Services Areas and Provision*” with none identified for the M8.

### NRA Design Manual for Roads and Bridges

The Location and Layout of On-Line Service Area, TII Publications DN-GEO-03028 (NRA TA 70/14 (2014)), Volume 6, Section 3, Part 3.

In relation to spacing of service areas the policy targets the provision of Type 1 Service Areas (full service areas) every 100km in most cases.

*The needs for service areas on the existing dual carriageway network is demonstrated in Figure 3.1 and associated text identifies Mitchelstown Fermoy section (J13 to J14) and Ballycolla to Cashel (J3 to J8) as potential location where future off line facilities could meet the relevant criteria in terms of provision of relevant services on the M8. The existing services at Cashel is identified as having the potential to meet the needs of road users.*

At 5.2 it is stated that *“Except for the statutory consultee role, the Authority has no role in determining how off-line development should be delivered”*.

### Spatial Planning and National Roads, Guidelines for Planning Authorities (2012).

Section 2.8 of these Guidelines deals with service areas,

*“Facilities proposed for inclusion in service areas should be of a type that avoids the attraction of short local trips, a class of traffic that is inconsistent with the primary intended role for motorways and other national roads and associated junctions in catering for strategic long-distance and inter-urban and inter-regional traffic. Furthermore, to permit a service area to become a destination for local customers would be contrary to Government planning policy on retail and town centres as set out in Retail Planning Guidelines 2005. The consequence of this would be to threaten the viability of business in cities, towns or other local centres.”*

### **5.3. Natural Heritage Designations**

In relation to designated sites, the subject site is located:

- c.2.5km south-west of Scaragh Wood Proposed Natural Heritage Area (site code 000971).
- c.2.7km south-east of the Galtee Mountains Special Area of Conservation (SAC) and Proposed Natural Heritage Area (PNHA) (site code 000646).
- c.5.1km west of the Lower River Suir SAC (site code 002137).

- c.5.5km west of Cahir Park Woodland PNHA (site code 000947).
- c.6.7km north-east of Shanbally Wood PNHA (site code 000972).
- c.8.8km north-east of Mitchellstown Caves PNHA (site code 000651).

## 6.0 The Appeal

### 6.1. Grounds of Appeal

The grounds of appeal, on behalf of John O' Leary, can be summarised as follows:

- There is a huge demand for proper truck stops on the motorway network and the site at the crossroads of Munster is an ideal location.
- The development is needed for safe driver rest times, healthier food options and better working conditions.
- Planning was in place with an access from the R639 but it was not possible to complete due to delays outside his control, including the COVID-19 pandemic.
- The permitted vehicular entrance was not completed within the time period of the permission due to an oversight.

#### Refusal Reason No. 1

- The P.A. first reason for refusal is an attempt to adjudicate a permission previously granted and lawfully constructed.
- The refusal of permission for a development lawfully constructed to its current stage is unfair and places a serious financial burden on the applicant leaving an unfinished development for no planning gain.
- The 2014 and 2019 policy documents quoted came after the original grant of permission.
- The original permission for the entrance was granted in 2016 two years after the 2014 policy document.
- It is unfair to the applicant to rely on a guideline that postdated the original permission and a policy document that had no impact on the permission granted in 2016.

## Refusal Reason No. 2

- No evidence of a change in the receiving environment vis a vis increased traffic movement or any other factor that could justify a different assessment to the P.A.'s previous assessment of the junction.
- The traffic figures associated with the original permission catered for significant increases that never actually occurred.
- The original junction assessment included with this application demonstrated there were no new factors by which the original decision could be altered.
- The decision to refuse permission for the entrance is seriously unfair and is contrary to natural justice and leaves the applicant in a very difficult situation.
- The decision is hugely disproportionate by the P.A. due to the applicant's failure to open the entrance while he was excavating the foundations of the main building.
- The decision is likely to lead to an unfinished development.
- Drawing submitted outlining the entrance area to be completed.

