



An
Coimisiún
Pleanála

Inspector's Report

PL-500234-LS-25

Development	Construction of a bungalow with domestic garage and effluent treatment system.
Location	Coolagh , Kilcavan , Co. Laois
Planning Authority	Laois County Council
Planning Authority Reg. Ref.	2560187
Applicant(s)	Lukasz Ziemiewicz & Beata Struska
Type of Application	Permission
Planning Authority Decision	Grant Permission + Conditions
Type of Appeal	Third Party Normal Planning Appeal
Appellant(s)	James Barden & Rose Gillen
Observer(s)	Lukasz Ziemiewicz & Beata Struska
Date of Site Inspection	27/01/2026
Inspector	David Freeland

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Appendix 1 – Form 1: EIA Pre-Screening

Appendix 2 – Form 2: EIA Preliminary Examination

Appendix 3 - Water Framework Directive Screening and Assessment

1.0 Site Location and Description

The subject site (0.303 ha) is located within the rural townland of Coolagh, approximately 11.7km north of Mountmellick and 14.2km west of Portarlinton. The surrounding area is characterised by agricultural lands interspersed with areas of forestry and bogland. The immediate vicinity comprises a number of one-off dwellings positioned along a pronounced bend in the roadway with a dispersed settlement pattern to the wider area. A single storey bungalow is located directly opposite the site on the western side of the road.

The subject site is situated between two sharp bends in the road to the north and south and forms part of a larger agricultural field formed by the curvature in the roads. The lands are generally flat with no steep inclines across the site.

Existing boundary treatment to the wider landholding comprises limited hedgerow vegetation with much of the northern and eastern boundaries open. A low maintained hedgerow forms part of the southern boundary. A drainage ditch runs along the northern and eastern boundaries adjoining the public road.

2.0 Proposed Development

- 2.1. The proposed development comprises the construction of a bungalow dwelling, domestic garage and effluent treatment system and percolation area, a new vehicle entrance and all associated works.

3.0 Planning Authority Decision

3.1. Decision

- 3.2. Following receipt of Further Information and Clarification of Further Information, Laois County Council decided to grant planning permission for the development subject to 14no. conditions.

3.3. Planning Authority Reports

3.3.1. Planning Reports

There are three planning reports on file.

The first planning report on file dated 27/05/2025 is summarised as follows:

- The report notes that the site is located within a “Structurally Weak Area” under the Development Plan and for such site in general, any demand for permanent residential development should be accommodated, subject to meeting normal planning and environmental criteria.
- The planning report determined that the proposed dwelling (169sq.m single storey) is well articulated, appropriately design and in accordance with the requirements of the Rural Design Guidance (Appendix 7) of the Development Plan. No concerns were raised relating to an associated 48sq.m garage.
- Having regard to the separation distance to neighbouring properties, the planner did not consider that the development would have an adverse impact upon the residential amenities of the neighbouring properties.
- The planning report noted that there were inaccuracies in the submitted drawings and indicated that a proposed carport and storage shed have not been indicated on the description of the public notices and would need to be rectified.
- No concerns were raised relating to the proposed private well, soakpit to address surface water and secondary treatment system and polishing filter of which test result were noted as positive.
- The Planner’s report indicated that the required sightlines of 3m x 90m to the public roadway per Laois County Council Roads and Parking Standards 2007 was not demonstrated and there is no indication to the extent of hedgerow removal required to achieve sight distances, including apparent requirement of removal within third-party lands. It was highlighted that current sightlines to the south extended into a private laneway. The MD Engineer requested that a photographic survey of the sight distances be submitted.

Other Technical Reports

- Municipal District Engineer: Report dated 29/04/2025 – Request Further Information

- Planning Technician (SSA): Report dated 28/04/2025 – no objection.

Further Information was requested on 27/05/2025 relating to the following three items:

- Drawing: requested to submit amended drawings rectifying inaccuracies and indicated that a proposed carport and storage shed was not indicated within the development description.
- Traffic Safety: Requested to submit a site layout plan, annotated photographic and topographic survey to demonstrate the full extent of hedgerow removal (noting Policy BNH 28), sightlines of 3x90m are achievable, ensure full unobstructed vision in both directions and in compliance with the LCC document Roads and Traffic Standards. If works are outside of the ownership of the applicant, a letter of consent from relevant third parties will be required.
- Invited to comment on third party submissions.

3.3.2. Further Information was received on 19/06/2025 and included a letter of response prepared by the applicant's agent and a revised set of drawings including site layout plan. The letter of response noted that the revised site layout indicates correct line of sight in both directions. The applicant noted the third-party submissions and clarified details relating to a drainage pipe which traverses the site and comments on issues relating to overlooking, sight lines and flooding.

3.3.3. The second planning report on file dated 14/07/2025 is summarised as follows:

- The planner's report maintains concerns that the submitted drawings do not accurately reflect the northern elevation of the dwelling.
- Noting the revised positioning of the vehicular entrance towards the north, the planner's report noted the sightlines to the south was impacted by hedgerow to the opposite side of the carriageway on third-party lands (no consent for removal has been provided) and sightlines to the north were taken to the far edge of the carriageway rather than the nearside edge.
- The applicant's response to the third-party submission is acknowledged.

3.3.4. Other Technical Reports relating to the FI

- Municipal District Engineer: Report dated 26/06/2025 – No further objection.

3.3.5. A clarification of further information was requested on 15/07/2025 relating to the following two items:

- Request for amended drawings rectifying the inaccuracies of the northern elevation of the dwelling.
- Traffic Safety: The request noted that the sightlines although indicating 3mx90m, appeared to be just 60m to the north, was measured to the far edge of the carriageway and apparent loss of hedgerow was not accompanied by consent from relevant landowner. Revised photographic and topographic survey was requested to clearly show sightlines of 90m.

