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| Development | Construction of 19 dwellings. |
| Location | Lurgans , Carrickmacross , Co. Monaghan |
| Planning Authority | Monaghan County Council |
| Planning Authority Reg. Ref. | 2560176 |
| Applicant(s) | BWCL |
| Type of Application | Permission |
| Planning Authority Decision | Grant Permission + Conditions |
| Type of Appeal | Third Party Normal Planning Appeal |
| Appellant(s) | John Paul Kiernan |
| Observer(s) | None |
| Date of Site Inspection | 26 th March 2026 |
| Inspector | Aisling MacNamara |

1.0 Site Location and Description

1.1. The proposed development relates to a 0.72ha site located in Lurgans, Carrickmacross in County Monaghan. The site is an undeveloped part of a partially completed housing development Ros Cluain near the western outskirts of the town. The southern boundary of the site is to the rear of existing two storey detached houses that address the Lurgans Road. The eastern boundary is to a row of two storey detached houses and associated access road. The southeastern boundary adjoins the public open space serving the existing houses. The northern / rear boundary and the western/ side boundary of the site are to the adjoining agricultural lands and are treated by natural hedge and trees. The site has a gently sloping topography falling northwest.

2.0 Proposed Development

2.1. Permission is sought for the following:

- construction of 19 no. dwellings comprising
 - 10 no. 4 bed semi detached two storey dwellings,
 - 8 no. 3 bed semi detached two storey dwellings,
 - 1 no. 2 bed detached single storey dwelling,
- Boundary treatments, hard and soft landscaping, public lighting, new estate road, connections to existing main services and associated works.

At further information stage, revised drawings and details were submitted. The revised development comprises 20 no two storey houses (10 no. 4 bed, 8 no. 3 bed, 2 no. 2 bed).

3.0 Planning Authority Decision

3.1. Decision

By order dated 12th December 2025, the planning authority decided to grant permission subject to 23 no. conditions.

Conditions 1 and 2 relate to section 48 development contributions.

Conditions 3 and 4 relate to cash deposit.

Condition 5 is for €48,000 section 48(2)(c) special contribution for the provision of a 70m footpath along Lurgan Hill Road as indicated in submitted Quality Audit received 15th October 2025 including pedestrian crossing, dropped kerbs, tactile paving, road line marking and signage and for tactile paving and road line marking at the new entrance to the development as indicated on the submitted site layout drawings.

Condition 6 restricts the use of houses for choice and supply of housing in the common good.

Condition 7 relates to section 96 social and affordable housing.

Condition 8 requires the developer to submit revised landscaping / boundary treatment layout plans and for revised house type D (unit 31) to be dual frontage.

Condition 9 requires construction and demolition plan and by-products management plan.

Condition 10 relates to construction and demolition waste / soil, measures for the protection of waterbodies and for environmental protection.

Condition 11 relates to construction per Council's Taking in Charge policy.

Condition 12 relates to agreements with Uisce Eireann.

Condition 13 relates to completion of public open space and phasing.

Condition 14 relates to the carrying out of Road Safety Audit.

Condition 15 relates to Traffic Management Plan for construction.

Condition 16 relates to visibility splay at the entrance, the design of the entrance, technical measures for protection and construction of water services, licensing and cash deposit for the completion of drainage / boundary work.

Condition 17 relates to external wall finishes.

Condition 18 relates to hours of construction.

Condition 19 relates to public lighting.

Condition 20 relates to landscaping.

Condition 21 relates to services.

Condition 22 relates to estate naming.

Condition 23 is standard condition for development in accordance with the submitted details.

3.2. Planning Authority

3.2.1. Planning Reports

- The first report of the Case Planner recommended further information in relation to 10 items.
- Further Information was requested on 25/06/2025 in relation to 10 no. items:
 - (1) Demonstrate compliance with Urban Design Manual: A Best Practice Guide.
 - (2) Submit Stage 1 Road Safety Audit including any revised designs, quality audit in accordance with DMURS showing interconnectivity, sightlines of 49m x 2.4m to public road.
 - (3) Submit proposals showing compliance with HSP 6 – 10% houses to be 2 bed units.
 - (4) Submit revisions showing compliance with SPPR1 of Sustainable Residential and Compact Settlements 2024 (separation distances).
 - (5) Submit revisions in relation to storage space.
 - (6) Submit revised site landscaping / boundary treatment plan.
 - (7) Revised numbering arrangement.
 - (8) Address errors in documentation.
 - (9) Submit details in relation to brickwork finishes.
 - (10) Address issues raised in third party submissions.
- A response to the FI request was submitted on 15th October 2025.
- The response was deemed 'significant' and new public notices were advertised and submitted on 17th November 2025.
- The second report of the Case Planner dated 9th December 2025 recommended grant of permission.