## **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:

- Policy on Service/ Rest Areas
- Road Safety
- Other Issues

### **7.2. Policy on Service/ Rest Areas**

7.2.1. I note the appellant's assertions that there is a huge demand for proper truck stops along the motorway network. However, no evidence has been presented to support this assertion. CDP Policy 12-5 states that proposals for such service areas will be

considered in accordance with Spatial Planning and National Roads: Guidelines for Planning Authorities, 2012 (or any amendment thereof) and the National Roads Authority Service Area Policy, 2014 or any amendment thereof. In this context I note the updated NRA Service Area Policy 2023 is applicable. I note Section 5.0 of the 2023 policy is that such facilities should not attract short local trips as a class of traffic inconsistent with the primary intended role of motorways and seeks to avoid a proliferation of off-line service areas at national road junctions.

- 7.2.2. I note that the NRA Service Area Policy specifically identifies no further locations along the M8 motorway where such service areas are to be located. The nearest such areas identified are at Junction 13 to 14 (Mitchelstown to Fermoy) and no service area is identified to be located between junctions 8 and 13. The site is adjacent to junction 11. I note the service areas at Junction 8 Cashel and at Junction 14 Fermoy c.40km to the south-west with a gap of 54km between these areas. Based on the NRA policy where a maximum gap of 60km between such service areas is provided for, the stated need to avoid a proliferation of such service areas and that the NRA policy identifies no requirement for further service areas along the M8, I consider that the applicant has not established a case for such a service area in the vicinity of junction 11 of the M8 at the subject site.
- 7.2.3. I note the previously granted permissions for a service area under reg. refs. 15600824 and 10/277, were not granted under the current development plan. I also note the subject application is for a development consistent with that granted permission under reg. ref. 15600824. I note that this permission was effectively for an amendment to the parent permission which was granted in 2011 prior to the issuing of the 2012 and 2014 national policy. I also note that the Planner's Report for the most recent permission (Reg. Ref. 15600824) referenced the TII response referring to the 2014 NRA Service Area Policy.
- 7.2.4. I also note the number of refusals of permission partly relating to similar issues to those raised in P.A. refusal no. 1. This includes the refusals under reg. refs. 12/397, 14/600036, 17/600342, 19/600012 and 23/70. Noting this, I also consider the policy basis under the NRA Service Area Policy to be sufficiently strong and justified that it outweighs the merits of the previously granted permissions which effectively relied on the parent permission grant prior to the issuing of the 2012 and 2014 national policies.

- 7.2.5. I note the appellant has raised issues in relation to the fairness of this approach and the disproportionate costs this would impose on the applicant. I note that the restaurant building on the site is substantially complete and that the site is largely covered in hard standing although the entrance from the R639 has not been built. Given the importance of preserving the strategic function of the national motorway network, as underpinned by CDP policy, I consider the implementation of the NRA Service Policy to be important notwithstanding the most recent grant of permission. In this context, I consider that the areas identified for such service areas in the NRA policy should be upheld such that no other areas should be considered to avoid a proliferation of such service areas that would contravene the objectives of local and national policy.
- 7.2.6. I note this also in the context of Section 2.8 of the Spatial Planning and National Roads Guidelines and the consultation paper reviewing this policy. I consider that a proliferation of such areas would likely result in the attraction of short local trips which is not consistent with the national strategic function of the motorway network or the NRA Service Area Policy 2023. Based on the above assessment, I recommend that permission be refused for the proposed development, having regard to policy 12-5 of the Development Plan.

