



An
Coimisiún
Pleanála

Inspector's Report PL-500456-MN-25

Development	Construction of 51 dwellings.
Location	Drumconrath Road, Magheross, Carrickmacross.
Planning Authority	Monaghan County Council
Planning Authority Reg. Ref.	2460437
Applicant(s)	Tullyagan Properties
Type of Application	Planning Permission
Planning Authority Decision	Refuse permission
Type of Appeal	First Party Normal Planning Appeals
Appellant(s)	Tullyagan Properties
Observer(s)	Shane & Roisin Fitzsimons Brian & Cathy Rushe Mariesa Rushe ('Ardee/Drumconrath Road Residents Association') Pat & Marie Fitzgerald; Leo Murphy & Jacinta MacAree-Murphy
Date of Site Inspection	28 th April 2026
Inspector	Dan Aspell

1.0 Site Location and Description

- 1.1.1. The site is located at Drumconrath Road, Magheross, Carrickmacross. It comprises an agricultural field, and sections of Ardee Road (L-4291) and Drumconrath Road (L-4800) (Also referred to as Drumcondra Road). The application red line area is stated as 2.26ha (with the area excluding the public road stated as 1.92ha).
- 1.1.2. The field is accessed from Drumconrath Road. There is a footpath on the eastern side of Drumconrath Road across from the site, but none on the western side. Main Street Carrickmacross is approximately 1.2km walk to the north-west. The site access is within a 60kmh zone. There is a petrol filling station access along Drumconrath Rd. approx. 42m to the south. There is also a private bus depot access along Drumconrath Rd. approx. 130m to the south.
- 1.1.3. A row of 10 no. detached dwellings back onto the field from the north-east. The 'Highfield' housing estate is to the north-west. There is a detached dwelling to the south-east. Agricultural fields are to the west.
- 1.1.4. The topography of the field and immediate area is elevated above Ardee Road and the Drumconrath Road and slopes down generally to the east and south toward the adjacent roads.
- 1.1.5. The field boundaries along the south-east, south-west and north-west of the site generally comprise mature hedgerows. The field boundary to the north-east generally comprises fences and planted hedges. There are electricity lines across the site.

2.0 Proposed Development

- 2.1.1. The development comprises generally 51 no. detached and semi-detached houses, as well as realignment of Drumconrath Road to accommodate a new vehicular entrance, provision of a footpath, pedestrian crossing, and traffic calming measures.
- 2.1.2. The case files indicates the applicant submitted a Landscape Plans Report, Quality Audit (Stage 1/2 Road Safety Audit (RSA)), Engineering Statement, Traffic Impact Report, outdoor lighting report, Design Statement, Hydrogeological Risk Assessment and accompanying architectural, engineering and landscape drawings.

2.1.3. In response to further information the case file indicates the applicant submitted a Construction & Demolition & By-Products Management plan, engineering, architect, and planning consultant response letters; a Quality Audit Report Addendum, outdoor lighting report, Surface Water & Groundwater Management Plan, Traffic & Transport Assessment Report, drawings, and related documents.

3.0 Planning Authority Decision

3.1 Decision

3.1.1. Monaghan County Council issued a notification to refuse permission for 5 no. lengthy reasons, summarised as follows:

- Reason 1: Refusal reason references Section 15.23 'Road Access Standards' and Section 15.23.4 'Visibility Arrangements at the Access' of the Monaghan County Development Plan 2025-2031. It also references Section 4.4.5 'Visibility Splays', Table 4.2 'SSD Standards', Figure 4.63, Section 4.4.5 'Visibility Splays' and Figure 4.63 of the Design Manual for Urban Roads & Streets (DMURS).
- The reason states that the visibility splay to the north of the proposed access, drawn to the centre line of the road as proposed is unacceptable, given the proximity of the proposed entrance to the Ardee/Drumconrath Road junction, the curvature of road between proposed entrance and the Ardee/Drumconrath Road junction, and the potential for views in a northerly direction to be obscured by traffic waiting at the proposed traffic lights.
- It states that furthermore, the visibility splay to the north of the proposed access has not been drawn tangential to the curve of the road centre line, in accordance with Section 4.4.5 'Visibility splays' of DMURS and Section 15.23.4 'Visibility Arrangements at the Access' and associated Figure 15.3 'Visibility Splays for Access on the Outside of Bend'.
- It states that consequently the proposal is deemed to be unacceptable and would endanger public safety by reason of traffic hazard, be contrary to the Monaghan County Development Plan 2025-2031 and the Design Manual for Urban Roads & Streets (DMURS), and to the proper planning and sustainable development of the area;

- Reason 2: Refusal reason 2 refers to Section 15.23.1 'Visibility Splays Agreement' of the Monaghan County Development Plan. The reason states that the required visibility splays for the proposed access encroaches on third party lands and the applicant has failed to clearly demonstrate that clear and unobstructed visibility splays of 2.4 metres by 65 metres can be provided within the applicant's control, to the nearside edge in both directions at the proposed access onto the local primary road L-4800, as the necessary legal agreements have not been submitted. It states that consequently the proposal is deemed to be unacceptable as it would, if permitted, be contrary to the Development Plan and DMURS, endanger public safety by reason of traffic hazard, and be contrary to the proper planning and sustainable development of the area;
- Reason 3: Refusal reason 3 states that the proposals for pedestrians/cyclists associated with the proposed development travelling to and from Carrickmacross Town Centre to navigate a series of separate crossing points (both uncontrolled and controlled) along the proposed pedestrian route does not align with pedestrian desire lines to the north of the proposed access along the western side of the L-4800. It states that consequently the proposal is unacceptable as it would, if permitted, endanger public safety by reason of traffic hazard, be contrary to the Development Plan and the DMURS, and thus be contrary to the proper planning and sustainable development of the area;
- Reason 4: Reason 4 states that the traffic volumes associated with the junction of the Ardee Road (L-4291) and Drumconrath Road (L-4800) would not warrant the installation of both traffic lights and signal-controlled crossing point at this junction, and thus the applicant has failed to provide clear and sufficient justification for installing both traffic lights and signal-controlled crossing point at this junction. It states that consequently the proposal to install both traffic lights and signal-controlled crossing point at the junction of the Ardee Road (L-4291) and Drumconrath Road (L-4800) would interfere with the free flow of traffic at this junction, particularly along the Ardee Road and thus would not be in the interests of the proper planning and sustainable development of the area;
- Reason 5: Reason 5 refers Monaghan County Development Plan 2025-2031 Policy LCP 1 and Section 15.22.4. The reason states the applicant failed to submit a landscape plan which details proposals for planting within and along the

boundaries of the site and for the screening of private residential amenity areas. It states that consequently the applicant failed to demonstrate that the development as proposed will not result in the loss of the residential amenity of existing adjoining properties, that the privacy of the proposed residential properties will be provided, and that the proposed development will be of an appropriate visual amenity in terms of plot boundary treatments. It states that therefore, to permit the development as proposed would be contrary to the Development and the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning report: The Planner report recommended refusal, summarised as follows:

- General: Report was prepared following receipt of further information and carried out in context of the Monaghan County Development Plan 2025-2031, which came into effect during the course of the application;
- Zoning: Site is zoned 'Residential A' in Development Plan 2025-2031 where residential use is permitted. The principle of development is acceptable;
- Layout: The layout, apart from the revised access arrangements, was unchanged from the further information submitted under previously refused application 23/60218. The layout is considered acceptable in terms of surface treatments, garden sizes, footpath provision and open space provision; dwelling mix and density (approx. 25 upha);
- Residential amenity: The proposed dwellings meet required separation distances. Location of single-storey units at the boundary with existing dwellings to the north-east is noted. Planning Authority is satisfied there would be no overlooking or loss of privacy for existing / proposed residents;
- Open space: Proposal complies with Development Plan Section 15.8.12 and Compact Settlement Guidelines regarding public open space (having regard to revised 2.26ha site area);
- Part V: Revised internal layout drawings are acceptable;
- Water & drainage: Uisce Éireann confirmed feasibility subject to a c.80m watermain extension funded by the developer. A site-specific surface and

groundwater management plan, construction & demolition plan, and water protection checklist were submitted. The Environment Section raised no objections subject to standard conditions;

- Lighting: Revised lighting details submitted. Lighting Section raised no objection. Standard lighting conditions to apply;
- Landscaping: Landscape drawing (Drawing No. 7486 L1101) referenced throughout the application was not successfully submitted by the applicant, despite two attempts. Report considered that this omission could not be addressed by condition as the details were necessary to assess the level of screening proposed for adjoining residential properties and to resolve conflicts between the Quality Audit and submitted landscaping details. This assessment formed a basis for refusal;
- Road access: The principal revision in response to further information was noted as being the replacement of the proposed Drumconrath Road realignment with a signalised junction at the Ardee Road/Drumconrath Road junction, a signal-controlled pedestrian crossing and an uncontrolled raised pedestrian crossing at the site entrance. Roads Design Section and Municipal District Engineers reviewed the revised proposals and recommended refusal;
- Visibility splays: The required visibility splay to the north (2.4m x 65m, given the 60kph design speed on a bus route) was not demonstrated to be achievable without encroaching on third-party lands, and no legal agreements were submitted as required by Development Plan Section 15.23.1;
- Visibility splays: The visibility splay to the north was drawn to the road centre line rather than the nearside road edge, and was not drawn tangential to the curve of the road centre line as required by Development Plan Section 15.23.4 and Figure 15.3;
- Pedestrians: The proposed pedestrian route does not align with natural desire lines to the north along the western side of the L-4800;
- Traffic volumes: The traffic volumes at the Ardee Road/Drumconrath Road junction were not considered to warrant the installation of traffic lights and a

signal-controlled crossing, and the proposal would interfere with the free flow of traffic on the Ardee Road;

- Recommendation: Report recommended refusal on 5 no. grounds (visibility splays (design); visibility splays (third-party land); pedestrian route alignment; unjustified traffic signals; and failure to submit a landscape plan).