3.3.6. Clarification of Further Information was received on 23/09/2025 and included a letter of response prepared by the applicant's agent, revised plan, sections and elevations.

3.3.7. The third planning report on file is dated 16/10/2025 is summarised as follows:

- The report noted the revised plans rectified previous inaccuracies.
- In terms of traffic safety, the Executive Planner maintained concerns regarding the adequacy of sightlines from the proposed entrance. It was considered that 3m x 90mm sightlines had not been satisfactorily demonstrated in compliance with the Development Plan and Roads and Parking Standards 2007. On this basis, it was recommended to refuse permission on the grounds that the proposed development would endanger public safety and by reason of traffic hazard.
- A subsequent memo from the Senior Executive Planer noted the reports of the Municipal District Engineer and had regard to the status, width and horizontal alignment of the carriageway. It was concluded that it was unlikely that a material traffic hazard would arise and a refusal of permission on that basis would be unduly onerous. Permission was subsequently granted subject to conditions.

3.4. **Prescribed Bodies**

None.

3.5. Third Party Observations

3.5.1. Two third party observation was received from neighbouring properties which is summarised as follows:

- The location of the proposed dwelling will directly overlook neighbouring properties resulting in depreciation of value and impediment to current scenic views and subsequent enjoyment of the impacted properties.
- Percolation holes were not dug in areas marked as site.
- Garage shown a part of the house in site plan and as separate building in other drawing.
- The lower portion of the lands act as a localised flood plan with likely health and environmental risks in a private septic tank system.
- The proposed development would add traffic pressure to a local road which already requires maintenances and is unable to cater to current domestic, agriculture and industrial traffic.
- The proposed dwelling would put additional pressure on groundwater levels for existing private well to the laneway which are already 'running dry' during summer months.
- It was highlighted that there is an existing concrete pipe crossing the lands which provides drainage for a neighbouring property and the observer has aske to take due care and consideration during construction and use of the land.
- Concerns were raised relating to the unlikely potential piping of the main watercourse to the north and east boundary which may restrict water flow which may negatively impact drainage of neighbouring properties with potential for subsequent flooring.

4.0 Planning History

P.A. Ref. 07/2032: Permission Granted to erect a dwellinghouse, garage, proprietary treatment system, percolation areas, new site entrance and all associated site entrance. The permission was never enacted.

5.0 Policy Context

5.1. National Policy

- Project Ireland 2040 – National Planning Framework First Revision (April 2025)
- Climate Action Plans (2024 & 2025)
- National Biodiversity Action Plan (NBAP) 2023-2030
- EPA Code of Practice: Domestic Wastewater Treatment Systems (2021)
- Quality Housing for Sustainable Communities Best Practice Guidelines for Delivering Homes and Sustaining Communities (DoHLGH, 2007)
- Sustainable Rural Housing Guidelines for Planning Authorities (DoHLGH, 2005).

5.2. Regional Policy

- Eastern & Midland Regional Assembly Regional Spatial & Economic Strategy 2019- 2031.

5.3. Development Plan

Laois County Development Plan (LCDP) 2021-2027

Zoning

Map 4.1 – Rural Area Designations of the Laois County Development Plan 2021-2027 indicates that the site of the subject development is located in a ‘Structurally Weak Areas’.

Chapter 4 – Housing Strategy

Table 4.4 – ‘Rural Area Designation’ as contained in the Development Plan provides a definition for ‘Structurally Weak Areas’ and the criteria for this rural area designation states:

The rural areas generally exhibit characteristics such as persistent and significant population decline as well as a weaker economic structure based

on indices of income, employment and economic growth. These rural areas are more distant from the major urban areas and the associated pressure from urban generated housing.

To help stem decline and strengthen structurally weak areas, it is an objective of the Council that in general, any demand for permanent residential development should be accommodated, subject to meeting normal planning and environmental criteria.

The following Rural Housing Policy Objective is also considered to be relevant in respect of the subject development:

- *Policy Objective RH 3: Having regard to the need to protect the natural resources, environment, landscape and infrastructure, it is Council policy to consider a single dwelling in the countryside subject to meeting the criteria in Table 4.4 in relation to Structurally Weak Areas.*
- *Policy Objective RH 4: Provide for sustainable rural housing in the county in accordance with the Sustainable Rural Housing: Guidelines for Planning Authorities (DEHLG, 2005) ‘, EPA Code of Practice: Wastewater Treatment Systems for Single Houses (2009) and ensure that any plan or project associated with the provision of new housing is subject to Appropriate Assessment Screening in compliance with the Habitats Directive, and subsequent assessment as required.*
- *Policy Objective RH 5: Require all applicants seeking to live in the open countryside to submit proposals with regard to climate action and measures to reduce carbon emissions in this regard.*
- *Policy Objective RH 6: Ensure that the provision of rural housing will not detract from the county’s natural and built heritage, economic assets and environment and the planning authority will have regard to the relevant development plan objectives.*
- *Policy Objective RH 10: Promote good rural design through the implementation of Rural House Design Guidelines prepared by Laois County Council in Appendix 7.*

Development Management Standards for Rural Housing are set out under DM RH 1 which includes a range of criteria will be used to assess if a rural site is acceptable in principle for a dwelling house. The criteria are detailed within Appendix 7: Rural Design Guidance.

Chapter 10 - Infrastructure

Chapter 10 sets out the relevant policy objectives and approach of Laois County Council relating to transportation, surface water, drainage and flooding and water & wastewater infrastructure.

Transportation

Relevant development Management Standards for Transportation are set out under DM TRANS 2: Sightlines which states *Where sightlines are inadequate and would give rise to a traffic hazard, development will not be permitted.*

Flooding

Map 10.3 Flood Map indicates that the subject site is not located within Flood Zone A or Flood Zone B.