### **7.3. Road Safety**

- 7.3.1. I note the appellant has raised issues in relation to P.A. refusal reason no. 2 including the absence of any change to the receiving environment in relation to increased traffic movement or other factor and that the original junction assessment included significant increases in traffic figures that never actually occurred. I note the drawing submitted with the appeal which fails to show how a 215m sightline, as required by the CDP, can be achieved from the entrance to the south-west. This is required under Table 6.2 where the mandatory speed limit is 100kph as is the case at the site entrance.
- 7.3.2. I note that under reg. ref. 15600824 the Roads Department of the Council specifically sought further information in relation to this requirement. It also noted obstructions including signs, crash barriers and public lighting columns obstructing sightlines and requested a Road Safety Audit among other requests. The F.I. response of 19/08/16 noted that sightlines of 120m from 3m back would be provided. The response of

20/06/16 noted that the RSA noted that the speed limit on the R639 passing the site is 80kph and the relocation of the site entrance by 25m to the south-west. It noted the vehicular speeds passing the site within the 85<sup>th</sup> percentile to being up to 69kph and based on this and the design capacity of the road, previously a national primary road, it considered 120 sightlines appropriate.

- 7.3.3. I note the documentation submitted with the current application does not include an Road Safety Audit, a Traffic Assessment or consents in relation to the entrance although it includes a letter from Furey Consulting Engineers which outlines the planning history and that the application is for the entrance which it states was only not completed as part of the original permission as the applicant ran out of time and that the applicant is willing to accept a condition restricting the intensification of the site. It also includes a letter from TPS M Moran and Associates that the receiving road character and traffic patterns in the area have changed little since the access arrangements were approved. I do not consider the reasons given for the failure to complete the previously permitted development to be a relevant planning consideration.
- 7.3.4. Noting the above, I note that Table 6.2 of Volume 3 the CDP imposes a sightline requirement of 215m where a speed limit of 100kph applies as is the case at the site entrance. Section 6.1 of the CDP states also that *“any direct access to a rural national primary or rural national secondary road shall comply with the visibility parameters contained in Section 5.6.3 of TII Publication DN-GEO-03060, Geometric Design of Junctions, which is available for download from the TII Publications website”*. I note this has not been demonstrated in the application documentation.
- 7.3.5. I note Section 6.1.1 relates to measuring operational speed and it relates to the 85<sup>th</sup> percentile speed as the speed which at or below 85% of the traffic is travelling. While I note the letter from the TPS M Moran and Associates, I note that no current speed survey has been submitted with the application. I also note that the Council’s District Engineer report noted that vehicular movements could have adverse impacts on the road in the vicinity in that traffic would have to react suddenly or stop for slow moving HGVs entering and existing the site. It also noted that 120m sightlines would not be in accordance with the current CDP.

- 7.3.6. I also note an absence of consents required in relation to the creation of the entrance, for example in relation to the removal of existing signage, barriers and the creation of a new right-turn lane and planting along the site frontage as well as an absence of detail for signage in the area to direct people to the service area from the road network. I also note a lack of information regarding drainage and the new entrance given the need to avoid impacts on the R639. In my view the concerns of the P.A. are merited given that 120kph sightlines are considered appropriate to areas within a mandatory 60kph limit and that the entrance is within a 100kph speed limit area and not within an 80kph area as noted in the RSA from the previous permission. The previous submitted survey for the previous permission noted the 85<sup>th</sup> percentile to be 69kph and per Table 6.2 this requires sightlines of 160m and not 120m.
- 7.3.7. I note this view notwithstanding the absence of significant changes on the ground or in relation to vehicular movements along the road. I therefore consider that a contravention of the CDP would result in relation to the inadequate sightlines for the proposed development. Notwithstanding the previous permissions permitted on the basis of previous Development Plans and national policies, based on current CDP policy, in my view there is a strong basis notwithstanding the appeal assertions in relation to fairness, including in relation to the previous related refusals of permission, to consider that the proposed development, due to the absence of sightlines and the position along a designated strategic route, would give rise to traffic movements of complexity that have the potential to create conflicting movements that would endanger public safety and create a traffic hazard. Accordingly, I recommend that refusal no. 2 be upheld.

#### **7.4. Other Issues**

- 7.4.1. In relation to impacts on residential amenity, I note the residence to the north-east is c.27m from the site boundary with its side garden directly adjacent to the boundary. While I note a lack of detail in relation to the lighting and operation of the development, noting the site layout I consider that such matters, including in relation to noise, are capable of being addressed. Accordingly, in my view a refusal of permission is not merited in relation to impacts on residential amenity in the vicinity.