Other Technical Reports

3.2.2. Roads Section: Report in response to further information recommended refusal, summarised as follows:

- Visibility splays: The visibility splay to the north has not been drawn/ shown/ extended tangential to the curve of the centre line road marking as per Figure 15.3 of the Monaghan County Development Plan.
- Third-party lands: The submitted drawings illustrate the sight visibility splays in both directions transverse third party lands which contain obstructions to the required sight visibility splays. There is no legal agreement submitted to allow removal of any obstructions.
- Pedestrians: The proposed pedestrian route is not aligned with the desire line for pedestrians travelling from the development to the town centre.
- Junction proposal: The applicant has failed to demonstrate a clear justification for installing permanent Traffic Lights at the junction of the Ardee Road (L-4291) and Drumconrath Road (L-4800).
- Visibility: The applicant has shown the visibility splay in the northern direction to the road centre line as opposed to the near side road edge as per Figure 4.63 in the Design Manual for Urban Roads and Streets. There are concerns that this approach may not be appropriate in this scenario.

3.2.3. Municipal Engineer: Report in response to further information recommended refusal, summarised as follows:

- Visibility splays: Applicant failed to clearly demonstrate that clear and unobstructed visibility splays of 2.4 by 49 metres can be provided in both directions at the proposed entrance onto the local primary road L-4800;

- Third party lands: No consent letter has been obtained from local authority regarding red boundary ownership along L-4921 road on north side of site. No legal agreements have been submitted for the maintenance/ removal/ relocation of the third-party hedgerow and other obstructions to the visibility splays;
- Pedestrians: The proposed pedestrian route is not aligned with the desire line for pedestrians travelling from the development to the town centre;
- Traffic: There is no traffic capacity analysis and signal junction analysis submitted for the traffic lights shown on the applicant drawing.

3.2.4. Public Lighting: Report in response to further information stated no objection.

3.2.5. Environmental: Further Information report stated to objection subject to conditions (construction & demolition, waste and surface water management).

3.2.6. Housing: Report sets out comments on boundary trees, internal dwelling layout, and recommends standard conditions.

3.3. **Prescribed Bodies**

3.3.1. Uisce Eireann: Further Information requested for submission of a Confirmation of Feasibility Letter, and for standard conditions to be attached.

3.4. **Third Party Observations**

3.4.1. During the planning application stage xxx observers made submission to the planning authority. These were Danny Collins, John Hughes, James Finnegan, Shane & Roisin Fitzsimons, Brian Carson, James McNally, Leo Murphy & Jacinta McAree-Murphy, Cathy Rushe and Brian Rushe, Pat & Marie Fitzgerald, Mariesa Rushe (referred to as Ardee/Drumconrath Road Residents Association Secretary).

3.4.2. A large number of issues were raised, including: pedestrian safety; bus movements; junction safety; road layout & design; traffic; road width; deficient RSA; road visibility; land ownership; residential amenity (overlooking, privacy, light, overbearance, noise and rodents); housing mix & density; open space; local character & amenity, boundaries; trees; hedge maintenance; drainage; local infrastructure; flood risk on neighbouring lands; water table; ground stability; compliance with Development Plan;

housing requirement & local needs; overhead power lines; construction impacts; previous reason for refusal; loss of property value; and accuracy of drawings.

4.0 Relevant Planning History

4.1. Subject site

- 4.1.1. Reg. Ref. 2360218: Planning Permission refused by the Planning Authority for 50 no. dwelling units to consist of 22 no. 2 bed 2 storey semi-detached houses, 8 no. 2 bed semi-detached bungalows houses, 10 no. 3 bed 2 storey semi-detached houses, 8 no. 4 bed 2 storey semi-detached house and 2 no. 5 bed 2 storey detached houses, new vehicular entrance and all associated site development works.
- 4.1.2. The application was refused for 2 no. reasons. That application was assessed in the context of the 2019-2025 County Development Plan. The first reason stated generally that the applicant failed to clearly demonstrate clear and unobstructed visibility splays of 2.0m by 45m in both directions, and that consequently the proposal would endanger public safety. The second reason was on grounds that the applicant failed to submit a hydrogeological assessment and as such it could not be determined what impact the development would have on the water environment. The decision was not appealed.

4.2. Nearby sites:

- 4.2.1. None relevant.

5.0 Policy Context

5.1. Relevant National & Regional Policy / Ministerial Guidelines

Sustainable Residential Development & Compact Settlements 2024 and Appendices, incl. Sections 3.3 and 3.4.

Ireland's 4th National Biodiversity Action Plan 2023-2030, incl. Objectives & Targets.

Regulation of Commercial Institutional Investment in Housing Guidelines for Planning Authorities 2023.

Design Manual for Urban Roads & Streets (DMURS) 2019, incl. Section 4.4.5 'Visibility Splays', Table 4.2 'SSD Standards', Figure 4.63, Section 4.4.5 'Visibility Splays' and Figure 4.63.

TII publications DN-GEO-03060 'Geometric Design of Junctions' (2017) and DN-GEO-043031 'Rural Road Link Design' (2017)

Planning System & Flood Risk Management Guidelines 2009.

Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities 2009 and related Urban Design Manual 2009 and Urban Design Manual, A Best Practice Guide, A Companion Document to the Planning Guidelines on Sustainable Residential Development in Urban Areas, DEHLG 2009.

Planning System & Flood Risk Management Guidelines 2009.

Quality Housing for Sustainable Communities Best Practice Guidelines for Delivery Homes Sustaining Communities 2007

5.2. Development Plan

- 5.2.1. The subject field is zoned 'Proposed Residential A' in the Monaghan County Development Plan 2025-2031, I note the following Development Plan provisions in particular:

Roads & access

Section 15.23 'Road Access Standards'

Road Access Standards Policy RASP1

Section 15.23.1 'Visibility Splays Agreement'

Section 15.23.3 'Minimum Required Sight Distances for Urban Roads'

Section 15.23.4 'Visibility Arrangements at the Access'

Figure 15.3 'Visibility Splays for Access on the Outside of Bend'

Pedestrian connectivity

Section 15.28 'Pedestrian Footpaths and Public Lighting'

Pedestrian Footpaths and Public Lighting Policy PFP1

Transport and Infrastructure Strategic Objective TISO1

Active Travel and Recreational Walking and Cycling Policy ATP4

Social Inclusion Objectives SIO4

Landscape & open space

Policy LCP1 'Landscaping and Boundary Treatment Policy' seeks that: "*Proposals for landscaping and boundary treatments shall comply with Section 15.22.4 of the Monaghan County Development Plan 2025-2031*".

Section 15.22.4 'Landscaping and Boundary Treatment'.

Section 15.8.12 'Recreational Facilities and Public Open Space'.

Density

Housing Density Policy HDP1, and Sections 2.10 Sustainable Residential Densities' and 3.14 'Residential Density'.

Other

5.2.2. Carrickmacross Town Centre First Plan 2024.

5.3. **Natural Heritage Designations**

5.3.1. Stabannan-Braganstown SPA 18.0km to the south-east.

6.0 **Environmental Impact Assessment screening**

6.1.1. The proposed development has been subject to preliminary examination for environment impact assessment (See Form 1 & 2 Appendix 1 of this report). Having regard to the characteristics and location of the development and the types and characteristics of potential impacts, I consider that there is no real likelihood of significant effects on the environment. The development, therefore, does not trigger requirement for EIA screening and an EIAR is not required.

7.0 The Appeal

7.1. Grounds of First-Party Appeal

7.1.1. A first-party appeal was received from Stephen Ward Town Planning & Development Consultants on behalf of Tullyagan Properties, which I summarise as follows:

- Appeal sets out that the Planner Report found the proposal to be acceptable in multiple respects including with regard to the land use zoning and core strategy;
- Appeal sets out details of the further information stage, including a summary of the response to each FI item and expands on technical details for Items 1a-d;
- Refusal Reason 5: Appeal states there was confusion regarding the landscape plan; applicant states it was submitted but not available on the Council's site;
- Refusal Reasons 1, 2 and 3: Visibility splays at the entrance: Appeal includes revised proposals which revert to a simple priority junction with the footpath relocated from the east to the west side of the Drumconrath Road and a pedestrian crossing point, abandoning the signalised junction proposal;
- Refusal Reasons 1 and 2: CBA Consulting Engineers confirm sightlines of 2.0m x 43m to the north and 2.0m x 65m to the south are achievable to the nearside road edge without encroachment on third-party lands. Applicant states the 2.0m splays are fully compliant with DMURS and Development Plan provisions. The Council Roads Section confirmed a relaxed 'x' distance of 2.0m is acceptable at this location under Reg. Ref. 23/60218. Applicant requests the 2.0m setback be conditioned in any permission granted by the Commission);
- Refusal Reason 1: Appeal states CBA Drw No. 21028-PL-C-0107 Rev A demonstrates a 2.4m setback is also achievable, with any encroachment (stated as approx. 100mm to north and 350mm to south) is 'miniscule / immaterial'. Sightlines are now drawn to the nearside road edge. There is no requirement for the northern splay to be tangential to the curve of the road centreline;
- Refusal Reason 3: Appeal states that relocating the footpath to the western side is safer than directing pedestrians to the wide Ardee Road/Drumconrath Road junction. Pedestrian counts recorded only 99 movements over seven days in December 2021. There are no public lights to the existing eastern footpath;

