



An  
Coimisiún  
Pleanála

## Inspector's Report PL-500246-RN-25

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<b>Development</b>	Construction of a house and garage with connection to effluent treatment system together with associated site works.
<b>Location</b>	Altore, Ballinlough, Co. Roscommon.
<b>Planning Authority</b>	Roscommon County Council.
<b>Planning Authority Reg. Ref.</b>	259.
<b>Applicant(s)</b>	Declan & Janette Kirrane.
<b>Type of Application</b>	Permission.
<b>Planning Authority Decision</b>	Refuse Permission.
<b>Type of Appeal</b>	First Party Normal Planning Appeal.
<b>Appellant(s)</b>	Declan and Janette Kirrane.
<b>Observer(s)</b>	None.
<b>Date of Site Inspection</b>	6 <sup>th</sup> February 2026.
<b>Inspector</b>	C. Daly.

## 1.0 Site Location and Description

- 1.1. The subject site, of area 0.312ha., is rectangular in shape with the narrow side facing the road and it consists of the western side of an agricultural grass field. It is located along a local laneway in the rural townland of Altore. There are overhead wires traversing the site and there is a pole along the western boundary and within the front boundary close to the south-west corner of the site. The front and side western boundary consist of hedgerow.
- 1.2. The site is diagonally opposite a derelict dwelling and a more modern farm shed. The rural site is c.1.1km south-west of the village of Garranlahan.

## 2.0 Proposed Development

- 2.1. The proposed development, in summary, consists of the following:
  - Two storey dwelling of 225sqm with pitched roof and rear side garage with pitched roof with gable facing the front of the site.
  - New vehicular entrance and wing walls.
  - On-site wastewater treatment system and percolation area.

## 3.0 Planning Authority Decision

### 3.1. Decision

Roscommon County Council initially decided to request further information in relation to a revised Site Characterisation Report and proposals that will meet the EPA Code of Practice, concerns in relation to the assimilation of the development into the landscape setting with a suggested focus on reducing the scale and massing of the proposal, a pre-connection enquiry form from Uisce Eireann for water supply, demonstration of required 90m sightlines, a comprehensive landscaping plan and a letter from the relevant utility provider in relation to the overhead power lines confirming no objection or that they can be relocated.

Following the receipt of further information, the P.A. decided to refuse permission for one reason related to failure to demonstrate compliance with the EPA Code of Practice.

## **3.2. Planning Authority Reports**

### **3.2.1. Planning Reports**

The initial Planner's Report noted concerns in relation to the impact on visual amenity and recommended that a revised composition which references rural forms referenced in Section 6.3 of the County Roscommon Rural Design Guidelines, scale and massing consideration of Sections 6.7 to 6.11 and Section 7 regarding detailing of the guidelines.

It noted the proposed water supply via the public mains and noted a requirement for proof that a connection is feasible. It noted that the Site Characterisation Report for the wastewater treatment system concluded that the separation distance to bedrock is not met. It noted that sightlines were not demonstrated and that these may require works on other lands. It noted issues in relation to overhead power lines traversing the site. It recommended that further information be requested as noted in Section 3.1 above.

The second Planner's Report noted the revised Site Characterisation Report and that the separation distance to groundwater of 2m would not be met which would fail to meet Table 6.3 of the EPA Code of Practice. Refusal of permission was recommended accordingly given that the time for further information was limited. It noted that further design revision would be required particularly to address the depth of the dwelling and that such concerns are not of a nature that merits refusal.

The submission of a confirmation of feasibility of the connection from Uisce Eireann was noted to be satisfactory. It noted the demonstrated sightlines to be acceptable. The landscaping plan and letter from ESB networks confirming their agreement to remove any overhead lines were considered acceptable.

### **3.2.2. Other Technical Reports**

- Area Engineer: No report received.

- Environment Department: Noted the extreme groundwater vulnerability and the groundwater protection response of R2(2) which raises the required separation distance to bedrock to 2m below the point of infiltration per Table 6.3 of the EPA Code of Practice. Further information was requested. Following F.I. the second report noted the failure to meet the relevant requirements and recommended requesting C.F.I..

### 3.3. Prescribed Bodies

- Uisce Eireann: No report received.

### 3.4. Third Party Observations

None.

### 4.0 Planning History

None.