- 7.4.2. The appellant has stated a refusal decision is likely to lead to an unfinished development. In my view the policy and safety basis for the refusal recommendations are of significant weight given the importance of such considerations in planning terms. I consider that this significantly outweighs any planning gains that would result from completion of the previously permitted development on the site. I also note that the matter of enforcement falls under the jurisdiction of the planning authority and not the Commission.
- 7.4.3. I note parking adequacy was raised as an issue in relation to the previous permission and no documentation has been presented in the current application to address this matter by reference to the current CDP parking standards. I also note the absence of a safety audit or similar in relation to the internal layout including pedestrian movements.
- 7.4.4. I note that no significant detail has been provided in relation to drainage matters, water connection and on-site wastewater treatment requirements which I note would have to be assessed in detail, as the previous permitted developments were not completed, if it was otherwise considered permission could be granted. Having regard to the substantive reasons for refusal identified above, it is not recommended that this new issue be included as a reason for refusal in this case.

## **8.0 EIA Screening**

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

## **9.0 Appropriate Assessment Screening**

9.1. I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended, see Appendix 3 for AA Screening. The subject site is located c.2.7km south-east of the Galtee Mountains

Special Area of Conservation (SAC) (site code 000646) and c.5.1km west of the Lower River Suir SAC (site code 002137), the closest European sites. The proposed development comprises the provision of a new entrance, car and truck parking and the operation of development for truck stop and driver rest area. No nature conservation concerns were raised in the planning appeal.

9.2. 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 it is not possible to exclude that the proposed development alone will give rise to significant effects on Lower River Suir SAC (site code 002137) European Site in view of the sites conservation objectives. Appropriate Assessment is required.

9.3. This determination is based on:

- The potential for pollution to groundwater during construction, operational surface water discharges and discharges from the on-site wastewater treatment system to transmit to groundwater and on to surface water bodies that would link to the nearest European site.

9.4. I note that permission cannot be granted for the development in this circumstance and that were it not otherwise for the two recommended refusal reasons, I would recommend that this issue be included as an additional refusal reason. This would be a new issue in this context and the Commission, if it agrees with my assessment, may wish to consider if this merits refusal of permission in this context.

## 10.0 **Water Framework Directive**

10.1. I note designated waterbodies must be improved to at least good ecological status per the requirements of the Water Framework Directive. I have carried out a screening assessment in Appendix 4 in relation to impacts related to the requirements of the Water Framework Directive. Noting that the applicant has failed to submit details in relation to the details for the management of surface water drainage and disposal and in relation to the requirement for an on-site wastewater treatment system that complies with the EPA Code, I have concluded that it cannot be ruled out that the proposed development will not pose a risk to surface and ground water bodies.

10.2. Given the proximity of the Clonmel ground waterbody (IE\_SE\_G\_040) (status “good”), the Suir\_150 (IE\_SE\_16S022000) surface waterbody (status “moderate”), the Thonoge\_020 surface waterbody (IE\_SE\_16T020080) (status “good”) and the Thonoge\_030 surface waterbody (IE\_SE\_16T020200) (status “good”), the proposed development may prevent the future maintenance or attainment of a ‘Good’ water status and may result in the deterioration of existing water quality of the groundwater body which would not be consistent with the Water Framework Directive. I note that permission cannot be granted for the development in this circumstance and that were it not otherwise for the two recommended refusal reasons, I would recommend that this issue be included as an additional refusal reason. This would be a new issue in this context and the Commission, if it agrees with my assessment, may wish to consider if this merits refusal of permission in this context.