- Refusal Reason 4: Applicant no longer proposes traffic lights at the junction. Appeal notes Planning Authority view that volumes do not warrant signalisation;
- Third party lands (Refusal Reason 2): Objectors' claims over a sliver of land between the hedge and kerb line are unsupported by any evidence beyond a Land Direct map. The effective property boundary is the hedge and the kerb line;
- Appeal refers to ABP-316695-23 (site outside Monaghan town), in which the Board overturned a refusal by the Council on road ownership grounds and instead attached a condition requiring liaison with the Council on road markings prior to commencement. Appeal contends this case is relevant, notwithstanding the Planner Report view that it is not directly comparable;
- Landscape plan (Refusal Reason 5): Landscape plan (Park Hood Drw No. 7486-L-101 P10 Rev B) is resubmitted with the appeal. Appeal states it was submitted originally but not received due to technical error on Council's ePlan system;
- Conclusion: Appeal submits the proposal meets all zoning, policy and development management requirements; that the junction proposals are appropriate, would not endanger public safety by reason of traffic hazard, would not interfere with the free flow of traffic, and would improve pedestrian connectivity to Carrickmacross town centre; and that the development is in the interests of the proper planning and sustainable development of the area.

7.1.2. The appeal includes the following: 'First Party Appeal Statement' by CBA Consulting Engineers (December 2025); related and revised road engineering and architectural drawings; pedestrian survey results; Quality Audit (P. Herr & Associates dated October 2024); External Works Road Safety Audit Stage 1 / Stage 2 (P. Herr & Associates, dated October 2025); Roads Section report from Reg. Ref. 23/60218; Landscape drawing (Ref. 7486-L-1101); Outdoor Lighting report.

7.1.3. I have reviewed in detail the First Party Appeal Statement' by CBA Consulting Engineers (December 2025) and the updated RSA (Oct. 2025). I note the technical details set out in the CBA Engineers Statement in relation to pedestrian connectivity; sightlines; swept path analysis; and response to the Planning Authority internal reports. I also note related points in relation to third-party lands; reduced vehicle speed at the junction; a relaxed 'x' distance from 2.4m to 2.0m; and that the proposed road layout was reviewed as part of the RSA. I note in particular the

Statement reference to marginal encroachment on third-party lands for the 2.4m 'x' distance visibility splay.

7.2. Planning Authority Response

7.2.1. None.

7.3. Observations

7.3.1. Five no. valid Observations were received by the Commission, from Shane & Roisin Fitzsimons; Brian & Cathy Rushe; Mariesa Rushe ('Ardee/Drumconrath Road Residents Association'); Pat & Marie Fitzgerald; and Leo Murphy & Jacinta MacAree-Murphy, summarised as follows:

Shane & Roisin Fitzsimons

- General: Observers occupy a detached dwelling off Ardee Road in very close proximity to application site's north-eastern boundary and at a lower elevation;
- Inaccurate drawings: Application drawings inaccurately depict Observers' property and minimise how significantly impacted the Observers are. Drw. No. 2127-PA-007 shows section (JJ) fails to show the ground floor and second-storey extension. Houses no. 3, 11, 12 and 13 will have views into the Observers' property at upper-level storey, resulting in a loss of privacy;
- Residential amenities: Proposal has the potential to drastically affect Observers' home in terms of overlooking, privacy, overbearing, overshadowing, and ambient/natural daylight & sunlight. Site is at a much higher level than Observers' home (over 2m). The upstairs rooms/windows of the Observers' home will be in full view of the proposed houses no. 3, 11, 12 and 13. Development Plan requires minimising overlooking, overbearing and overshadowing and a Daylight and Sunlight Shadow Projection Assessment;
- Boundary: The proposed boundary of wire fencing & timber is substandard, not a long-term solution, and offers no security. If a child fell from the site into the properties along the eastern boundary the fall is over 3m which could be fatal;
- Trees: Applicant has given differing proposals for the number of trees proposed at the back of the Observers' property. Trees will impact on light;

- Ground stability: Concern that construction activity next to the steeply embanked edge of the Observers' rear garden may destabilise existing ground levels. A retaining wall had to be rebuilt in 2017 due to significant subsidence, and in 2024 after significant rainfall a neighbour's wall along the proposed development boundary gave way, resulting in significant damage. The application failed to provide any assessment / reassurance on this;
- Inadequate visibility at site entrance: The proposed site access provides a visibility splay of approx. 2.4m x 43m to the north, which falls materially short of the 2.4m x 65m sight distance required under DMURS for a 60 km/h road. Substandard visibility at a new residential access serving 51 dwellings is a clear and unacceptable traffic hazard;
- Proximity to the Ardee Road/Drumconrath Road junction: The proposed entrance is approx. 43m south of Ardee Road junction, creating potential for queues, conflicting turning movements, and driver confusion at peak periods;
- Junction geometry & turning movements: The autotrack (Drw Ref. 21028-PL-C-0104, Rev. B) demonstrates deficiencies incl. tight turning geometry, resulting in encroachment into opposing traffic lanes; conflict between turning vehicles & pedestrian crossings adjacent the junction; and minimal vehicle clearance leaving no tolerance for driver error or operational variability;
- Road Safety Audit: The RSA was completed in 2021 and added to rather than replaced for the appeal. The area has developed substantially since then. A full and independent reassessment is warranted. This undermines confidence in the safety and robustness of the proposals;
- Internal road design: Applicant claims internal traffic calming will ensure low vehicle speeds but this is unsubstantiated by gradients, or design specifications. Compliance with DMURS for self-regulating streets cannot be verified;
- Conclusion: Observers state the proposal fails to address fundamental road safety, access, and amenity concerns, and request the Commission dismisses the appeal and upholds the Council decision.

Observation includes annotated photographs of the site including from the Observer's dwelling.

Brian & Cathy Rushe

- Visibility Splays / Legal Agreement: Proposed sightlines cross a hedge in the Observers' folio. Applicant has no legal entitlement to trim / remove this hedge and no visibility splay agreement is in place. Without agreement the sightline is not compliant. Observers state they erected a fence to mark the boundary;
- Junction Constraints / Footpath Relocation: Applicant's swept-path analysis shows buses turning from Ardee Road onto Drumconrath Road occupy the full carriageway width and cross into the opposing lane. Relocating the footpath from the east to the west side of the junction increases interaction between large vehicles and pedestrians, particularly during left-turn movements and worsens an already constrained junction;
- Setback Reduction from 2.4m to 2.0m: Applicant's RSA (Oct. 2025) recommends a 2.4m setback. Appeal seeks relaxation to 2.0m with no technical justification. Observers state such reduction is unacceptable for a 51-unit development approx. 43m from a skewed T-junction;
- Signal-Controlled Junction: The revised junction layout is a material alteration that has not been subject to public consultation / Planning Authority assessment and should be a planning application and not be introduced at appeal stage;
- ABP Case 316695-23 Not Comparable: The case the applicant's cite involved minor carriageway adjustments and not footpath relocation, junction change, or third-party boundary issues;
- Privacy: The proposed open space to the rear of the Observers' house raises concerns of overlooking, noise, & antisocial behaviour. The sloping nature of the space raises accessibility concerns for elderly, children, and those with disabilities;
- Noise: No noise assessment has been carried out. Existing noise from vehicles at the junction is significant. Proposed raised tables would add to this. Construction- impacts (generator, fumes, chemical toilet odours) are also raised;
- Conclusion: Observers request appeal is dismissed and refusal upheld.

The submission contains photographs of the area.

Mariesa Rushe ('Ardee/Drumconrath Road Residents Association')

- Revised Plans Introduced at Appeal Stage: Appeal includes revised entrance & road/footpath drawings not previously assessed by PA or subject to public consultation. Observer states this is an attempt to circumvent planning process;
- Pedestrian crossing: The proposed informal crossing on Drumconrath Road is approx. 48.5m from the existing junction. The footpath is only 1.7m wide with a hedgerow not under the applicant's control encroaching it. Observer refers to blind spots and fast-approaching traffic. Concern is raised for elderly, disabled users, children, & buggy users. Observer contrasts this with the existing junction, which they state has clear sightlines in all directions and is well-lit. Observer states applicant's swept-path analysis shows buses encroaching the proposed footpath. Observer states that the absence of a formal crossing indicates the location cannot meet required visibility / geometric standards.
- Junction Geometry / turning radii: Applicant's autotrack drawing (21028-PL-C-0104) shows a bus left-turning from Ardee Road to Drumconrath Road encroaching the proposed footpath. Buses may be required to stop mid-turn over multiple raised platforms, causing potential collisions;
- Open Space / Play Area: The PA stated the play area was inadequate for a development of this scale and sought additional information;
- Residential amenity: Site is at higher level than adjoining properties on Ardee Road, with limited / no existing screening. Proposed boundary of a 1.2m post & wire fence affords no privacy / security, with drops of 2–3m into existing concrete back yards. Children could fall 3.2m onto a stone yard. Landscape drawing 7486-L1101 was not properly submitted to PA;
- Visibility splays / Third party lands: Visibility splays in both directions cross third-party lands with no legal agreements, contrary to CDP Section 15.23.1. Applicant has not provided legal consent for footpath works on the western side of Drumconrath Road. Applicant's characterisation of any encroachment as a 'sliver of land' is disputed; Observer notes previous attempts by Applicant to encroach this land. Egress sightlines from site also encroach adjoining properties without legal consent;