### 5.0 Policy Context

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

Chapter 2 – Core Strategy and Settlement Policy

Section 2.7 – Settlement Strategy

Policy Objective CS 2.18

*Ensure that the countryside continues to play its role as a place to live, work and visit, and that appropriate development is facilitated having careful regard to the carrying capacity and environmental sensitivity of the rural area.*

Chapter 3 – People, Places and Housing

- Section 3.10 Rural Area Types

Table 3.1 provides for two rural area types and the subject site is within Rural Policy Zone B (Remaining Rural Areas) which excludes “lands within the boundary of the Lough Key Area Plan (contained in Volume II). The Lough Key

*Area Plan sets out the rural housing policy and criteria applicable in each of the identified rural zones in the Area Plan”.*

#### Chapter 7 – Infrastructure, Transport and Communications

- Section 7.8 Water Services

*Policy Objective ITC 7.46 ITC 7.46 Ensure that private wastewater treatment plants, where permitted, are operated in compliance with EPA’s Code of Practice Wastewater Treatment and Disposal Systems Serving Single Houses (PE. ≤10) (2009), as may be amended.*

#### Chapter 12 – Development Management Standards

- Section 12.7 Rural House Design Considerations
- *The Design Guidelines are structured to explain and provide an insight into rural design concepts, and covers the following areas:*
  - *Landscape Character — what gives our rural areas their unique character and how do we preserve this character through new development;*
  - *Our Place in the Landscape — exploring the settlement patterns and vernacular typologies;*
  - *Siting and Integration — how we can integrate development with the landscape;*
  - *Re-use, re-organise, re-place — how can existing buildings be used to their full advantage and how can you design top quality replacement houses;*
  - *New Build — designing new buildings to fit the landscape;*
  - *Adding the detail — what features should be incorporated into the final design;*
  - *Building for the Future — how do you improve the environmental standards of development in order to minimize costs and impacts on the surrounding environment.*

*Within each section the key principles of quality design and sustainable development are clearly explained, along with points to consider when replacing, extending, designing and siting buildings.*

*The Guidelines promote a site specific response to design, in which the initial step is to select a site and only then devise a design appropriate to the characteristics of the site. The design response is required to site specific.*

*A Visual Impact Statement is required to be submitted with applications in some of the more sensitive landscapes of the county, as highlighted in the Landscape Character Assessment which accompanies this Plan*

- Section 12.24 Roads and Transportation

#### *Accessibility and Sight Lines*

*Safe unobstructed sight distances should be provided and maintained thereafter from vehicular entrances onto the road network. Sight lines shall be provided as follows:*

<b>Road Status</b>	<b>X</b>	<b>Y</b>
National Road	3	215
Regional Road	3	160
Local Road	2.4	90

## **5.2. Natural Heritage Designations**

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

- c.1.5km east of Attishane Turlough PNHA (site code 001618).
- c.2.5km north-west of Coolcam Turlough SAC and PNHA (site code 000218).
- c.2.55km north-east of Lough Corrib SAC (site code 000297).
- c.4km north-west of Wiliamstown Turloughs SAC (site code 002296).
- c.4.4km north-west of Croaghill Turlough SAC and PNHA (site code 000255).
- c.4.9km west of Lough Namucka Bog NHA (site code 000220).

- c.6km south-west of Lough O' Flynn PNHA (site code 001645).
- c.8.5km south of Carrowbehy/Caher Bog SAC and PNHA (site code 000597).
- c.8.6km west of Moorfield Bog/ Farm Cottage NHA (site code 000221).
- c.9.2km north-west of Bracklagh Bog NHA (site code 000235).
- c.9.4km south-west of Cloonchambers Bog SAC and PNHA (site code 000600).
- c.9.8km west of Corliskea/Trien/Cloonfelliv Bog SAC and PNHA (site code 002110).

## 6.0 The Appeal

### 6.1. Grounds of Appeal

The grounds of the first party appeal on behalf of Declan and Janette Kirrane can be summarised as follows:

- The refusal reason in relation to the EPA site characterisation form was addressed following the request for additional information.
- A new strengthened EPA report has been provided with the appeal including a revised site layout plan to address the refusal reason.
- The applicants are happy to comply with any condition requiring the screening of the site.

## 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

- Wastewater Treatment
- Other Matters

## 7.2. Principle of Development

- 7.2.1. Noting the site location outside of a rural area under urban pressure within an area designated as a “remaining rural area” per Section 3.10 (Rural Area Types), there is no requirement for the applicant to demonstrate a rural housing need. Accordingly, subject to the below assessment, I consider the principle of a residential development on the site to be acceptable. I also note that the application documentation state that the applicants run the family farm directly across from the site.