Wastewater

- Policy Objective ES 19 seeks to Minimise the impact on groundwater of discharges from domestic wastewater treatment systems and other potentially polluting sources.

Chapter 11 – Biodiversity and Natural Heritage

Chapter 11 contains a number of policies relevant to removal of hedgerows, landscape character and views and prospects.

Hedgerows

- Policy Objective *BNH 28: Ensure that hedgerow removal to facilitate development is kept to an absolute minimum and, where unavoidable, a requirement for mitigation planting will be required comprising a hedge of similar length and species composition to the original, established as close as is practicable to the original and where possible linking in to existing adjacent hedges. Native plants of a local provenance should be used for any such planting.*

Development Management Standards for hedgerows are set out under DM BNH 5 which contains a number of criteria the planning authority will have regard to.

Landscape

Map 11.7 – Landscape Character Assessment indicates that the subject site is located within a Lowland Agricultural Area. Table 11.6 notes that such character areas have low sensitivity with capacity to absorb a wide range of uses.

Policy Objectives for Landscape Character Areas

- Policy Objective LCA 2 Protect and enhance the county's landscape, by ensuring that development retains, protects and, where necessary, enhances the appearance and character of the existing local landscape and conserve valuable habitat including any European and National Designations.
- Policy Objective LCA 3 Seek to ensure that local landscape features, including historic features and buildings, hedgerows, shelter belts and stone walls, are retained, protected and enhanced where appropriate, so as to preserve the local landscape and character of an area, whilst providing for future development.

Views and Prospects

Map 11.8 indicates that there are no scenic views or prospects at the proposed development site or in the vicinity.

Chapter 12 Built and Cultural Heritage

There is no record any structures of built and cultural heritage within the subject site is close proximity including protected structures, national monuments or zones of archaeological potential.

Appendix 7 – Rural Design Guidance

The aim of the Guidance is to set out the site planning and design issues that need to be addressed and to clearly set out what is acceptable and what is not acceptable in terms of one-off houses in County Laois

5.4. Natural Heritage Designations

- 5.4.1. The closest natural heritage designations to the subject site includes Clonreher Bog NHA (Site Code: 002357) located 7.2km to the south, Raheen Lough pNHA (Site Code: 000917) located 7.4km to the north, Ridge of Portlaoise pNHA (Site Code: 000876) located 7.5km to south-east, Emo Court pNHA (Site Code: 000865) located 8.9km to south-east, Slieve Bloom Mountains pNHA (Site Code: 000412) located 9.4km to south-west and Great Heath of Portlaoise pNHA (Site Code: 000881) located 10km to south-east.
- 5.4.2. The Closest European site to the subject site includes the River Barrow and River Nore SAC (Site Code: 002162) located 3.3km to the south-west, Slieve Bloom Mountains SPA (Site Code: 004160) located 7.4km to the south-west, the Mountmellick SAC (Site Code: 002141) located 8.6km to the south-east,

5.5. EIA Screening

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). The proposed development is of a CLASS specified in Part 2, Schedule 5 of the Planning and Development Regulations 2001 (as amended) but is sub-threshold being a Class 10(b)(i) '*Construction of more than 500 dwelling units*'. 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.

5.6. Water Framework Directive

The subject site is located in rural area within close proximity (c. 275m) to the River Waterbody Cottoners Brook_010 (Code: IE_SE_14C150500). There is a drainage ditch located to the east and north boundary (adjoining the road) of the landholding which appears to form part of a wider drainage system to adjoining agricultural fields system extending across lands to the east connecting to the River Waterbody

Cottoners Brook_010, c. 1.1km down river. The drainage ditch is not indicated as a River Waterbody on EPA mapping.

The subject site is located within an area characterised by agricultural lands and relatively low number of one-off rural dwellings.

The proposed development comprises a single-storey dwelling within a rural location.

No water deterioration concerns were raised in the planning appeal.

I have assessed the proposed extension of the existing dwelling 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 significant risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

The reason for this conclusion is as follows:

- Nature of works e.g. small scale and nature of the development
- Location from the nearest water bodies

Conclusion

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.

6.0 The Appeal

6.1. Grounds of Appeal

- The appellant considered that insufficient consideration has been given to the absence of sightline and its threat to public safety, traffic hazard and obstruction of road users.

The appellant states that it is evident from the submitted drawings that 90m sightline to the south cannot be achieved without the removal of hedgerow to the opposite side of the road. The appellant states that no request has been received for the removal of any hedgerow.

It is argued that 55m sightlines to the north poses a safety threat as stated by the area engineer.

It is further noted that the required 90m sightline to the south from the centre line of the road when turning right into the site cannot be achieved.

- It is highlighted that the garage elevations remain unclear as to what is proposed.
- Concerns are expressed relating to the potential for site flooding during wet weather and potential for contaminants to entrance the larger river system nearby.
- It is contended that the proposed dwelling and its associated private well would place additional strain on an already stressed resource noting that it is common for the existing wells to the lane to run dry during the summer.
- The positioning of the dwelling directly overlooks the appellant's dwelling which will infringe upon their privacy, detract from the value of their home and impede access to the scenic views that they currently enjoy.