3.2.2. Other Technical Reports

- Fire Officer (12/06/2025) – no objection subject to conditions.
- Housing Section (27/05/2025) – Part V proposal is acceptable.
- Public Lighting (19/05/2025) – no objection.
- MD Engineer

Report of 12/06/2025 requests additional information in relation to road layout and sightlines to public road.

Report of 28/11/2025 indicates no objection subject to conditions in relation to sightlines at entrance to Ros Cluain Estate road, surface water drainage and protection of road, no development over public water services, Road Safety Audit and Quality Audit Report, Traffic Management Plan for construction, management of road during construction, cash deposit of €2250 for surface water drainage / boundary work.

- Road Section - report of 22/05/2025 indicates no objection; report of 28/10/2025 indicates no objection.
- Environment Section (16/05/2025) – no objection subject to conditions.

3.3. Prescribed Bodies

None

3.4. Third Party Observations

Third party observations were received at initial application and further information stage. Issues raised include concerns regarding overdevelopment of estate/ negative impact on property values/ impacts on character of estate, traffic safety/ capacity of roads, boundary treatments not satisfactory, poor maintenance of development site, applicant does not have wayleave for storm water services, lack of footpath connections outside of site to town, construction concerns, issues over site notice, removal of hedgerows and impact on biodiversity, proposed relocation of open space, concerns over impact of potential future development.

4.0 Planning History

PA10/9006 – Roderick Joyce Keel Properties Ltd - Extension of Duration of PRR04/1528– granted – Expiry date 05/10/2012

PA08/1280 – Roderick Joyce Keel Properties - Grant, Sept 2009– alterations to approved PRR04/1528 - permission for change of house types on Sites 13-24 .

PA04/1528 – Roderick Joyce Keel Properties Ltd - Grant, Oct 2005 – permission for 30 dwellings (18 No. two storey detached 4 bed houses and 12 No. two storey houses with integral garage), connection to existing and proposed Local Authority Services and all associated and ancillary site works

Condition 4: Prior to the commencement of development, the developer shall submit, to the satisfaction of the Planning Authority, a written legal agreement with the owner of any lands outside the control of the applicant, which is witnessed by a solicitor, consenting to the provision of 15 metre minimum width wayleave for the construction of the proposed foul sewer, storm sewer, water main and booster station over these third party lands.

Reason: To ensure the proper planning and sustainable development of the area.

Condition 5: (a) The developer shall construct 225mm diameter trunk foul sewer pipeline for a distance of 350 metres along the Shercock Road (R178) from the proposed foul manhole indicated as F100.9 on the plans submitted to the Planning Authority on 2nd August 2005 to the existing public foul sewer system.

(b) The new sewer pipeline shall be constructed to the satisfaction of the Planning Authority and details of construction shall be agreed in writing with the Planning Authority prior to the commencement of development. Reason: To ensure the proper planning and sustainable development of the area.

Condition 16: All sanitary services work shall be carried out in accordance with the requirements of the Sanitary Services Section of the County Council. Reason: In the interests of public health.

5.0 Policy Context

5.1. Development Plan

Monaghan County Development Plan (CDP) 2025-2031

Chapter 11 Carrickmacross Town Settlement Plan

Site is within the settlement boundary of Carrickmacross.

The site is zoned Existing Residential in the Carrickmacross zoning Map. Section 9.2 of the CDP Land Use Zoning sets out the zoning categories and objectives. The objective for 'Existing Residential' zoned land is as follows:

To protect and enhance existing residential amenity, to facilitate residential development on small infill sites within established residential areas, the comprehensive redevelopment of brownfield residential sites for sustainable residential development, and to facilitate and encourage the completion of commenced and not yet completed residential developments.