## 7.3. Design

- 7.3.1. I note that Section 12.7 (Rural House Design Considerations) of the CDP is applicable whereby new dwellings should be designed and sited to integrate with the landscape. I note that the dwelling design is for a two storey pitched roof dwelling with windows of appropriate vertical emphasis. I note that the revised dwelling design with a floor area of 225sqm would have a ridge height of 8m. The dwelling width would be 13.5m. The P.A., while not recommending a refusal reason in relation to the design, had issues with the plan depth and considered that further revisions were required to the design which would have been requested by way of C.F.I. if time had not been so limited.
- 7.3.2. I note the design of significant width, and two storey height, would be of a relatively large scale for the site. While it seeks to follow the form of a vernacular rural farmhouse, I note that such houses were typically one room deep and consisted of three bays across the frontage. The proposed dwelling would be two rooms deep and wider than a traditional rural farmhouse dwelling. In my opinion it would be excessively scaled and visually prominent in the local landscape, particularly from the west, south and north, which consists mainly of open grass fields and some agricultural buildings. I do not envisage a way in which the scale of the dwelling could reasonably be reduced by condition.

- 7.3.3. I note there are mature trees to the east which would limit the visibility from that direction. While noting the proposed landscaping scheme, including hawthorn planting for the western boundary and fuchsia magellanica for the northern boundary, I do not consider that it would appropriately mitigate the visual impact of the dwelling which in my view would not be of an appropriate scale for the site. I note particularly the two storey height and the failure to break up the wide façade of the dwelling in this regard. I recommend that permission be refused in relation to excessive scale, visual impact on the rural setting and failure to integrate with the landscape contrary to policy.
- 7.3.4. I note that the pitched roof garage to the rear/side of the dwelling would be subservient in scale to the dwelling with a ridge height of 5.892m and a floor area of 57sqm. Should permission be granted I recommend a condition be included to require the garage be used for domestic purposes only.

#### **7.4. Wastewater Treatment**

- 7.4.1. In relation to the proposed waste treatment system to be located to the rear of the dwelling, together with percolation bed, I note that an updated Site Characterisation Form has been submitted with the appeal. Per this report I note the Regionally Important Karstified aquifer with high vulnerability and the bedrock type of viséan limestone and calcareous shale. I note the trial hole depth of 2.4m with bedrock encountered at this depth. Above this the topsoil was noted to be unsaturated and below there was sand with silt and gravel.
- 7.4.2. I note the subsurface percolation value is 17.5 and the surface percolation value is 22.5. The report noted that the depth of unsaturated soil and/or subsoil beneath the invert of the gravel would be 1.8m. It noted the R2(2) groundwater protection response whereby a 1.2m separation distance is required above the bedrock and that 1.8m would be provided to further protect the groundwater.
- 7.4.3. In relation to the EPA's Code of Practice Wastewater Treatment and Disposal Systems Serving Single Houses (PE. ≤10) (2021), I note that per Table 6.4 given the percolation values, the proposed tertiary treatment system and infiltration area is suitable. I note that the required minimum separation distances of Table 6.2 would be met. In relation to Table 6.3 of the EPA Code, for a groundwater protection

response of R2(2), I note the minimum depth required is 1.2m and that this would be exceeded given the 1.8m depth proposed.

- 7.4.4. The commentary in the report in relation to the selected WWTS states that “*as percolation values are close to the top of 3-20 the percolation calculation to use [is] the 21-40 values to ensure the polishing filter is over sized to protect groundwater considering the R2(2) response*” and that “*1.8 meters is provided in the design to further protect groundwater*”. This appears to be the rationale on which the appeal is based.
- 7.4.5. I note that the P.A. referred to Section 5.4.2 of the EPA Code of Practice which noted as bedrock was recorded at 2.4m below ground level this raises the groundwater vulnerability to R2(2). It notes therefore a requirement for a 2m separation distance to bedrock below the point of infiltration. However, I note that per Table 6.3 of the EPA Code that the 2m separation distance applies to percolation trenches following septic tanks.
- 7.4.6. In this case however a polishing filter following tertiary system is proposed where the minimum depth required is 1.2m. Accordingly, I consider that the applicant has demonstrated compliance with the EPA Code of Practice as required. I consider that this would accord with Policy Objective ITC 7.46 to ensure that private wastewater treatment plants, where permitted, are operated in compliance with EPA’s Code of Practice Wastewater Treatment and Disposal Systems Serving Single Houses (PE. ≤10) (2021). Therefore, I recommend the P.A. reason for refusal not be upheld.

## 7.5. **Other Matters**

- 7.5.1. In relation to the new vehicular access, contrary to the site layout plan depiction, I note that 70m sightlines cannot be achieved in either direction from the proposed entrance given that the laneway turns to the west and given its limited width to the east. However, given the narrow width of the laneway with limited forward visibility in the vicinity of the site, I note that traffic speeds are low on it. I note that the western end of the front boundary would be removed and the new boundary would be located further back and that this would open up sightlines of 65m in both directions. In my view this would be more than sufficient given the low traffic speeds achievable on the lane.