- Birdy Oil Depot visibility: The proposed road realignment will reduce visibility for drivers exiting the Depot. Applicant has not provided legal consent to carry out / maintain the hedgerow works to address this as recommended in the RSA;
- Public Lighting: Appeal incorrectly states there are no public lights on existing footpath. Observer indicates public lights are in place and provides photographs. The existing footpath is well-lit and safe, contrary to the applicant's claims;
- Pedestrian Safety: The existing Ardee Road footpath has a 35m gap between the south and north sides, undermining pedestrian safety walking to the town;
- Road Safety: The traffic & transport assessment scoping study was from 2021, is now 5 years old, and compiled during post-Covid behavioural changes. It does not reflect current traffic volumes and recent developments;
- Overlooking: The development, particularly Unit 51, is at a higher level than existing Ardee Road properties and will result in significant overlooking, overshadowing & loss of privacy. Observer requests a condition prohibiting east-facing windows in any attic conversions;
- Noise: No noise assessment was carried out. Vehicle acceleration and braking over proposed raised tables will increase noise levels for adjacent residents;
- Construction management: The CMP is flawed. Site offices, welfare facilities and car parks are proposed directly behind existing houses, resulting in odours, fumes, noise and loss of light throughout construction. The risk assessment does not identify overhead ESB line crossing the site which would prevent construction of some units and has not been addressed by the PA or applicant;
- Electricity: No electrical infrastructure assessment was submitted. The location of substations has not been identified, raising concerns about EMF and transformer noise. Proposed tree planting along the northern boundary risks encroachment on overhead ESB lines.

The Observation contains photographs.

Pat & Marie Fitzgerald

- A 2m setback from junction/road is inappropriate and should be dismissed;

- A 42m sightline to the north is not available as there is no clear line of sight to the middle of the junction and ends much closer to the proposed access (approx. 28m). (Observation includes photographs);
- Applicant states there is no encroachment on Observer's land and that the encroachment is minimal / 0.35m; Observation states this is in breach of the law;

Leo Murphy & Jacinta MacAree-Murphy

- General: Observers state they are members of the Ardee/Drumconrath Road Residents Association and support the group submission;
- Road safety: Observer's driveway is approx. 8m higher than Ardee Road. The high point of the subject site is approx. 12m above the Drumconrath Road and with an 11 degree slope the entrance/egress road will be impassable in snow /ice conditions. Bicycles will develop excess speed on the down slope;
- Residential amenity/Construction: Observers' house is adjacent the proposed open space. Applicant proposes buildings, equipment & parking there during construction which would breach 'development standards' for 2 years. Observers' house is 3m below the proposed site level; any containers / prefabs will severely overshadow the rear of the house in winter. Benefits from any panels at the rear of the observers' house would be severely limited;
- Safety: The proposed boundary fence is pole & wire, which would not prevent children climbing through and falling into neighbouring gardens from a height of over 3m. Overlooking of Observers' property and ease of access from proposed open space would leave Observer's open to burglary. A cracked retaining wall at rear of Observers' property is noted. Concern that construction traffic / vibration could collapse of the wall, which backs onto the observers' garage and oil tank;
- Density: Observer indicates the applicant stated they needed to build a minimum of 50 houses to justify their investment;
- Ghost estates: There is a ghost estate approx. 400m north-west of site with approx. 50 units incomplete. Subject site would provide a further minimum 50 units, adding 100 plus units to the housing stock; with redesign and development could be a beautiful development that would help revitalise the town centre;

- Housing mix: The large number of 2-bedroom units goes against demand in the area which is for 3, 4 or more bedroom houses;
- Social & other concerns: Observation sets out concerns regarding density; economic & financial concerns; the impact of commuting on health & wellbeing; carbon targets; car use; and that housing should be near good public transport.

7.3.2. Observations from Danny Collins are recorded as invalid.

7.4. **Further Responses**

7.4.1. None.

8.0 **Assessment**

8.1.1. Having regard to the foregoing; having examined the application, appeal, Planning Authority reports, and all other documentation on file including all of the submissions received in relation to the appeal; and having inspected the area within and around the site; and having regard to relevant local, regional and national policies, objectives and guidance, I consider the main issues in this appeal are as follows:

- Principle of development
- Reasons 1, 2 (Visibility splays) and 3 (pedestrian & cyclist proposals);
- Reason 4 (traffic light & signal-controlled crossing and related impacts);
- Reason 5 (landscape plan);
- Related matters raised in the course of the appeal.

8.2. **Principle of Development**

8.2.1. The subject field is zoned 'Proposed Residential A', where the land use zoning objective is "*To provide for new residential development and for new and improved ancillary services.*" I am satisfied the proposed development is acceptable in principle subject to the considerations below.

8.3. Refusal reasons 1 & 2 (Visibility splays) and 3 (pedestrian & cyclist proposals)

8.3.1. Refusal reasons 1 and 2 related generally to driver visibility from the proposed site access, and requirements of the Development Plan in this regard. Refusal reason 3 related to the pedestrian and cycle proposals. Noting the interrelated nature of the indicated visibility splays and the proposed access design & road layout, I consider these matters are closely related and as such I deal with them together.

Refusal reasons 1 and 2 (Visibility splays)

8.3.2. I have reviewed the grounds of refusal for reasons 1 and 2, and related points in the Planning Authority internal reports. Below I address driver visibility from the proposed site access in both directions, having regard to the adjacent junction and proposed road and access layouts, and related requirements of the Development Plan and DMURS. I also consider the relationship to third-party lands and any need for related consents / legal agreements.

8.3.3. I also note the points made within Observations on file regarding road visibility, road safety, horizontal and vertical road alignment, and related points. I have had regard to the nature of the roadside boundaries along the road in the area, and the horizontal and vertical road alignment along Drumconrath Road.

8.3.4. In the interests of completeness, below I set out a number of technical details relating to the different road and access layouts provided by the applicant.

Application stage - Visibility splays

8.3.5. In response to further information the applicant submitted Drw. No. 21028-PL-C-0103 Rev. B which indicated visibility splays from the proposed access in both directions. The drawing indicated a 65m sightline to the south. It also indicated a 43m sightline to the north, which is up to the Ardee Road, but the splay did not include the full median (that is, does not show full visibility of the full roadway or full oncoming lane).

8.3.6. Development Plan Section 15.23.3 states that within the speed limits of urban areas sight distances for new or intensified accesses shall comply with DMURS. I am satisfied these are the applicable standards in this case. DMURS Section 4.4.4 indicates a forward visibility standard of 59m for this case.

8.3.7. Regarding bus services, the Planner Report stated the road outside the site is a bus route. Observations on file refer to details of buses moving along the road outside the site from the private bus depot to the south. The applicant utilises a 65m visibility standard which is the applicable standard for bus routes. However, I see no evidence that the road accommodates bus services. Whilst I consider use of a 65m visibility splay is prudent, I am not satisfied it is the applicable standard in this case.

Application stage - Assessment

- 8.3.8. I have had regard to the refusal reason point regarding the potential for vehicles queuing at the traffic lights to obscure visibility. I note the traffic lights proposed in response to further information were set back a significant distance from the junction, which increased the likelihood of vehicles queuing back toward the proposed access.
- 8.3.9. I consider that a key issue in this regard is that the submitted plans show the visibility splays cutting outside the application red line boundary to the north and south. I do not consider it sufficiently clear whether the red line shown equates to the third-party lands or not, and as such whether unobstructed visibility could be maintained from the access to both the north and south of the access as indicated. I note the points raised in this regard within the Observations on file.
- 8.3.10. Further regarding third-party lands, the applicant submitted plans indicating all lands along the road within the red line area are within the control of the Local Authority. However, the Planning Authority internal reports state that third-party consents and legal agreements for some of the lands included within the indicated visibility splays have not been provided. Observers on file state that some of the areas indicated within visibility splays are in third-party control, including hedges/hedgerows, and cannot be legally relied upon. Accordingly, I consider there is a lack of clarity as to whether all of the lands included within the visibility splays are in the control of the applicant and/or Local Authority, or whether third-party property is relied upon.
- 8.3.11. In any event I do not consider driver visibility was clearly demonstrated as meeting the requirements of the Development Plan and DMURS, particularly in relation to the north on account of the reduced visibility of the road and oncoming traffic. Overall, I am satisfied the applicant did not clearly demonstrate that the proposed arrangement would meet the relevant requirements or be acceptable on grounds of road safety.

8.3.12. I note the visibility splays indicated for the road layout submitted with the initial application (Drw. No. 21028-PL-C-0103 Rev. A) did not cut across the red line boundary/third party lands to the south or north, and extended to generally include the full roadway in both directions. The sightline shown at application stage was a 2.0m rather than the 2.4m 'x' distance shown at further information stage. Visibility at application stage was also enhanced as a result of the road layout incorporating a footpath on the western side of the road rather than the eastern side. I also note the traffic lights and related set back stop line were not proposed at that stage which further enhanced driver visibility from the access. However, the Planning Authority Municipal Engineer and Roads Section reports raised issue with the 2.0m 'x' distance, potential obstruction from third-party lands, and the proposed footpath route, and further information was sought in these regards.