## 11.0 Recommendation

11.1. I recommend that permission be refused for the following reasons.

## 12.0 Reasons and Considerations

1. Having regard to Section 2.8 of the Spatial Planning and National Roads Guidelines, Transport Infrastructure Ireland’s Service Area Policy 2023 and and Policy 12-5 of the Tipperary County Development Plan 2022, it is considered that, noting the existing Motorway Service Areas on the M8, the proposed development would add to the provision of such service/rest Areas at a Junction where the need for a service area has not been identified. This would result in a proliferation of such service/rest areas contrary to policy and which would contravene national and local planning objectives. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the location of the proposed development in close proximity to the north side roundabout serving the M8 motorway at junction 11, to the location of the entrance proposed on a designated strategic route directly off the R639 and the failure of the applicant to demonstrate that the required sightlines can be achieved in accordance with Section 6.1 (Road Design and Visibility at a Direct Access) of

Appendix 3 of the Development Plan, the proposed development would give rise to complex and potentially conflicting traffic movements that would endanger public safety by reason of a traffic hazard. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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

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Ciarán Daly

Planning Inspector

17<sup>th</sup> December 2025

## Appendix 1

### Form 1 - EIA Pre-Screening

<b>Case Reference</b>	ACP-323685-25
<b>Proposed Development Summary</b>	The provision of a new entrance, car and truck parking and the operation of development for truck stop and driver rest area.
<b>Development Address</b>	Scartnaglorane, Cahir, Co. Tipperary.
<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>	<p>Part 2, Class 10(b)(ii). Threshold: Construction of a car-park providing more than 400 spaces, other than a car-park provided as part of, and incidental to the primary purpose of, a development.</p> <p>17 no. HGV parking spaces and 31 car parking spaces proposed.</p>

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

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

## Appendix 2

### Form 2 - EIA Preliminary Examination

<b>Case Reference</b>	ACP-323685-25
<b>Proposed Development Summary</b>	The provision of a new entrance, car and truck parking and the operation of development for truck stop and driver rest area.
<b>Development Address</b>	Scartnaglorane, Cahir, Co. Tipperary.
<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).	<b>Briefly comment on the key characteristics of the development, having regard to the criteria listed.</b>  17 no. HGV parking spaces and 31 car parking spaces, a restaurant building of 240sqm on a site of area 1.37ha. On-site wastewater treatment system required. Lighting required, noise from vehicular movements/engines and operations of site, risk of fuel spillages and emissions from vehicles.
<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).	<b>Briefly comment on the location of the development, having regard to the criteria listed</b>  Rural site, only a residence and out buildings adjacent. No sensitive sites in the vicinity.
<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).	<b>Having regard to the characteristics of the development and the sensitivity of its location, consider the potential for SIGNIFICANT effects, not just effects.</b>  Very modest scale relative to EIA threshold such that potential for significant effects can be ruled out.

<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)

**Appendix 3**  
**AA Screening Determination**  
**Test for likely significant effects**

Screening for Appropriate Assessment Test for likely significant effects				
<b>Step 1: Description of the project and local site characteristics</b>				
<b>Brief description of project</b>		The provision of a new entrance, car and truck parking and the operation of development for truck stop and driver rest area.		
<b>Brief description of development characteristics and potential impact mechanisms</b>		Site mainly covered in hard core, bounded by regional road to south and mainly by agricultural lands to the north. Potential emissions to groundwater from wastewater treatment system and from collected surface water discharge to ground.		
<b>Screening report</b>		N		
<b>Natura Impact Statement</b>		N		
<b>Relevant submissions</b>		None.		
<b>Step 2. Identification of relevant European sites using the Source-pathway-receptor model</b>				
European Site (code)	Qualifying interests <sup>1</sup> Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections <sup>2</sup>	Consider further in screening <sup>3</sup> Y/N
Galtee Mountains Special Area of Conservation (SAC) (site code 000646)	<u>Qualifying Interests</u> Northern Atlantic wet heaths with Erica tetralix [4010] European dry heaths [4030] Alpine and Boreal heaths [4060] Species-rich Nardus grasslands, on siliceous substrates in mountain areas (and submountain areas, in	c.2.7km	None, downhill from SAC	N