6.2. Applicant Response

A first party response to the grounds of appeal was received and is summarised as follows:

- **Planning Policy:** The site is located within a Structurally Weak Area where house demand is to be accommodated. As such, the applicant asserts that the Development Plan anticipates rural houses in these areas will have minimal traffic or infrastructural impact and housing in such areas is policy supported.
- **Nature of Appeal – Lack of Evidence:** It is contended that the appeal relies on subjective concerns rather than technical evidence. The applicant states that no engineering, traffic, hydrological or environmental reports, independent expert analysis or empirical evidence has been provided to substantiate claims.
- **Flooding Drainage and Percolation:** The applicant states that the site lies outside of Flood Zones A & B and the Site Characterisation Report confirms compliance with EPA Code of Practice. It is suggested that Photographs of the site submitted by the applicant following a period of widespread flooding demonstrate no standing water or ponding.
- **Groundwater & Wells:** The applicant states that concerns regarding the impact on existing wells are unsubstantiated and refers to standard conditions relating to development and operation of water wells. The applicant also indicated potential to connect to a group water scheme.
- **Land Drainage:** The applicant refers to the existing field drain to the lower boundary which has functioned for decades. The applicant commits to maintaining existing drainage infrastructure and states that no inference with in connecting lands will occur.
- **Drawing Clarifications:** The applicant states that all drawing inaccuracies identified during the application process have been rectified and the applicant submits that these issues are not material to the appeal.
- **Road Safety & Sightlines:** The applicant describes the road as a quiet rural route with low traffic volumes. It is submitted that default speed limits on local rural roads were reduced from 80km/hr to 60km/hr and that sightline requirements should reflect this change. Reference is made to DMURs and TII standards indicating shorter stopping distances at 60km/hr. The applicant contends that the proposed entrance meets the required sightline distances

from a 60km/hr road and that any required visibility can be achieved within lands under their control. It is further stated that existing entrances along the road, including that of the appellant operate with more restricted visibility than the subject proposal and no record of safety issues have been provided.

- Hedgerow Removal: the applicant states that any removal of hedgerow to facilitate sightlines will be carried out in full compliance with the law and best practice. The applicant states that pre-permission removal of hedgerow to demonstrate visibility is not required and contrary to established planning procedure.
- Planning History: Reference is made to a previous permission on the site (P.A. Ref. 07/2032) which the applicant submits establishes a precedent and long-standing acceptance in principle of a dwelling including access and drainage. The applicant also refers to the Senior Executive Planner's comments that a refusal would be unduly onerous based on the proposed sightlines and that no material traffic hazard would arise.
- Residential Amenity: the applicant submits that loss of private views is not a material planning consideration and that the appeal is primarily motivated by protection of private visual amenity across lands not under ownership of the appellant.

6.3. **Planning Authority Response**

None

6.4. **Observations**

None

7.0 **Assessment**

- 7.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the local authority, and having inspected the site, and having regard to the relevant

local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Principle of Development
- Design, Visual Impact and Residential Amenities
- Site Services
- Traffic and Access

7.2. Principle of Development

- 7.2.1. The proposed development comprises the construction of a single storey 3-bedroom bungalow dwelling, a domestic garage, effluent treatment systems and percolation area, a new vehicular entrance and all associated works.
- 7.2.2. The site is located within a 'Structurally Weak Area'. Table 4.4 – Rural Area designation of the Development Plan states, 'to help stem decline and strengthen structurally weak areas, it is an objective of the Council that in general, any demand for permanent residential development should be accommodated, subject to meeting normal planning and environmental criteria'. The principle of a dwelling at this location is acceptable subject to meeting normal planning and environmental criteria.

7.3. Design, Visual Impact and Residential Amenities

- 7.3.1. The proposed single storey bungalow dwelling (169sq.m) is of contemporary design with simple linear form and low profile (5.6m ridge height reducing to 2.9m at eaves level), the long side oriented parallel to the road. The dwelling is proposed to be set-back from the main frontage by 26.3m. The boundaries to the site are proposed with timber post & rail fence with mature/semi-mature trees planted inset.
- 7.3.2. The proposed dwelling will near directly face a single storey dwelling located on the opposite side of the public road to the east. The appellants occupy this dwelling and have expressed concerns that the positioning of the dwelling directly overlooks their house which will infringe upon their privacy, detract from the value of their home and impede access to the scenic views that they currently enjoy.
- 7.3.3. I note that the Planning Authority was satisfied with the design of the proposed dwelling and concluded that it would not adversely impact upon the residential amenity of the neighbouring properties having regard to the separation distance.

- 7.3.4. I am satisfied that the design approach, the scale of development and associated landscaping is appropriate in this rural context and aligns with the guidance within the Appendix 7 – Rural Design Guide of the Development Plan.
- 7.3.5. I consider that the proposal does not give rise to ribbon development. The site is located within a Structurally Weak Area where the Development Plan, in principle, seeks to facilitate rural housing subject to normal planning and environmental considerations.
- 7.3.6. In terms of the quality of the dwelling, the floor plans indicate that that dwelling meets the minimum floor areas and room size standards set out in the Quality Housing for Sustainable Communities Design Guidelines (2007) and the Design Manual for Quality Housing (DoHLGH, 2022). I am satisfied that the dwelling will provide a high standard of residential accommodation.
- 7.3.7. The closest existing house to the proposed dwelling is the appellants to the immediate east. The new dwelling is setback by 26.3m from the front boundary and will be 42.4m from the front wall of the appellants dwelling. The applicant has proposed mature/semi-mature trees for screening purposes. While more-so focused on suburban form of development, I note the ‘Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities’ (DoHLGH – 2024) requires a minimum of 16m separation distance between opposing upper floor level windows which indicates the relatively substantial separation distance between the proposed dwelling and the appellant’s home.
- 7.3.8. While I note that the presence of the new dwelling will invariably impact the appellants experience of their home, I nonetheless do not consider that the proposed development will have an adverse impact on the residential amenity of the appellant’s dwelling. Having regard to the separation distance, the intervening road, the single storey nature of the proposed development and the proposed boundary treatment and planting, I am satisfied that the proposal will not result in undue overlooking, loss of privacy, have an overbearing appearance or result in an unacceptable loss of daylight/sunlight to the neighbouring property.
- 7.3.9. With respect to concerns regarding scenic views, I note there are no designated scenic views or prospects adjacent to the site. While the proposed dwelling may alter the current outlook currently enjoyed from the appellant’s property, I do not consider

that it will have an adverse impact upon the residential amenity of the appellants and as such, I do not consider that the proposed development will result in depreciation in value of the neighbouring property.