8.3.13. As such, I am not satisfied that the road and access layout proposed at application stage clearly demonstrated the required visibility or provided for an appropriate layout in terms of road safety.

Appeal stage - Visibility splays

8.3.14. The appellant submits a revised road and access layout as part of the appeal (Drw. No. 21028-PL-C-0103 Rev. C). The appellant also submits Drw. No. 21028-PL-C-0107 Rev. A which indicates a revised layout based on an 'x' distance of 2.0m rather than 2.4m. In broad terms the layout reverts to a layout akin to that submitted with the initial application, and indicates a footpath on the western side of the road only. Other revisions are also indicated, including a revised red line boundary; increased road/junction dimensions; and revised pedestrian crossing locations.

8.3.15. The appellant states their engineers (CBA Consulting) confirm that sightlines of 2.0m x 43m to the north and 2.0m x 65m to the south are achievable to the nearside road edge without encroachment on third-party lands. They state that the 2.0m splays are fully compliant with DMURS and Development Plan provisions. The appellant also states that a 2.0m splay was supported by the Planning Authority Roads Section in relation to the previous application on the site (Reg. Ref. 23/60218). I note the refusal reason in that case stated the proposal did not achieve a 2.0m 'x' distance. That decision was not appealed. In the subject case, the appellant requests the 2.0m setback is conditioned in any permission granted by the Commission. The Planning

Authority Roads and Municipal Engineer reports in the subject case refer to a requirement for a 2.4m 'x' distance.

- 8.3.16. The appellant however indicates that a 2.4m setback is also achievable (Drw. No. 21028-PL-C-0107 Rev A), however they state that any encroachment (stated to be approximately 100mm to the north and 350mm to the south) is 'miniscule / immaterial'. They also state that sightlines are now drawn to the nearside road edge, and that there is no requirement to draw the northern splay tangential to the curve of the road centreline.
- 8.3.17. I note the revised layouts again indicate a 65m visibility splay to the south and a 43m splay to the north. The northern splays now include both lanes (that is, the entirety of both the nearside and oncoming far-side lane). In addition, the proposed layouts as revised at appeal omit the previously proposed traffic light-controlled junction, and as such reduce the potential for queuing back from the junction and the associated potential for reduced visibility from the access.
- 8.3.18. I note in this regard that the 2.0m visibility splay shown to the south cuts across the red line boundary, however the 2.4m splays do not cut the red line boundary. I also note the red line boundaries to the south and north have changed on the submitted drawings.
- 8.3.19. No response from the Planning Authority in relation to the revised layouts is recorded. The Commission may be inclined to seek further submissions from the Planning Authority in this regard, however I do not consider this is necessary to proceed to a decision in this case on account of the similarities between the layouts submitted.

Appeal stage - Assessment

- 8.3.20. Whilst the appeal layouts show the standard DMURS visibility in both directions, I am not satisfied that either layout submitted (Drw. No. 21028-PL-C-0103 Rev. C or 21028-PL-C-0107 Rev. A) satisfactorily resolve the issues raised by the Planning Authority internal technical reports:
- In relation to Drw. No. 21028-PL-C-0107 Rev. A, I note the appeal states that any encroachment for the 2.4m 'x' distance (stated to be approximately 100mm to the north and 350mm to the south) described as miniscule / immaterial. The

relevant layout shows the southern visibility splay cutting outside the red line boundary. I note again the concerns raised within the Observations on file and the Planning Authority internal technical reports. It is also unclear whether the visibility splays shown cut across third party lands or not. Whilst an authorisation letter in this regard is submitted from the Local Authority, I am not satisfied the submitted layout resolves the issues raised by the Planning Authority at application stage in these regards.

- In relation to the layout shown on Drw. No. 21028-PL-C-0103 Rev. C submitted, I am not satisfied that the shortened 2.0m 'x' distance has been clearly demonstrated as being acceptable in this case, as indicated within the Planning Authority internal reports on file.

8.3.21. Given the foregoing, I am not satisfied that the layouts submitted with the appeal satisfactorily resolve the matters raised by the Planning Authority at application stage in relation to visibility, road and access layout, and road safety.

8.3.22. Accordingly, I am not satisfied that development as proposed has clearly demonstrated compliance with Policy RASP1, Section 15.23.1 and Section 15.23.3 of the Monaghan County Development Plan in relation to visibility along the public road, or related sections of the Design Manual for Urban Roads & Streets.

Previous reasons for refusal

8.3.23. The previous application on the site (Reg. Ref. 2360218) was refused on grounds that the applicant failed to demonstrate clear and unobstructed visibility splays of 2.0m by 45m in both directions, and that consequently the proposal would endanger public safety. I again note the reference to the shorter 'x' distance of 2.0m. The road layout proposed in that case was broadly comparable to the subject proposal, noting that the proposed footpath was to be located on the eastern side of the road. Accordingly, I am satisfied the previous refusal reason relating to road safety have not been satisfactorily addressed.

Refusal reason 3 (pedestrian & cyclist proposals)

8.3.24. Refusal reason 3 stated generally that in relation to pedestrians/cyclists proposals the application was unacceptable as it would endanger public safety by reason of traffic hazard, and would be contrary to the Development Plan and DMURS. The

reason stated this arose as the proposals for pedestrians/cyclists travelling to and from Carrickmacross Town Centre would have to navigate a series of separate crossing points (both uncontrolled and controlled) along a the proposed pedestrian route that did not align with pedestrian desire lines to the north of the proposed access along the western side of the L-4800.

8.3.25. The Planner, Roads, and Municipal Engineer reports all stated the proposed pedestrian route was not aligned with the desire line for pedestrians travelling from the development to the town centre. I note the points made within the Observations on file in relation to pedestrian connectivity, road safety, land ownership, and the road layout proposed.

Proposed pedestrian layout

8.3.26. I note the road layout and pedestrian connections shown in the course of the application and appeal changed, in broad terms alternating between a footpath being on the eastern or western side of Drumconrath Road, generally as follows:

- Regarding the layout submitted at application stage, the applicant proposed to realign a section of the Drumconrath Road and remove the existing section of footpath from the western side of the road and to provide a section of footpath on the eastern side between the proposed site access and the existing footpath along Ardee Road (Drw. No. 21028-PL-C-0103 Rev. A).
- The Planning Authority request for further information and internal reports indicated that arrangement was unacceptable. The RSA submitted with the application in this regard stated that the loss of eastern section of existing footpath would have a limited impact, and that the provision of a section on the eastern side would be positive, however the report stated that the optimum proposal would be for a footpath on both sides of the road;
- Regarding the layout submitted in response to further information, the proposed road layout (Drw. No. 21028-PL-C-0103 Rev. B) showed the existing footpath on the eastern side of Drumconrath Road retained, and a revised road layout submitted. It showed an uncontrolled pedestrian crossing within the proposed new site access; an uncontrolled pedestrian crossing across Drumconrath Road to the south of the proposed site access; and then a signal-controlled pedestrian crossing across the Drumconrath Road approx. 40m to the north at the Ardee

Road and Drumconrath Road junction. This arrangement required pedestrians walking to and from the town centre to have to cross the Drumconrath Road twice to connect with the existing footpath network into the town on account of the apparent lack of space to provide a footpath on both sides of the road. I note the proposed layout also incorporated a raised table at the proposed site access junction and related road signage;

- The Planning Authority internal reports stated this layout was not acceptable as it did not provide for pedestrian desire lines from the development. The Stage 1/2 RSA submitted in response to further information recommended that the (then) proposed zebra crossing be replaced; that pedestrians waiting to cross from the west side to the footpath on the east side of the road have a 65m visibility to the south; and for the high friction surface to be retained on the approach. The applicant stated that all recommendations were incorporated. No significant issue with the proposed layout was raised within the RSA;
- The refusal reason stated the revised layout where pedestrians would have to navigate a series of separate crossing points (both uncontrolled and controlled) along the proposed pedestrian route did not align with pedestrian desire lines to the north of the proposed access along the western side of the L-4800;
- Regarding the layout submitted with the appeal, it shows a layout broadly comparable to that submitted at application stage, that is, showing a footpath only on the western side of the road. The appellant states that relocating the footpath to the western side of the road is safer than directing pedestrians to the wide bell-mouth Ardee Road/Drumconrath Road junction;
- No response from the Planning Authority to the appeal is received. The Quality Audit / RSA submitted with the appeal again stated that the loss of eastern section of existing footpath would have a limited impact, and that the provision of a section on the eastern side would be positive.

Existing site

8.3.27. The road outside the site is single carriageway in either direction (approx. 5.5m wide) and is relatively straight, although I note a reasonably steep incline to the south. Visibility for vehicles coming from the south is approx. 100m and from the junction to the north is approx. 35m. There are residential and commercial accesses to the

south. The site is within the 60kmh zone. There is a footpath on the eastern side of the road across from the site, and the distance along Drumconrath Road without a footpath from the site entrance to the footpath along Ardee Road is approx. 28m.