- 7.5.2. In relation to water services which would be provided from the public network, I note the submitted Uisce Éireann Pre-Connection Enquiry form and which connection is feasible such that, should permission be granted, I recommend a standard condition in relation to same.
- 7.5.3. In relation to drainage matters, I note the Storm Water Management Report submitted and which provides details of the soakaway design. This would be located to the front side of the dwelling. Subject to a standard condition to ensure SUDS measures are provided, I am satisfied that surface water drainage can be adequately dealt with on the site.
- 7.5.4. In relation to the overhead power lines, should permission be granted I recommend a standard condition in relation for same.

## **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 AA Screening**

- 9.1. I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located c.2.5km north-west of Coolcam Turlough SAC (site code 000218) and c.2.55km north-east of Lough Corrib SAC (site code 000297), the nearest European sites.
- 9.2. The proposed development comprises construction of a house, garage and on site wastewater treatment system. No nature conservation concerns were raised in the planning appeal.

9.3. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.

9.4. The reason for this conclusion is as follows:

- The relatively small-scale nature of the development.
- The distance from the nearest European site and lack of ecological connections thereto.
- Taking into account the screening determination by the P.A..

9.5. 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.

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

## 10.0 **Water Framework Directive**

10.1. The subject site is located c.108 m north of the Cloonfad\_010 (IE\_WE\_30C110300) river waterbody (status “poor”), and is above the Clare-Corrib (IE\_WE\_G\_0020) ground waterbody (status “good”). The proposed development comprises one dwelling and a garage.

10.2. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seeks to protect and, where necessary, restore surface and ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

10.3. The reason for this conclusion is as follows:

- The relatively small-scale nature of the development and compliance with the EPA Code in relation to the on-site wastewater treatment system.

- The distance from the nearest surface water bodies.

10.4. I conclude on the basis of objective information, that the proposed development would 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 jeopardize any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

## 11.0 Recommendation

11.1. I recommend that permission be refused.

## 12.0 Reasons and Considerations

1. Having regard to Section 12.7 (Rural House Design Considerations) of the Roscommon County Development Plan 2022-2028, it is considered that the scale of the dwelling would be excessive for the site, would be visually obtrusive and would fail to integrate with the local rural landscape. The proposed development would therefore be out of character with the area and would 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

27<sup>th</sup> February 2026

## Appendix 1

### Form 1 – EIA Pre-Screening

<b>An Coimisiún Pleanála Case Reference</b>	PL-500246-RN-25		
<b>Proposed Development Summary</b>	Construction of a house and garage with connection to effluent treatment system together with associated site works.		
<b>Development Address</b>	Altore, Ballinlough, Co. Roscommon.		
<b>1. Does the proposed development come within the definition of a ‘project’ for the purposes of EIA?</b> (that is involving construction works, demolition, or interventions in the natural surroundings)	<b>Yes</b>	X	
	<b>No</b>		
<b>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?</b>			
<b>Yes</b>			EIA Mandatory EIAR required
<b>No</b>	X		Proceed to Q.3
<b>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]?</b>			
		<b>Threshold</b>	<b>Comment (if relevant)</b>
<b>No</b>			
<b>Yes</b>	X	Part 2, Class 10(b)(i). Threshold: Construction of more than 500 dwelling units.	Proceed to Q.4

**4. Has Schedule 7A information been submitted?**

<b>No</b>	X	<b>Preliminary Examination required</b>
<b>Yes</b>		<b>Screening Determination required</b>

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

## Appendix 2

### Form 2 – EIA Preliminary Examination

<b>Case Reference</b>	PL-500246-RN-25
<b>Proposed Development Summary</b>	Construction of a house and garage with connection to effluent treatment system together with associated site works.
<b>Development Address</b>	Altore, Ballinlough, Co. Roscommon.
<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>  One new dwelling of total 225sqm on a site area of 0.312ha in a rural area.
<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>  The rural area includes some agricultural sheds and agricultural lands otherwise in the vicinity. There are no sensitive environmental receptors 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>  Modest scale and domestic nature of the development would give rise to no significant environmental effects on the site or in the vicinity.

<b>Conclusion</b>			
<b>Likelihood of Significant Effects</b>		<b>Conclusion in respect of EIA</b>	
There is no real likelihood of significant effects on the environment.		EIA is not required.	

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

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

(only where Schedule 7A information or EIAR required)