The principal permitted land use is residential. However other uses open for consideration include education, nursing homes, creches, health centres, community facilities, and guesthouses provided that all such proposals are in keeping with the established built character of the area and do not adversely impact upon the amenity of existing residential properties. Infill residential development on small sites and the comprehensive redevelopment of large residential plots for proposed residential development will be acceptable subject to the development proposal having regard to the character of the surrounding residential development.

Table 9.3 sets out a Land Use Zoning Matrix. Residential development is acceptable in principle.

Carrickmacross Settlement Plan Strategic Objective

CMSO 1 To promote Carrickmacross Town as a place of strategic potential at a regional level where the principles of environmental, economic and social sustainability including the protection of the town's heritage and natural and built environment are enshrined.

Chapter 2 Core Strategy

Carrickmacross is designated a Tier 2 Strategic Town with 2022 population of 5,745 and projected population of 7,053 by 2031. The town has a housing target of 537 units.

SHO 2 To promote the Strategic Towns as population centres and as prosperous and thriving local development and service towns, where the principles of environmental,

economic and social sustainability, including protection of the town's heritage and natural and built environment are enshrined.

Core Strategy Objectives and Policies

CSO 6 To promote sustainable compact development forms, including infill sites, redevelopment of brownfield sites and comprehensive backland development where appropriate, ensuring the efficient use of available public infrastructure and services.

CSP 2 Proposals for residential development in the designated settlements will be determined in accordance with the provisions of the Core Strategy with regard to population growth, the ability of the proposal to enhance the character of the settlement, the demand for the proposed quantum and type of residential development within the settlement and compliance with relevant development management standards as set out in Chapter 15 of this Development Plan.

Chapter 3 Housing Strategy

3.13 Urban Housing

3.14 Residential Density

HSO 1 To encourage a balanced supply of housing in the County in a manner that is consistent with the Housing Strategy, the Core Strategy and the Settlement Hierarchy, and which will support the creation of sustainable communities through the provision of an appropriate range of housing types and high-quality residential environments.

HSO 2 To guide urban residential development in a sequential manner outward from the centre of the settlements to maximise the use of existing and future infrastructure provision, to promote sustainability, to make more efficient use of underutilised lands, and to avoid the extension of services and utilities to more remote areas.

Chapter 7 Transport and Infrastructure

WWP 1 To only permit development in instances where there is sufficient capacity in the public water and wastewater infrastructure, subject to executed connection agreement with Uisce Éireann.

Chapter 8 Environment, Energy and Climate Action

8.8 Surface Water Drainage

SWDO 2 All development proposals, as required shall carry out a surface water and drainage assessment and shall be compliant with the following to ensure that drainage from the site is managed sustainably: • Department of Housing, Local Government and Heritage (DHLGH) 'Nature based Solutions to the Management of Rainwater and Surface Water Runoff in Urban Areas – Water Sensitive Urban Design' (March 2022) • CIRIA SuDS Manual C753 (2015) It is noted that updates to the above documents and / or new published documents during the lifetime of the SFRA are to be implemented as part of Development Management where appropriate.

SWDO 4 To require all new development to provide a separate foul and surface water drainage system and to incorporate sustainable urban drainage systems where appropriate in new development and the public realm.

Chapter 15 Development Management Standards

MURP 1 Proposals for multi-unit residential development shall comply with Section 15.8 to 15.8.6 of the Monaghan County Development Plan 2025-2031.

HDP 1 To require a density of units within multi-unit residential schemes, in accordance with the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, 2024 and any new or updated/subsequent versions.

15.8 Multi Unit Residential Developments

15.22.7 Surface Water Drainage

SWDP 1 Development proposals shall include provision for SuDS in accordance with Section 15.22.7 of the Monaghan County Development Plan 2025-2031.

SWDP 2 Development proposals shall ensure the capacity and efficiency of the public road network drainage regimes in County Monaghan will be safeguarded for road drainage purposes.

5.2. **Relevant National or Regional Policy / Ministerial Guidelines**

National Planning Framework First Revision April 2025

Development Management Guidelines for Planning Authorities 2020

Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities 2024

5.3. **Natural Heritage Designations**

There are no sites designated for natural heritage at or in close proximity to the site. The closest designated site is Fafarty Fen pNHA which is located c 0.54km from the site.