7.3.10. The proposed development includes the retention of hedgerows where feasible together with additional planting within the site. I considered these measures will allow the dwelling to integrate within the landscape, soften its visual impact thereby maintaining the rural character of the area. I do not consider that the proposed development will have a significant or adverse visual impact on the surrounding landscape.

7.3.11. While the concerns expressed in the appeal are noted, I am satisfied that the proposed development would not give rise to significant adverse impacts on the residential amenities of neighbouring properties of the visual character of the area.

7.4. Roads and Access

7.4.1. The grounds of appeal raises concerns regarding the adequacy of sightlines to the proposed entrance onto the local road. The appeal contends that the required 3x90m sightline distances cannot be achieved without removal of hedgerow on third-party lands. It is also suggested that reduced sightlines to the north (55m) represent a traffic hazard and would endanger public safety.

7.4.2. I note the applicant has submitted a response to the appeal which provides extensive assessment of the road layout and relevant policies.

7.5. I note that the proposed entrance and sightlines was a matter of concern of the Planning Authority at FI and CFI stages. The Executive Planner formed the view that the proposal did not comply with the Development Plan and the Roads and Parking Standards 2007 and recommended refusal on the basis of substandard sightlines. However, this recommendation was subsequently overturned by the Senior Executive Planner, who concluded that, having regard to the status, width and horizontal alignment of the carriageway, it was unlikely that a material traffic hazard would arise and a refusal on this basis would be unduly onerous. Permission was granted subject to conditions requiring sight distances of 55 to the north-east and 90m to the south-west measured from 3m from the road edge.

7.6. Under Policy Objective DM TRANS 2 of the Development Plan, development will not be permitted where sightlines are inadequate and would give rise to a traffic hazard.

From the documentation submitted, the new entrance will be onto a Local Secondary Road, the carriageway is relatively narrow with hedgerows and boundary treatments constraining forward visibility at sections and the horizontal alignment includes significant bends in proximity to the site. The road primarily serves dispersed rural dwellings and agricultural lands and in my view is unlikely to be characterised by high traffic volumes.

- 7.7. The revised drawings indicate that 55m sightlines area available to the north-east and 90m to the south-west, albeit, the latter is dependent on removal of hedgerow. Notwithstanding, I consider that the approach speeds on this section of the road are likely to be below the default speed limit for a local secondary road having regard to its alignment and rural character. The presence of bends and the generally constrained nature of the route would reasonably limit vehicular speed. The likely traffic generation as a result of the proposed development would be modest in scale and would not lead to or contribute towards intensive use of this section of the local road.
- 7.8. While the proposal does not fully achieve the 90m sightlines as set out in the Roads and Parking Standards 2007, having regard to the specific context of the site location and road alignment, I am satisfied that the proposed development not result in a traffic hazard, obstruction of road users or endanger public safety. I note the Planning Authority included a number of conditions to ensure the development meets the sightlines including treatment to the boundary line and entrance. I consider inclusion of this condition appropriate in the event of a grant of permission.
- 7.8.1. I have also had regard to Policy Objective BNH 28 in respect of hedgerow removal. Any removal required to facilitate sightlines should be kept to a minimum necessary and appropriate mitigation planting can be secured by condition in the event of a grant of permission. I note the Planning Authority's Notification of Grant of Permission included a condition indicating requirement to retain boundary screening and appropriate native species for boundary planting. I consider appropriate to include in the event of a grant of permission.

7.9. **Site Services**

7.9.1. Water Supply

7.9.2. The proposed development will be serviced by a private well. I note concerns set out within grounds of appeal relating to strain on existing water resources and the applicant's subsequent response submitted to ACP. The LCC Notification of a Grant of Permission included a condition requiring the developer to ensure that a clean, potable water supply is provided prior to first occupation which complies with the E.U. (Drinking Water) Regulations, S.I. No. 99/2023. While I acknowledge the concerns of the appellant regarding low ground water supply, subject to ensuring compliance with relevant standards, I have no significant concerns that the proposed development will have an adverse impact upon water supply in the area.

7.9.3. Wastewater Treatment

7.9.4. The proposed development includes a wastewater treatment system and raised percolation area which will be positioned adjacent to the rear boundary to the west of the site.

7.9.5. The landholding (blue line boundary on site plans) is located c. 275m from the River Waterbody Cottoners Brook_010 to the north-east.

7.9.6. The topography of the land site and wider area is generally flat with gentle incline across the area. I note that there is an open drainage ditch located to the east and north boundary (adjoining the road) of the landholding which appears to form part of a wider drainage system to adjoining agricultural fields. The drainage ditch is not indicated as a River Waterbody on EPA mapping. A review of Tailte Éireann mapping, aerial images and historic 6-inch (Last Edition -1837-1842) Black & White and 25 Inch (1888-1913) mapping would appear to confirm the drainage ditch location and suggests it connects to a wider drainage system extending across lands to the east connecting to the River Waterbody Cottoners Brook_010, c. 1.1km down river. The north-east corner of the application site (red line boundary) is c. 28m to the drainage ditch while the wastewater treatment system is c. 100m from the ditch.

7.9.7. Observations received by the Planning Authority expressed concerns that the proposed development may be a health and environmental risk due to the proposed septic tank system. The Grounds of Appeal suggests similar relating to the potential for contaminants to enter the larger river system nearby.