	<p>Continental Europe) [6230]  Blanket bogs (* if active bog) [7130]  Siliceous scree of the montane to snow levels (Androsacetalia alpinae and Galeopsietalia ladani) [8110]  Calcareous rocky slopes with chasmophytic vegetation [8210]  Siliceous rocky slopes with chasmophytic vegetation [8220]</p> <p><a href="#">Conservation Objectives</a>, NPWS, 31<sup>st</sup> August 2016.</p>			
<p>Lower River Suir SAC (site code 002137)</p>	<p><u>Qualifying Interests</u></p> <p>Atlantic salt meadows (Glaucopuccinellietalia maritima) [1330]</p> <p>Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation [3260]</p> <p>Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels [6430]</p> <p>Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0]</p> <p>Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion</p>	<p>c.5.1km</p>	<p>Weak potential connection via groundwater to surface water connections to the SAC.</p>	<p>Y</p>

	<p>incanae, Salicion albae) [91E0]</p> <p>Taxus baccata woods of the British Isles [91J0]</p> <p>Margaritifera margaritifera (Freshwater Pearl Mussel) [1029]</p> <p>Austropotamobius pallipes (White-clawed Crayfish) [1092]</p> <p>Petromyzon marinus (Sea Lamprey) [1095]</p> <p>Lampetra planeri (Brook Lamprey) [1096]</p> <p>Lampetra fluviatilis (River Lamprey) [1099]</p> <p>Alosa fallax fallax (Twaite Shad) [1103]</p> <p>Salmo salar (Salmon) [1106]</p> <p>Lutra lutra (Otter) [1355]</p> <p><a href="#">Conservation Objectives</a>, NPWS, 28<sup>th</sup> March 2017.</p>			
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<sup>1</sup> Summary description / **cross reference to NPWS website** is acceptable at this stage in the report

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

<sup>3</sup>if no connections: N

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

<b>AA Screening matrix</b>		
<b>Site name Qualifying interests</b>	<b>Possibility of significant effects (alone) in view of the conservation objectives of the site*</b>	
	<b>Impacts</b>	<b>Effects</b>
<p><b>Site 1: Lower River Suir SAC (site code 002137)</b></p> <p><u>QI list</u></p> <p>Atlantic salt meadows (Glauco-Puccinellietalia maritima) [1330]</p> <p>Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation [3260]</p> <p>Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels [6430]</p> <p>Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0]</p> <p>Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0]</p> <p>Taxus baccata woods of the British Isles [91J0]</p> <p>Margaritifera margaritifera (Freshwater Pearl Mussel) [1029]</p>	<p>Direct: None within SAC.</p> <p>Indirect:</p> <p>Negative impacts (temporary) on surface water/water quality draining to groundwater due to construction related emissions including increased sedimentation and construction related pollution.</p> <p>Negative impacts on groundwater from unspecified surface water discharge and wastewater treatment system discharge (with no detail of system) that could be transmitted to surface waterbodies/rivers linking to the SAC.</p>	<p>Potential negative effects on water quality that could negatively change the habitat quality, prey availability and species sensitive to water quality such as salmon and otter.</p> <p>Possibility of significant effects cannot be ruled out without further analysis and assessment.</p>

<p>Austropotamobius pallipes (White-clawed Crayfish) [1092]</p> <p>Petromyzon marinus (Sea Lamprey) [1095]</p> <p>Lampetra planeri (Brook Lamprey) [1096]</p> <p>Lampetra fluviatilis (River Lamprey) [1099]</p> <p>Alosa fallax fallax (Twaite Shad) [1103]</p> <p>Salmo salar (Salmon) [1106]</p> <p>Lutra lutra (Otter) [1355]</p>		
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	<p><b>Likelihood of significant effects from proposed development (alone): Y</b></p>
	<p><b>If No, is there likelihood of significant effects occurring in combination with other plans or projects?</b></p>
	<p><b>Possibility of significant effects (alone) in view of the conservation objectives of the site*</b></p>

**Step 4 Conclude if the proposed development could result in likely significant effects on a European site**

It is not possible to exclude the possibility that proposed development alone would result significant effects on Lower River Suir SAC (site code 002137).  
 An appropriate assessment is required on the basis of the possible effects of the project 'alone'.  
 Further assessment in-combination with other plans and projects is not required at screening stage.