6.0 **EIA Screening**

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

7.0 **The Appeal**

Note: For the purpose of presenting the information on this appeal, third party individuals referenced in the submissions of the appellant and applicant are referenced as Landowner A and B. Folios have been referenced and these are referred to as Folio X. The Commission may wish to refer to the details on file.

7.1. **Grounds of Appeal**

A third party appeal is received from a resident of Ros Cluain. The key issues raised are summarised as follows:

- The applicant BWCL do not own / have permission to access the wastewater facilities as referred to and marked on the maps in the planning application.
- The applicant is aware that the wastewater facilities belong to the appellant as the heirs and assigns of the late Landowner A.
- The proposed development site was originally sold by Landowner A to Keel Properties Development (contract of sale dated 2004 submitted).
- Subsequent to conveyance of the property, Landowner A entered into a separate agreement with Landowner B, owner of neighbouring lands, allowing Landowner A

to place wastewater facilities upon Landowner B's lands and granting Landowner A an easement over those facilities which are contained in Folio X (*i.e. third party lands to the north*) for the benefit of Folios X,X and X (*within which site is located*). This agreement further allowed for the said easement to be registered as a burden over Landowner B's Folio (attached copy of signed Grant of Easement which was registered in the Land Registry and is evident on the Folio).

- The applicant does not have permission to use these wastewater facilities nor has he requested permission from the appellant as the owner of the facility or sought consent for the purpose of his planning application.
- The planning application in its current form is unworkable in circumstances where the appellant does not permit the applicant use of these facilities.
- Request decision to grant permission be overturned on this ground.
- Attached is original submission to Council.
- If permission is granted and the development is allowed to proceed, will be forced to seek redress through Court as against the planning authority in the circumstances where the permission allows for use of facilities and services not belonging to the applicant.
- A copy of the submission to Monaghan County Council is submitted with attachments stated to be as follows:
 - "The attached Folio Ref X shows a wayleave in favour of Monaghan County Council for services (attachment no.1)
 - The wayleave agreement between Landowner B and Landowner A shows a slightly different wayleave for stormwater (Attachment 2)
 - The subject application shows the storm water connected into Landowner A's wayleave and not the County Council wayleave (shown coloured red on attachment 3)"

7.2. Applicant Response in the case of a 3rd Party Appeal

The applicant has responded to the third party appeal. The key issues raised are summarised as follows:

- Suggest it is an invalid appeal as grounds relate to civil matter rather than planning matter.
- The appellant may not be aware of a separate more recent legal easement agreement was entered into between Landowner B and Keel Properties for the connection to and maintenance of the services required for the development. This easement is passed to the applicant as the current legal owner of the property.
- Attached solicitor correspondence which states the following:

The Easement which was held by Keel Properties Ltd (which appears to follow an identical route to the one also held by Landowner A) is the one which is relevant to the applicants planning application. As the successor in title to Keel Properties Ltd, BWCL also has the benefit of that easement. The actual connection to these services will be made within the boundary of Folio X that is part of the property owned by BWC. The grant of easement from Landowner B to Keel Properties specifies that it is for the benefit of the property then contained in a number of Folios. The Folios that the applicant owns were carved out of these original Folios. BWC acquired the property that is the subject of this planning application from the receiver appointed in respect of Keel Properties. BWC is successor in title to Keel Properties Ltd. Part of the overall property referred to in the grant of easement, as the property which was to benefit from it and at that time contained in Folios X and X, is now contained in the Folios X and X of which BWC is the registered owner.

- Attached copy of Land registry easement between Landowner B and Keel Properties.

7.3. **Planning Authority Response**

The planning authority have responded to the appeal stating that they have no additional comments.