- 7.9.8. The LCC Council Technician report indicated that the proposed secondary treatment system and soil polishing filter was in accordance with EPA Code of Practice. The Planner's Report noted the positive test results.
- 7.9.9. In assessing wastewater treatment proposals, the EPA Code of Practice 2021: "Domestic Wastewater Treatment Systems (Population Equivalent ≤ 10)". (The EPA Code) is the relevant guidance document.
- 7.9.10. The Site Characterisation Form indicates that the estimated Population Equivalent is 6 (PE) for the proposed development based on provision of 4no. bedrooms.
- 7.9.11. The submitted Site Characterisation Form is unclear in categorising the aquifer with both regionally important and locally important indicated with a stated Moderate vulnerability. The Groundwater Protection Response Category is identified as 'R2'.
- 7.9.12. A review of the Geological Survey Ireland mapping indicates that the site is located within an area of High vulnerability and locally important. This appears to differ from the information contained within the Site Characterisation Form. Notwithstanding this, having regard to the Response Matrix for DWWTS detailed in Table E1 of the EPA Code of Practice Domestic Wastewater Treatment Systems, I am satisfied that the site is suitable for wastewater treatment subject to 'normal good practice' based on an R1 Protection Response Category.
- 7.9.13. The depth of the trial hole was 2.4 metres and soil types consisted of brown/grey silt with a blocky structure and firm compactness. The water table was recorded at - 1.4m. The report deemed the site as being suitable. The bedrock was not encountered.
- 7.9.14. In respect of the percolation characteristics of the soil, the subsurface test result is indicated as 29.14min/25mm. The surface test result is stated as 25.81min/25mm.
- 7.9.15. The site visit coincided with a period of heavy rainfall (27th January 2026) and I observed a relatively high amount of water within the drainage ditch albeit, it appeared free flowing and functioning. There was some minor ponding to the lands although in my view is relative to the scale of rainfall.
- 7.9.16. Based on the information contained within the Site Characterisation Form, I am satisfied that the site is suitable for wastewater and percolation works to serve the proposed dwelling.

- 7.9.17. Having considered the separation distances required between the WWTS and relevant adjoining features including watercourse/streams, open drain or drainage ditch, neighbouring dwelling house as per the guidance set out within Table 6.2 of the 2021 EPA Guidelines, I am satisfied that the proposal meets the minimum requirements in respect of same.
- 7.9.18. Based on the information as submitted and the site visit undertaken, I am satisfied that the site can accommodate waste water on site, and that the proposed development would not be prejudicial to public health.

Surface Water Drainage & Flooding

- 7.9.19. The grounds of appeal expressed concerns relating to site flooding and potential for contaminants to reach the larger river system nearby.
- 7.9.20. Map 10.3 of the Development Plan indicates that the subject site is not located within Flood Zone A or Flood Zone B. As such, no site-specific flood mitigation measures are required.
- 7.9.21. Stormwater is proposed to be discharged to a soakaway to the front of the proposed dwelling. The internal and planning departments in LCC did not indicate any objection to the proposed surface water drainage measures. In the event of a grant of permission, I consider it appropriate to include a condition requiring proposed surface water drainage to comply with B.S. 8301:1985 and BRE Digest 365 and ensure that there is no run-off to the public road/adjoining properties/foul system. Based on the separation distance from the drainage ditch, appropriate wastewater treatment and provision of on-site soakage, I am satisfied that the development is unlikely to result in contaminants or untreated wastewater entering the nearby river system.
- 7.9.22. A third-party observation received by the Planning Authority (landowner to the west) highlighted that a concrete pipe traversed the subject lands providing drainage to their land and requested due care of the pipe and secondly, expresses concerns that the piping of any form of the drainage ditch to the east and north could have a negative impact on the drainage of lands. Based on the submitted documentation, I am satisfied that the proposal does include for any amendments to existing drainage infrastructure to the lands.

8.0 AA Screening

- 8.1.1. Screening the need for Appropriate Assessment: Screening Determination (Stage 1, Article 6(3) of Habitats Directive).
- 8.1.2. I have considered the construction of a dwelling with wastewater treatment system and all associated site works, in light of the requirements S177U of the Planning and Development Act 2000 as amended.
- 8.1.3. The Closest European site to the subject site includes the River Barrow and River Nore SAC (Site Code: 002162) located 3.3km to the south-west, Slieve Bloom Mountains SPA (Site Code: 004160) located 7.4km to the south-west, the Mountmellick SAC (Site Code: 002141) located 8.6km to the south-east.
- 8.1.4. No nature conservation concerns were raised in the planning appeal.
- 8.1.5. 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.
- 8.1.6. The reason for this conclusion is as follows:
 - The distance from nearest European site.
 - The small scale and nature of the subject proposal.
- 8.1.7. 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.
- 8.1.8. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

9.0 Recommendation

I recommend that permission be granted for the construction of a bungalow with domestic garage and effluent treatment system based on the below reasons and considerations and subject to the conditions hereunder.

10.0 Reasons and Considerations

Having regard to the location of the subject site within a Structurally Weak Area, where it is an objective of the Laois County Development Plan 2021-2027 to, in general accommodate any demand for permanent residential development subject to meeting normal planning and environmental criteria; to the relevant policy objectives of the Development Plan, including those relating to rural housing, landscape, biodiversity and transportation and protection of the residential and visual amenities; to the guidance contained within Appendix 7 of the Development Plan; to the guidance set out within the EPA's Code of Practice – Wastewater Treatment and Disposal Systems Serving Single Houses (2021); and to the nature and scale, siting and the design of the proposed development which is appropriately proportioned, responds to its rural setting and does not give rise to ribbon housing, it is considered that the proposal is an acceptable form of development at this location. Having further regard to the separation distances provided, existing and proposed boundary and landscape treatments, it is considered that the proposed development would not seriously injure the amenities of the neighbouring properties to the east and north or the character of the area. The proposed development would be acceptable in terms of traffic safety having regard to the low-speed traffic environment where the site is located and default maximum speed. The proposed development would therefore, be in accordance with the proper planning and sustainable development of the area.