**Proceed to AA.**

**Screening Determination**

**Significant effects cannot be excluded**

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 it is not possible to exclude that the proposed development alone will give rise to significant effects on Lower River Suir SAC (site code 002137) European Site in view of the sites conservation objectives. Appropriate Assessment is required.

This determination is based on:

- The potential for pollution to groundwater during construction, operational surface water discharges and discharges from the on-site wastewater treatment system to transmit to groundwater and on to surface water bodies that would link to the nearest European site.

**Appendix 4**  
**Water Framework Directive Screening and Assessment**

<b>WFD IMPACT ASSESSMENT STAGE 1: SCREENING</b>			
<p><b>Step 1:</b> The proposed development is for the construction of a house, garage and wastewater treatment system.</p> <p>Site Area 1.37ha</p> <p>Total floor area 240sqm. The site is within a an unserviced rural area for water provision and wastewater treatment services.</p> <p>There are no surface water bodies running through the site. The subject site is located c0.2km south-west of the Suir_150 (IE_SE_16S022000) surface waterbody (status “moderate”), 0.7km north-east of the Thonoge_020 surface waterbody (IE_SE_16T020080) (status “good”), c.2.8km north-west of the Thonoge_030 surface waterbody (IE_SE_16T020200) and is above the Clonmel ground waterbody (IE_SE_G_040) (status “good”).</p>			
<b>An Bord Pleanála ref. no.</b>	ACP-323685-25	<b>Townland, address</b>	Scartnaglorane, Cahir, Co. Tipperary.
<b>Description of project</b>		The proposed development consists of the provision of a new entrance, car and truck parking and the operation of development for truck stop and driver rest area. This would require surface water drainage measures which have not been specified and would require an on-site wastewater treatment system or the assessment of same and no details of this have been provided.	
<b>Brief site description, relevant to WFD Screening,</b>		The site is mainly in hardcore surface with an existing building. There is an adjacent rural dwelling to the north-east and the site is otherwise surrounded by grassland fields and a regional road being in a rural area.	

	The proposed urban development would be located at a remove surface water bodies but would be above a ground water body as noted above.
<b>Proposed surface water details</b>	The site is not located close to any flood risk zones.
<b>Proposed water supply source &amp; available capacity</b>	Not stated.
<b>Proposed wastewater treatment system &amp; available capacity, other issues</b>	No details provided of existing or proposed.
<b>Others?</b>	

**Step 2: Identification of relevant water bodies and Step 3: S-P-R connection**

<b>Identified water body</b>	<b>Distance to (m)</b>	<b>Water body name(s) (code)</b>	<b>WFD Status</b>	<b>Risk of not achieving WFD Objective e.g.at risk, review, not at risk</b>	<b>Identified pressures on that water body</b>	<b>Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)</b>

Ground Waterbody	Underlying site	Clonmel ground waterbody (IE_SE_G_040)	Good.	At risk.	No pressures.	Surface run-off and wastewater treatment output to groundwater.
River Waterbody	c.0.2km to the north-east	Suir_150 (IE_SE_16S022000) surface waterbody	Moderate.	Under Review.	No pressures.	Potentially via surface run-off to groundwater and via groundwater to river.
River Waterbody	c.0.7km to the south-west	Thonoge_020 surface .waterbody (IE_SE_16T020080)	Good.	Not at risk.	No pressures.	Potentially via surface run-off to groundwater and via groundwater to river.