Assessment

- 8.3.28. In relation to pedestrian connectivity, in broad terms the applicant/appellant has proposed two pedestrian layouts. At application stage the existing footpath was to be removed and a new footpath proposed on the western side of the road; at further information stage the layout showed crossings from the proposed development to the existing footpath to the east and back again to the west. The Planning Authority internal reports raised issue with both proposals; they raised issue with the overall road realignment at application stage, and the pedestrian route not following desire lines at further information stage. I note that the Roads Condition report stated that it was not in favour of the proposal to realign the road, but no clear rationale was given. I note the internal reports also raised issues in relation to land ownership to the north.
- 8.3.29. The pedestrian layout submitted with the appeal, broadly speaking, presents a comparable pedestrian layout to that submitted with the application.
- 8.3.30. The reports submitted with the application and appeal acknowledge potential safety issues arising from the lack of footpath on the western side of the road. In this regard the First Party Appeal Statement from CBA engineers states that: *“The proposal to remove the existing footpath and to provide a new footpath on the opposite side of the Drumconrath Road was not ideal, however the applicant believed that the inconvenience should be balanced by the significant reduction in risk to the greater number of pedestrians”*. Whilst the submitted information does not clearly describe the level of risk arising from there being no footpath on the western side of the road, I consider that none of the RSA’s submitted by the applicant raised significant issue in relation to the footpath being on the eastern or western side of the road.
- 8.3.31. The site is zoned ‘Proposed Residential A’ and the road width outside the site is constrained such that it does not appear to be currently possible to provide footpaths on both sides of the road. I note the points made within the submitted engineering reports and quality/RSA, as well as the points made in the Planning Authority internal technical reports in this regard. However, as acknowledged by the appellant and the

Planning Authority internal reports, whilst I accept the potential for pedestrians to walk along the short stretch of Drumconrath Road to Ardee Road, there is a dedicated footpath opposite the site, and pedestrian crossings are proposed. I also note that, whilst I am satisfied the development would give rise to a significantly greater number of people regularly crossing the road if the footpath was on the eastern side only, given the development to the south, people would also be crossing the road if the footpath was on the western side, albeit in lesser numbers.

8.3.32. Given the foregoing, and the available technical information on the file, and having visited the site, I am not opposed in principle to a single footpath along this stretch of road to serve the development, subject to appropriate road layout and visibility proposals being clearly demonstrated. However, I am not satisfied that the proposed road layout to support the development has been satisfactorily resolved to ensure an acceptable level of road safety, in particular for pedestrians moving to and from the development, broadly as set out in refusal reason 3.

8.3.33. Accordingly, I am not satisfied the development as proposed clearly demonstrates compliance with Section 15.28, Policy PFP1 and Policy ATP4 of the Monaghan County Development Plan 2025-2031 and related provisions of the Design Manual for Urban Roads & Streets in relation to pedestrian connectivity.

Conclusion - Refusal reasons 1, 2 and 3

8.3.34. Given the site location; the nature of the existing road and surrounding development; including nearby petrol station, dwellings, and bus depot; and given the extent of matters outstanding in relation to the proposed road and access layout; and the clear recommendations of the Planning Authority internal technical reports in this regard; I am not satisfied permission should be forthcoming in these regards, in the interests of road safety, until such time that the outstanding matters in relation to pedestrian connectivity, visibility, and road safety can be resolved. Given the nature of the matters raised in relation to the proposed road layouts at application and appeal stages, and the road safety matters highlighted, I am not satisfied these matters can be satisfactorily addressed by condition.

8.3.35. In this regard I have considered refusal reasons 1, 2 and 3 together. On balance, I am not satisfied the proposed road and access arrangements have been satisfactorily resolved. In this regard I am not satisfied that (1) appropriate visibility

for road users and (2) pedestrian connectivity has been clearly demonstrated and can be maintained, or that the access and road layouts as proposed would provide for an appropriate level of road safety having regard to the provisions of the Development Plan and DMURS, particularly given the size and nature of residential development which generally comprises family homes.

8.3.36. In relation to refusal reason 4 below, it relates to the proposed signalisation for vehicles and pedestrians at the junction. I consider this matter in more detail below, however I do not consider it resolves the matters above in relation to pedestrian desire lines and visibility.

8.4. Refusal reason 4 (traffic light & signal-controlled crossing and related impacts)

8.4.1. I note refusal reason 4, and the points made in the Planner, Roads, and Municipal engineer reports. I also note points made in the Observations on file in relation to the proposed road and junction layout, and related road safety matters.

8.4.2. Both Ardee Road and Drumconrath Road at this point comprise single carriageways in either direction. There is a footpath on one side of each road. There is an uncontrolled pedestrian crossing across Drumconrath Road at the junction. The junction is approx. 1.1km from Main Street and is in the 60kmh zone.

Application road layout

8.4.3. Regarding the signal-controlled junction proposed at application stage, having regard to the information submitted, in particular to the Planning Authority internal technical reports, I am satisfied that sufficient justification for the proposed controlled junction was not provided by the applicant, and that refusal on grounds of the impact on the flow of traffic at the junction was reasonable and acceptable.

Appeal – Revised road layout.

8.4.4. Regarding the appeal, the appellant states they no longer propose traffic lights at the junction and note the Planning Authority view that traffic volumes do not warrant signalisation. The letter from CBA engineers states the appellant reverts to a simple priority junction. Revised engineering layouts and a Quality Audit (RSA) are submitted. The drawings indicate the omission of traffic lights and signal-controlled crossings; revision of road markings, and related minor road layout revisions.

8.4.5. Accordingly, the appellant has omitted both the previously proposed traffic lights and signal-controlled crossing point at this junction, and as such I am satisfied this reason for refusal has been addressed.

8.5. **Refusal reason 5 (landscape plan)**

Information on file

- 8.5.1. The Planner Report stated that a landscape drawing (Drw. No. 7486 L1101) was not successfully provided by the applicant at either application or further information stage, and that this omission could not be addressed by condition.
- 8.5.2. I note the Observer comments regarding boundary treatments, including the sufficiency of the proposed boundaries in relation to safety; ground levels/stability; trees; maintenance; and security.
- 8.5.3. Regarding the application, my review of the Planning Authority public online system indicates a landscape drawing was submitted, however the file does not currently appear to be accessible online. The Commission case file copy of the application includes a landscape plan entitled 'Landscape Proposals' (Drw. No. 7486-L-1101 Rev. P08) prepared by Parkhood Chartered Landscape Architects, as well as a Landscape Management and Maintenance Plan report. Having regard to the foregoing, I am satisfied a landscape drawing and related information was submitted with the application.
- 8.5.4. Regarding the appeal, it includes Park Hood Drw No. 7486-L-101 P10 Rev. P10 and states this drawing was submitted by the applicant but that it was not successfully received due to a technical error on the Council's ePlan system. In the interests of clarity, I note the landscape drawing referenced as being submitted with the application (Rev. P08) is an earlier revision of the drawing submitted with the appeal (Rev. P10). My review of the drawings on the case file indicates the main differences between the drawings relate to design changes to the proposed access. Should the Commission decide to grant permission, I consider that a condition be attached for the agreement of the final landscape drawing layout.
- 8.5.5. Having regard to the foregoing, I am satisfied the necessary landscaping information has been made available to interested parties, however should the Commission see fit it may be inclined to seek further submissions in this regard.

Landscape & boundaries proposals

- 8.5.6. Policy LCP1 'Landscaping and Boundary Treatment Policy' seeks that: "*Proposals for landscaping and boundary treatments shall comply with Section 15.22.4 of the Monaghan County Development Plan 2025-2031*". Section 15.22.4 sets out a number of provisions, including for comprehensive landscaping plans commensurate to the scale of development proposed. It also sets out requirements relating to trees; boundaries; design; hard landscaping; materials; planting, which are to consist of local native plant types; tree & hedgerow survey requirements; details of planting / growth to be retained or replaced; construction details; sustainable urban drainage systems (SuDS); and conditions. I am satisfied the submitted information generally complies with the stated requirements, including the submission of a comprehensive landscaping plans commensurate to the scale of development proposed.
- 8.5.7. The submitted landscape plans indicate the proposed site boundary treatments are to comprise sections of 1.8m high timber fence and 1.2m high post and wire fence, as well as 1.8m height hedge planting. Boundary and slope planting (mainly comprising shrubs and small trees) and more substantial tree planting along the site boundaries are also indicated. Details of proposed species are set out.
- 8.5.8. The refusal reason focussed on the screening of private residential amenity areas; loss of residential amenity of adjoining properties; the privacy of proposed residential properties; and visual amenity in terms of plot boundary treatments. Accordingly, in relation to boundaries I have focussed on the north-eastern, north-western, and southern boundaries adjacent existing dwellings, and the proposed plot boundaries:
- Regarding the north-western boundary adjacent Highfield, the landscape plan indicates the existing mature hedgerow and tree are to be retained and a 1.8m high timber fence added inside the development site. The proposed dwellings would back onto the site boundary at this point, and the proposed rear gardens would be approx. 11m from the nearest existing dwelling in Highfield;
 - Regarding the southern boundary, the existing dwelling would be approx. 14m from the site boundary. The existing boundary hedge is indicated as being largely retained, and 1.8m high timber fencing is proposed within the site;
 - In relation to the north-eastern boundary, I note the existing boundary comprises fences and planted hedges. There is minimal mature field hedgerow in contrast

to the north-western boundary. The landscape plan indicates a 1.2m high post and wire fence along the full length of this boundary, as well as boundary and slope planting (mainly comprising shrubs and small trees) along the majority of this boundary. A total of 10 no. dwellings back onto the site along this boundary. The rear of those dwellings range in distance from the site boundary from approx. 3 – 23m. I note in particular that the topography of the area slopes down to the east, and the majority of these 10 no. dwellings are at a lower level than the subject site such that the majority of rear gardens are cut into the slope and the corresponding ground floors are below the existing site level. In this context, I also note the following:

- In relation to the southernmost 6 no. dwellings, those dwellings are in close proximity to the site boundary and at a lower level. Amenity space and a footpath are proposed adjacent the boundary at this point. The nearest proposed dwellings to the boundary at this point is approx. 14m away. In addition to the post & wire fencing and slope planting proposed, more substantial tree planting is also proposed between the proposed footpath and open space and site boundary. Given the proposed layout and boundaries, and the proximity of existing dwellings, as well as ground levels in the area, I consider that enhanced screen planting and a taller fence are required in relation to this area;
- In relation to the next 3 no. existing dwellings, these would be adjacent proposed amenity space, vehicle & pedestrian circulation, and parking, with similar fencing, boundary & slope planting, and more substantial tree planting proposed along this stretch of the site boundary. Whilst 2 no. of these existing dwellings would be 22-23m from the site boundary, the third sits almost adjacent the boundary. I consider that the potential impact on amenity of this dwelling would be more significant on account of the proximity of the proposed vehicle and pedestrian circulation, and the nearest proposed dwellings (approx. 16m away). I consider that enhanced screen planting and a taller fence are also required in relation to this area;
- The 10th and final existing dwelling along this boundary would be approx. 25m from the site boundary. The closest proposed dwelling would be approx. 1.5m from the boundary at this point and would side-onto the site. The proposed

boundary at this point is indicated as comprising only a 1.2m high fence, with no boundary planting proposed at this point. However, I note there is significant tree and shrub growth within the boundary of that existing dwelling. I consider that enhanced screen planting and a taller fence is warranted here;

- In relation to proposed dwelling plot boundaries, these are to mainly comprise 1.8m timber fencing with small sections of masonry wall. Existing trees are to be retained. Whilst the submitted plans indicate that existing hedges are to be retained along the southern boundary, details are not clearly stated.

8.5.9. Regarding play areas, a natural play area is proposed within the main open space. I am generally satisfied the proposed space is acceptable, subject to standard conditions regarding detailed design.

Assessment

8.5.10. Noting the above, I am satisfied the information submitted to the Planning Authority generally satisfied the requirements of the Development Plan in this regard, including Policy LCP1 and Section 15.22.4, and that refusal in this regard is not warranted.

8.5.11. I am also satisfied that the impact on the amenity of neighbouring dwellings, including as a result of the proposed boundaries in terms of screening of private residential amenity areas; impact on residential amenity of existing adjoining properties; security of existing dwellings; privacy of the proposed residential properties, and visual amenity in terms of plot boundary treatments, are broadly acceptable. In this regard, I note the proposed layout has generally sought to arrange the proposed dwellings away from the existing dwellings to the north-east where the boundary is most sparse and the rear of the dwellings is in closest proximity, and also to locate open space and circulation nearest those dwellings. In this context I am generally satisfied the proposed planting and boundaries are reasonable, and whilst the development would impact residential amenity, I do not consider that this would be unacceptable subject to conditions.

8.5.12. Regarding conditions, as set out above I consider that given the proximity of the existing dwellings to the site, and their lower level, additional screening in the form of enhanced screen planting and taller boundary fences within the site are warranted. I also consider that these details require agreement, including in relation to details of the boundaries to be retained, the relationship of the proposed boundaries to the

existing level differences / retaining walls, as well as plant types and species. Given the proposed layout I am satisfied this additional provision can be accommodated within the overall layout and that final details can be agreed by condition.

8.5.13. With regard to the decision reference to Quality Audit, Quality Audits (Stage 1/2 RSAs) were submitted with the application and appeal, however I see no significant issues raised which conflict with the landscaping proposals on file that could not be addressed by standard conditions.

8.5.14. Accordingly I am satisfied that refusal in these regards is not warranted.

Ground stability

8.5.15. I note the site and existing dwellings to the east are at significantly lower levels to the site; that the existing dwellings back onto the site; and are at varying distances from the site boundaries (varying from approx. 3-23m). In this regard I note Observations on file refer to the ground level differences of up to 3m along this boundary, and raise concerns regarding ground stability. Having visited the site; having reviewed the engineering reports and drawings submitted; and having regard to the layout of development which focuses open space and circulation areas nearest the greatest level differences, I have no significant concerns in this regard subject to conditions as set out above in relation to detailed design of boundaries.

Revised proposals

8.5.16. Minor revisions to the submitted landscape proposal in these regards are submitted as part of the appeal and are addressed above.

8.6. Related matters raised in the course of the appeal

Residential amenity

8.6.1. I note points made within the Observations on file, including in relation to level differences, overlooking, overbearance and overshadowing. With the exception of boundary treatments the Planning Authority internal reports raised no significant issues in this regard.

8.6.2. I note the most easterly proposed dwellings (10 no.) which are in closest proximity to the existing dwellings to the east are all single storey. The closest proposed front, rear and side elevation habitable room windows would be approx. 23.3 – 38.7m from

existing dwellings. All but one of those dwellings would be a bungalow; the closest 2-storey dwelling to an existing neighbouring dwelling would be 25.7m away.

- 8.6.3. Having regard to the layout and form of residential development proposed, I am broadly satisfied the development would provide for an acceptable level of resident amenity within the proposed development, and would provide sufficient protection of existing neighbour residential amenity, subject to conditions.
- 8.6.4. Regarding noise, I note the concerns raised on the file, including in relation to transformer noise. I am generally satisfied that, given the residential nature of the development proposed to the rear of existing dwellings, and given the layout and form of development proposed, that noise arising from operation of the development would not be undue or unreasonable, subject to standard conditions relating to boundaries. The management of construction noise is addressed in the application, and I am satisfied it can be appropriately managed by related standard conditions.

Design, layout and Development standards

- 8.6.5. I note points made in the Observations on file, including in relation to housing mix; density; local character; and amenity. The Planner Report raised no issues in this regard. I am generally satisfied with the proposal in these regards including in relation to the layout of the residential component; development management standards and requirements; open space, layout, housing mix, and design, subject to standard conditions in relation to landscaping, boundaries and materials.
- 8.6.6. Regarding density, the Development Plan indicates a target residential gross density of 30upha for Carrickmacross. The proposed net density is approx. 27upha. Development Plan Sections 2.10 and 3.14 state that topography can affect density, and that consequently a lower density may be appropriate. It also states that the appropriate density can be affected by the local pattern of development and density adjoining; the existing landscape; design quality; levels of privacy and amenity; proximity to transport routes; infrastructure capacity and servicing. Policy HDP1 requires density to accord with the Compact Settlement Guidelines. The Compact Settlement Guidelines indicate a density range (Key Town / Large Town – Suburban / Urban Extension') of 30upha net.
- 8.6.7. I have had regard to the provisions of the Development Plan, including Section 2.10, and the Compact Settlement Guidelines, including Sections 3.3 and 3.4 (Refining

Density). Based on the elevated topography of the site; its proximity to adjacent dwellings; the form and layout of dwellings proposed; and the density and pattern of development in the area, I am satisfied the proposed density is acceptable and generally complies with Development Plan provisions.

Drainage and Surface Water

- 8.6.8. I note points made in the Observations on file in relation to drainage. The Planning Authority Environmental Section report stated no objection subject to standard conditions in this regard. The Planner Report noted that a site-specific surface and groundwater management plan, a construction & demolition plan, and a water protection checklist were submitted.
- 8.6.9. The applicant's Civil Engineering Statement and engineering drawings indicate a SuDS treatment train is proposed and comprises filter drains, permeable paving, gullies, and attenuation. A petrol interceptor and flow control are incorporated. Discharge to the mains surface water network is proposed. The Statement indicates greenfield runoff rates are achieved, with an excess for climate change. A flood risk assessment is included, which indicates the site is within Flood Zone C.
- 8.6.10. In the interests of completeness, I note the proposed surface water connection connects to the public mains which is hydrologically connected to the Proule river (Ref. IE_NB_06P010300, located approximately 147m to the south-east) which in turn connects to Naglack lake (Ref. 06_55, located approx. 516m to the east). Refer to Section 10 of this report in relation to Water Framework Directive.
- 8.6.11. Regarding the previous application on the site, refusal reason no. 2 in that case was on grounds that a hydrogeological assessment was not submitted. The subject proposal was not refused on those grounds, and the Planning Authority raised no significant issues in this regard. A Hydrogeological Risk Assessment and a Surface Water & Groundwater Management Plan are submitted with the subject application. The hydrogeological assessment concluded that the proposal will not have a significant impact on the groundwater environment with the indicated mitigation measures implemented. The Surface Water & Groundwater Management Plan concluded that, provided all recommended measures are implemented effectively, the development is not expected to result in any significant adverse impact on local groundwater or surface water environments.

8.6.12. I note points made within the Observations on file regarding drainage and ground stability. Having reviewed the available information, including the above reports I am generally satisfied with the proposal in this regard, subject to the attachment of standard conditions relating to construction management, sustainable urban drainage, and for the mitigation set out in the Hydrogeological Risk Assessment (Sections 5.4 and Table 7.3) and Surface Water & Groundwater Management Plan (Sections 6 and 7).

Water Services

8.6.13. I note points made in the Observations on file in relation to local infrastructure. I also note correspondence from Uisce Eireann on the application stating confirmation of feasibility subject to upgrades in relation to a water connection. The Uisce Eireann submission on file requested further information in the form of submission of a Confirmation of Feasibility Letter, and for standard conditions to be attached. The Planner Report stated that Uisce Éireann confirmed feasibility subject to a c.80m watermain extension funded by the developer. The applicant response to further information stated that a confirmation of feasibility was submitted with the response, however I see no such copy on the Commission file. Given the information available, I am satisfied that permission can be granted subject to standard conditions.