11.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by further information submitted on 19/06/2025 and clarification of further information submitted on 25/07/2025 except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The overall site shall be used for domestic-related purposes only, and not for any commercial, workshop, or other non-domestic use.

Reason: In the interests of clarity and to regulate the use of the development in the interest of the proper planning and sustainable development of the area.

3. The Developer shall ensure that electrical vehicle charge points are provided linked to the individual domestic electricity meter.

Reason: To promote the use of renewable energy.

4. (a) Only clean uncontaminated surface water from the development shall be discharged to the surface water system.

(b) The development shall not interfere with or impair the operation of any existing surface water drainage system or land or roadside drainage currently facilitating the application site. No run off shall be allowed on to the public road or adjoining properties.

(c) All surface water shall be collected and disposed of to soakaways or water system designed and constructed in accordance with B.S. 8301:1985 and BRE Digest 365 and provided with inspection manhole covers. No surface water shall be discharged to the foul system.

Reason: To prevent interference with existing land or road drainage and in the interests of proper development and in the interest of sustainable drainage of the catchment.

5. The developer shall ensure that a clean, potable water supply is provided prior to first occupation which complies with the E.U. (Drinking Water) Regulations, S.I. No. 99/2023.

Reason: In the interests of public health, residential amenity and proper planning.

6. (a) Effluent disposal from the proposed development shall be in accordance with the Site Characterisation Form and the Site Suitability Report received by the Planning Authority on 17/06/2025, and the requirements of the EPA, Code of Practice: Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10), 2021.

(b) The developer shall enter a maintenance contract with the manufacturers/suppliers of the wastewater treatment system to ensure satisfactory performance at all times.

(c) The developer shall submit documentary evidence signed by a suitably qualified person holding indemnity insurance (at least €1 million) stating that the wastewater treatment system has been installed in accordance with EPA guidelines.

Reason: To guard against pollution and ensure the proper servicing of the development.

7. (a) The entrance to the site shall be recessed 4.3m behind the front boundary line. Only the recessed space shall be splayed with wing walls, timber fences or stone banks not exceeding 1.2m in height, no other wall shall be constructed to the front roadside boundary. Any external wing walls shall be finished to match that of the proposed dwelling house.

(b) Adequate sight distances of 55 metres due north-east and 90 metres due south west shall be created and maintained in both directions at the site entrance. The sight distances shall be measured from a point 3 metres in from the road edge and from a driver's eye height of 1.05 metres to an object height of 1.15 metres.

(c) All areas forward of the sight splays, excepting access way, shall be grassed up to the metalled edge of the road. No wall, excepting the wing walls for the access, shall be erected as part of the boundary, whether or not such development would constitute 'exempted development' under the terms of the Planning and Development Regulations, 2001 as amended.

(d) Any damage caused to the adjoining public thoroughfare shall be made good at the developer's expense to the satisfaction of the Planning Authority.

Reason: To ensure the provision of an adequate entrance to the development in the interests of traffic safety.

8. (a) Save for that which needs to be removed in order to create the proposed entrance and sightlines, all remaining boundary screening shall be retained and not removed save with the prior written consent of the Planning Authority.

(b) Site boundaries shall be planted with trees/shrubs of species native to the area to form naturalised hedgerows similar to existing native hedgerows in the vicinity.

Species shall include hawthorn, blackthorn, ash, oak, hazel and holly; beech [*fagus sylvatica*] and laurel shall not be used.

(c) Planting shall be carried out in the first planting season following commencement of development.

(d) In the event of tree/hedge failures, these shall be replaced within the following planting season.

Reason: In the interests of visual and residential amenity.

9. (a) During the construction stage of the proposed development, the developer shall comply with the document titled “Best Practice Guidelines for the Preparation of Resource & Waste Management Plans for Construction and Demolition Projects” published by the Environmental Protection Agency.

(b) During the development works, the developer is not to permit any material from the site to be spread or deposited along the public roadway. The developer shall be responsible for maintaining the adjoining public thoroughfare and properties in a neat, tidy and safe condition.

Reason: In the interests of the reduction and best practice management of construction waste from the proposed development, public health, pollution control and traffic safety.

10. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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

David Freeland

02/02/2026

Appendix 1 - Form 1

EIA Pre-Screening [EIAR not submitted]

An Coimisiún Pleanála Case Reference	PL-500234-LS-25		
Proposed Development Summary	The proposed development comprises the construction of a bungalow dwelling, domestic garage and effluent treatment system and percolation area, a new vehicle entrance and all associated works.		
Development Address	Coolagh , Kilcavan , Co. Laois		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? <small>(that is involving construction works, demolition, or interventions in the natural surroundings)</small>	Yes	X	
	No		
2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?			
Yes			EIA Mandatory EIAR required
No	X		Proceed to Q.3
3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?			
	Threshold	Comment (if relevant)	Conclusion
No	N/A		No EIAR or Preliminary Examination required
Yes	10(b)(i): Construction of more than 500 dwelling units.		Proceed to Q.4