River Waterbody	c.2.8km to the south-east	Thonoge_030 surface waterbody (IE_SE_16T020200)	Good.	Not at risk.	No pressures.	Potentially via surface run-off to groundwater and via groundwater to river.
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**Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.**

**CONSTRUCTION PHASE**

No.	Component	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.	Ground	Clonmel ground waterbody (IE_SE_G_040)	Pathway exists	Spillages and surface water.	Standard construction practice measures can be conditioned.	No	<b>Screened Out</b>

2.	Surface	Suir_150 (IE_SE_16S02 2000) surface waterbody	Potential pathway exists via groundwater.	Spillages and surface water.	Standard construction practice measures can be conditioned.	No	<b>Screened Out</b>
3.	Surface	Thonoge_02 0 surface .waterbody (IE_SE_16T02 0080)	Potential pathway exists via groundwater.	Spillages and surface water.	Standard construction practice measures can be conditioned.	No	<b>Screened Out</b>
4.	Surface	Thonoge_03 0 surface waterbody (IE_SE_16T02 0200)	Potential pathway exists via groundwater.	Spillages and surface water.	Standard construction practice measures can be conditioned.	No	<b>Screened Out</b>
<b>OPERATIONAL PHASE</b>							

5.	Surface	Clonmel ground waterbody (IE_SE_G_040)	Pathway exists	Surface water and wastewater potentially not treated to EPA standard.		Yes in relation to negative water quality impact from surface water drainage and potentially wastewater not treated to EPA Code.	<b>Screened In</b>
6.	Ground	Suir_150 (IE_SE_16S022000) surface waterbody	Potential pathway exists via groundwater.	Surface water and wastewater potentially not treated to EPA standard.		Yes in relation to negative water quality impact from surface water drainage and potentially wastewater not treated to EPA Code.	<b>Screened In</b>
7.	Surface	Thonoge_020 surface .waterbody	Potential pathway exists via groundwater.	Surface water and wastewater potentially not		Yes in relation to negative water quality impact	<b>Screened In</b>

		(IE_SE_16T02 0080)		treated to EPA standard.		from surface water drainage and potentially wastewater not treated to EPA Code.	
8.		Thonoge_03 0 surface waterbody (IE_SE_16T02 0200)	Potential pathway exists via groundwater.	Surface water and wastewater potentially not treated to EPA standard.		Yes in relation to negative water quality impact from surface water drainage and potentially wastewater not treated to EPA Code.	<b>Screened In</b>
<b>DECOMMISSIONING PHASE</b>							
9.	N/A						
<b>STAGE 2: ASSESSMENT</b>							

**Details of Mitigation Required to Comply with WFD Objectives**

**Groundwater**

<b>Development/Activity</b> e.g. abstraction, outfall, etc.	<u><b>Objective 1: Groundwater</b></u> Prevent or limit the input of pollutants into groundwater and to prevent the deterioration of the status of all bodies of groundwater	<u><b>Objective 2 :</b></u> <u><b>Groundwater</b></u> Protect, enhance and restore all bodies of groundwater, ensure a balance between abstraction and recharge, with the aim of achieving good status*	<u><b>Objective 3: Groundwater</b></u> Reverse any significant and sustained upward trend in the concentration of any pollutant resulting from the impact of human activity	Does this component comply with WFD Objectives 1, 2, 3 & 4? (if answer is no, a development cannot proceed without a derogation under art. 4.7)
	Describe mitigation required to meet objective 1:	Describe mitigation required to meet objective 2:	Describe mitigation required to meet objective 3:	

<b>Development Activity</b>  <b>5, 6, 7 and 8:</b>  Operation phase, groundwater	Demonstrate in detail use of SUDS measures sufficient for surface water drainage and demonstrate on-site wastewater treatment system (or proposed) to comply with relevant EPA Code.	Demonstrate in detail use of SUDS measures sufficient for surface water drainage and demonstrate on-site wastewater treatment system (or proposed) to comply with relevant EPA Code.	Demonstrate in detail use of SUDS measures sufficient for surface water drainage and demonstrate on-site wastewater treatment system (or proposed) to comply with relevant EPA Code.	No.