Construction

8.6.14. I note points made within the Observations on file in relation to construction impacts, including in relation to impacts on residential amenity as well as overhead power lines on the site. I have also reviewed the Planning Authority Environmental section report in this regard. The applicant submitted a Construction & Demolition Plan & By-Products Management Plan, which set out information in relation to construction phase access, security, noise, dust, traffic, risk and waste. Given the foregoing, I am satisfied that matters relating to construction management and construction & demolition waste management can be addressed by standard conditions.

Housing demand and need

8.6.15. I note points made within the Observations on file in relation to housing demand, housing need, and ghost estates. The Development Plan sets out details of significant target growth for Carrickmacross over the Plan Period 2025-2031. No

concerns in this regard were raised by the Planning Authority, and I am satisfied the proposed development broadly complies with the Development Plan in this regard.

Property values

- 8.6.16. I note points made within the Observations on file in relation to property values. Having regard to the assessment and conclusion above, I am satisfied the proposed development would not seriously injure the amenities of the area to such an extent that would adversely affect the value of property in the vicinity.

Accuracy of information submitted

- 8.6.17. I note points within the Observations on file in relation to the accuracy of drawings submitted. I note too the tolerances referenced in the appeal regarding distances to third-party property boundaries. I have also addressed above the refusal reason (No. 5) in relation to the submission of a landscape plan. Having regard to the information above, I am generally satisfied as to the accuracy of the information on file.

Conditions

- 8.6.18. Noting the outstanding matters in relation to access and road design as set out above, in relation to other matters, should the Commission be inclined to grant permission, I make the following additional points in relation to conditions:
- Part V: I note points made in the Planning Authority Housing Section report, and points from the applicant in response to further information in this regard. Standard conditions.
 - Irish Water; Construction management; Construction traffic; Demolition and waste; Public lighting; Surface water; Taking in charge; Naming & numbering; Commercial housing: Standard conditions.
 - Contributions: Section 48 contribution conditions.

9.0 Appropriate Assessment screening

- 9.1.1. I have considered the project in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located approx. 18.0km from Stabannan-Braganstown SPA. The proposed development comprises 51 no. houses and works to the public road. No nature conservation concerns were raised in the

planning appeal. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site. The reason for this conclusion is as follows: the nature of works e.g. small scale and nature of the development, and the location-distance from nearest European site and lack of connections. Taking into account screening report/determination by LPA, 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. 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

10.1.1. The subject site is located approximately 147m from the Proule river (Ref. IE_NB_06P010300) and 516m from the Naglack lake (Ref. 06_55). The proposed development comprises 51 no. houses and works to the public road. No water deterioration concerns were raised in the planning appeal. I have assessed the project 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 prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied 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, or otherwise jeopardise any water body in reaching its WFD objectives. The reason for this conclusion is as follows: the nature of works e.g. small scale and nature of the development, and the location-distance from nearest water bodies. I conclude that on the basis of objective information, 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.

11.0 Recommendation

11.1.1. I recommend permission be **Refused**, for the reasons and considerations below.

12.0 Reasons and Considerations

Having regard to the provisions of the Monaghan County Development Plan 2025-2031, and to the layout of the proposed access and works proposed to the public road, it is considered that the proposed development did not clearly demonstrate appropriate forward visibility for vehicles egressing the site, or appropriate pedestrian connectivity along the public road. It is considered that the development as proposed did not demonstrate acceptable levels of road safety, and would be contrary to the provisions of Monaghan County Development Plan Policy RASP1, Section 15.23.1, and Section 15.23.3 in relation to visibility along the public road; and Section 15.28, Policy PFP1, and Policy ATP4 in relation to pedestrian infrastructure, and related provisions of the Design Manual for Urban Roads & Streets. It is considered therefore that the development as proposed 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 me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.-

Dan Aspell
Planning Inspector
5th May 2026

APPENDIX 1

Form 1: EIA Pre-Screening

Case Reference	ACPL-500456-25
Proposed Development Summary	Construction of 51 no. dwellings.
Development Address	Drumconrath Rd, Magheross, Carrickmacross
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?	
	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required.	
<input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	Class 10(b)(i) Construction of more than 500 dwelling units.
4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes <input type="checkbox"/>	Screening Determination required (Complete Form 3)
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ **Date:** __ 14th April 2026 __

Form 2: EIA Preliminary Examination

Case Reference	ACPL-500456-25
Proposed Development Summary	Construction of 51 no. dwellings.
Development Address	Drumconrath Rd, Magheross, Carrickmacross
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	Proposed development comprises 51 no. dwellings in a town. The proposed development has a modest footprint, comes forward as a standalone project, requires no demolition works, does not require the use of substantial natural resources, or give rise to production of significant waste, significant risk of pollution or nuisance. The development, by virtue of its type, does not pose a risk of major accident and/or disaster, human health or is vulnerable to climate change.
Location of development	The development is located in a town on agricultural land. The receiving location is not particularly environmentally sensitive and is removed from sensitive natural habitats, designated sites and identified landscapes of significance in the County Development Plan. The site is not of historic or cultural significance. Given the scale and nature of development and mitigation proposed there will be no significant environmental effects arising.
Types and characteristics of potential impacts	Having regard to the characteristics and modest nature of the proposed development, the sensitivity of 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.
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	Schedule 7A Information required to enable a Screening Determination to be carried out.
There is a real likelihood of significant effects on the environment.	EIA is not required.

Inspector: _____ Date: 14th April 2026
 DP/ADP: _____ Date: _____

APPENDIX 2

Screening for Appropriate Assessment - Test for likely significant effects				
Step 1: Description of the project and local site characteristics				
Brief description of project		Construction of 51 no. houses		
Brief description of development site characteristics and potential impact mechanisms		Site measures 0.26ha and comprises grassed agricultural land and an area of road. Stabannan-Braganstown SPA is 18.0km to the south-east.		
Screening report		No		
Natura Impact Statement		No		
Relevant submissions		Planning Authority screening		
Step 2. Identification of relevant European sites using the Source-pathway-receptor model				
European Site (code)	Qualifying interests Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connection	Consider further in screening Y/N
Stabannan-Braganstown SPA (004091)	https://www.npws.ie/protected-sites/spa/004158	18.0km	No feasible connection.	No
Step 3. Describe the likely effects of the project (if any, alone <u>or</u> in combination) on European Sites AA Screening matrix				
Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*			
	Impacts	Effects		
Stabannan-Braganstown SPA (004091) A043 Greylag Goose <i>Anser anser</i> The Conservation Objectives for the SPA are to restore the favourable conservation conditions of the identified Qualifying Interests. I consider the project would not compromise the objective of restoration or make restoration more difficult.	No direct, indirect, ex situ or in combination impacts.	No significant effects likely.		
No	Likelihood of significant effects from proposed development (alone): No			
No	If No, is there likelihood of significant effects occurring in combination with other plans or projects? No			
Step 4 Conclude if the proposed development could result in likely significant effects on a European site				
I conclude that the proposed development (alone) would not result in likely significant effects on European site(s) including the Stabannan-Braganstown SPA. The proposed development would have no likely significant effect in combination with other plans and projects on any European site(s). No further assessment is required for the project. No mitigation measures are required to come to these conclusions.				

Appendix 3

WFD IMPACT ASSESSMENT SCOPING TABLE							
Step 1: Nature of the Project, the Site and Locality							
An Bord Pleanála ref. no.	ACP-500456-25	Townland, address			Drumconrath Rd, Magheross, Carrickmacross		
Description of project	Construction of 51 no. dwellings.						
Brief site description, relevant to WFD Screening,	The site comprises an agricultural field at the edge of Carrickmacross town. The topography is relatively level but elevated. The soils within and around the site comprise acid well drained mineral soils and acid poorly drained mineral soils. The application red line area is stated as 0.26ha (comprising the field and road). The site boundary comprises hedges and fencing. The site is approx. 147m from the Proule river (Ref. IE_NB_06P010300) and approx. 516m from the Naglack lane (Ref. 06_55).						
Proposed surface water details	Application proposes surface water drainage from the dwellings and road to be collected and discharged to existing surface water drainage infrastructure within the road. That public infrastructure in turn discharges to the Proule river which in turn is hydrologically connected to the Naglack lake.						
Proposed water supply source & available capacity	Application proposes connection to existing mains supply within adjacent residential lands. Confirmation of Feasibility from Irish Water confirms connection is feasible with upgrades comprising approx. 80m of 100m network extension.						
Proposed wastewater treatment system & available capacity, other issues	Application proposes connection to existing mains foul water connection within the road. Confirmation of Feasibility from Irish Water confirms connection is feasible without upgrades.						
Others?	Not applicable						
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection							
Identified water body	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(Consider all phases)	Mitigation Measures proposed	Is mitigation sufficient? Will there be any residual impacts?
River waterbody	Proule (Ref. IE_NB_06P010300.	Poor	At risk	Urban Wastewater	Mains drainage.	Standard CMP and SuDS	Yes
Lake waterbody	Naglack (06_55)	Bad	At risk	Invasive Species, Urban Waste Water	Mains drainage, hydrological connection.	Standard CMP and SuDS	Yes
Groundwater waterbody	Carrickmacross (IE_NB_G_016)	Good	Not at risk	None identified	Well drained soil, bedrock aquifer, no superficial aquifer, Extreme Vulnerability	Standard CMP and SuDS	Yes