4. Has Schedule 7A information been submitted?

No		Preliminary Examination required
Yes		Screening Determination required

Inspector: _____ **Date:** _____

Form 2 - EIA Preliminary Examination

Case Reference	PL-500234-LS-25
Proposed Development Summary	The proposed development comprises the construction of a bungalow dwelling, domestic garage and effluent treatment system and percolation area, a new vehicle entrance and all associated works.
Development Address	Coolagh , Kilcavan , Co. Laois
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	The proposed development comprises the construction of a new dwelling and a new on-site wastewater treatment system. The development comes forwards as a standalone project, does not require the use of substantial natural resources, or give rise to significant risk of pollution or nuisance. The development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change. It presents no risks to human health
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	The site is not located within or immediately adjacent to any designated site. The proposed development would include a private well and installation of a new wastewater treatment system. It is considered that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on a European Site and appropriate assessment is therefore not required.
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	Having regard to the nature of the proposed development, its location removed from sensitive habitats/features, 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.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA

There is no real likelihood of significant effects on the environment.	EIA is not required.
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Inspector: _____ **Date:** _____

Appendix 3

Water Framework Directive Screening and Assessment

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
<p>Step 1: The proposed development comprises the construction of a bungalow dwelling, domestic garage and effluent treatment system and percolation area, a new vehicle entrance and all associated works.</p> <p>Site Area 0.303ha</p> <p>Total floor area of proposed dwelling: 231sqm.</p> <p>An on-site wastewater treatment system with raised percolation area is proposed. It has been demonstrated that the wastewater treatment system will accord with EPA Code such that no untreated wastewater may escape to groundwater.</p> <p>There is a drainage ditch located to northern and eastern boundaries (adjoining the roadway).</p>			
An Bord Pleanála ref. no.	500234-LS-25	Townland, address	Coolagh , Kilcavan , Co. Laois
Description of project		The proposed development comprises the construction of a bungalow dwelling, domestic garage and effluent treatment system and percolation area, a new vehicle entrance and all associated works.	
Brief site description, relevant to WFD Screening,		<p>The topography of the site is generally flat. The landholding is located c. 275m from the River Waterbody Cottoners Brook_010 (Code: IE_SE_14C150500).</p> <p>The proposed dwelling will be positioned near centre within the site being setback from the public road. A private water well and soakway are proposed to the front (east) of the dwelling while the wastewater treatment system and percolation area will be positioned towards the rear (west) of the site.</p>	

	<p>The site forms part of a larger field. The wider area is generally agricultural fields interspersed with rural one-off dwellings. There is an existing drainage ditch to the east and north boundaries of the subject land which would appear to form part of a wider network of drainage ditches serving the agricultural lands in the area. The drainage ditch not indicated as a River Waterbody on EPA mapping. Historic 6-inch (Last Edition -1837-1842) Black & White and 25 Inch (1888-1913) mapping would appear to suggest it connects to a wider drainage system extending across lands to the east connecting to the River Waterbody Cottoners Brook_010 c. 1.1km to the south-east.</p> <p>The Site Characterisation Report indicated the water table at -1.4m below ground level and the site is located within an area with a high vulnerable aquifer.</p>
Proposed surface water details	Soakaway proposed to front of dwelling indicated on site layout plan.
Proposed water supply source & available capacity	Private well. Location indicated on site layout plan to front of dwelling.
Proposed wastewater treatment system & available capacity, other issues	It is proposed to install a secondary treatment system and soil polishing filter.
Others?	No.
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection	

Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)
River Waterbody	90m to the north	Cottoner Brook_010 (Code: IE_SE_14C150500)	Moderate	Review.	No pressures.	Surface run-off and groundwater.
Groundwater Waterbody	Underlying site	Portlaoise (Code: IE_SE_G_107)	Good	Not at risk.	No pressures.	Surface run-off and groundwater.

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
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							'uncertain' proceed to Stage 2.
1.	Surface	Cottoner Brook_010 (Code: IE_SE_14 C150500)	Via drainage ditch and land sloping towards watercourse on site and adjacent lands	Hydrocarbon spillages	Standard construction practice	No	Screened out
2.	Ground	Portlaoise (Code: IE_SE_G_107)	Pathway exists	Hydrocarbon spillages	As above	No	Screened out
OPERATIONAL PHASE							
3.	Surface	Cottoner Brook_010 (Code: IE_SE_14 C150500)	Via drainage ditch land sloping towards watercourse on site and adjacent lands	Surface Water to watercourse WWTS discharge to groundwater	Standard Construction Measures / Conditions	No No	Screened out
4.	Ground	Portlaoise (Code: IE_SE_G_107)	Pathway exists	WWTS discharge to groundwater	Standard Construction Measures / Conditions	No	Screened out

DECOMMISSIONING PHASE							
5.	NA						
STAGE 2: ASSESSMENT							
Details of Mitigation Required to Comply with WFD Objectives							
Groundwater							
Development/Activity e.g. abstraction, outfall, etc.	<u>Objective 1: Groundwater</u>	<u>Objective 2 : Groundwater</u>	<u>Objective 3:Groundwater</u>			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)	
	Prevent or limit the input of pollutants into groundwater and to prevent the deterioration of the status of all bodies of groundwater	Protect, enhance and restore all bodies of groundwater, ensure a balance between abstraction and recharge, with the aim of achieving good status*	Reverse any significant and sustained upward trend in the concentration of any pollutant resulting from the impact of human activity				

	Describe mitigation required to meet objective 1:	Describe mitigation required to meet objective 2:	Describe mitigation required to meet objective 3:	
Development Activity 3: Operation phase, surface water	Required to demonstrate proposed WWTP and soil polishing filter to comply with EPA Code as potential transmission via groundwater to watercourses	Required to demonstrate proposed WWTP and soil polishing filter to comply with EPA Code.	WWTP to EPA Code.	Yes
Development Activity 4: Operation phase, groundwater	Required to demonstrate proposed WWTP and soil polishing filter to comply with EPA Code	Required to demonstrate proposed WWTP and soil polishing filter to comply with EPA Code.	WWTP to EPA Code.	Yes