7.4. **Observations**

None

7.5. Further Responses

Further response received from solicitors from Mr. John Paul Kiernan (appellant):

- Disagree with the applicants interpretation of their objections. The objection is a planning matter and not a matter to be resolved through the civil courts.
- Notes the Grant of Easement dated 2006 between Landowner B and Keel Properties Ltd.
- The planning application depicts the storm water reconnected into Landowner A's way leave and not the Council way leave as shown coloured red on the map which is attached.
- Also attached copy Folio X which shows the way leave in favour of Monaghan County Council for services. We further attach the way leave agreement which was agreed between Landowner B and Landowner A which shows a slightly different way leave. This way leave is for storm water.
- In the circumstances where the subject application shows the storm water drains connected to Landowner A's way leave this is clearly a valid objection to planning circumstances where our client being the owner of the way leave did not give any permission expressed and / or implied to the applicant nor was such agreement and /or consent sought. In this regard, the storm water drain as set out in the applicant's current planning application is not capable of being used in its current form and as submitted in circumstances where our client does not give permission to the applicant to use same being the only person in a position to give that consent.
- Attached correspondence sent to Monaghan County Council by J.P. Kiernan enclosing the same maps which we now refer to. Ask these taken into consideration in refusing the permission.

7.5.1. Oral Hearing request

The appellant requested an oral hearing. The Commission considered the request and in accordance with section 134 (3) of the Planning and Development Act (as amended) decided to determine the appeal without an oral hearing. The Commission concluded that the appeal can be dealt with adequately through written procedures.

8.0 **Assessment**

8.1. Having examined the application details and all other documentation on file including all submissions received in relation to the appeal and inspected the site and having regard to relevant local policies and guidance, I consider that the main issues in this appeal are as follows:

- principle of development
- issues relating to rights for connection to drainage services

8.2. **Principle of development**

- 8.2.1. It is proposed to construct 20 no. dwellings (refer Site Layout drawings submitted 15/10/2025) on a 0.7ha site located within the settlement of Carrickmacross. The site is zoned Existing Residential in the Carrickmacross Town Settlement Plan of the Monaghan County Development Plan where the objective includes the protection and enhancement of existing residential amenity, to facilitate residential development on small infill sites within established residential areas and to encourage the completion of commenced and not yet completed residential development.
- 8.2.2. The proposal relates to part of a larger site that received planning permission under PA 04/1528 in 2005 for the construction of 30 houses (and subject to subsequent amendments under PA08/1280 relating to change of house types). The development permitted under PA04/1528 was not completed in full. The development carried out consisted of 16 no. detached dwellings, access road and public open space.
- 8.2.3. The proposed works include the construction of 20 additional units and associated access road via the existing estate road, a 186sqm extension to the existing central public open space and a new public open space area of 650sqm in the northwestern corner of the site. The planning authority is satisfied that the proposed density, layout and design is acceptable and is in accordance with the provisions of the County Development Plan.
- 8.2.4. I am satisfied that the proposal to construct houses and to complete a residential development on lands zoned Existing Residential is in accordance with the zoning objective and is acceptable in principle.

8.3. Issues relating to rights for connection to drainage services

- 8.3.1. An appeal has been received from a third party raising concerns that the applicant does not have the legal entitlement over third party lands / storm water drains to service the development. The appellant argues that the applicant does not have a wayleave agreement over the connection shown in the proposed development.
- 8.3.2. *Background to development on site*
- 8.3.3. In 2005 Keel Properties received planning permission for a housing development for 30 houses on an overall site of 1.7ha which contains the subject development site. This originally permitted development was not completed. The development permitted under PA04/1528 included installation of water services. Conditions 4, 5 and 16 of PA04/1528 set out requirements in relation to the laying of the proposed water services. Condition 4 of PA04/1528 required that prior to commencement of the development, the developer shall submit a legal agreement for third party consent to the provision of a wayleave for the construction of proposed foul sewer, storm sewer, water main and booster station over the third party lands.
- 8.3.4. I note the copy of the 2004 legal agreement between the original owner of the site Landowner A (the appellant is heir to this landowner) and Keel Properties relating to the sale of the lands. The contract is subject to granting of wayleave over third party lands. I note the copy of the 2005 wayleave agreement between Landowner A and the third party owner Landowner B for the laying, maintaining and retaining a storm drain over his lands.
- 8.3.5. I also note the copy of a separate 2006 legal agreement between Keel Properties and the third party owner Landowner B for the laying, maintaining and retaining pipes together with passage and funning of sewerage, storm water and water through pipes.
- 8.3.6. The development permitted under PA04/1528 commenced and in 2008 Keel Properties submitted a new planning application under PA08/1280 for change of house types. At this stage, 16 of the houses were complete. The drawings submitted with the application show proposed foul, storm and water main services extending from the northwest corner of the site via third party lands to Shercock Road to the north. The permitted development was not completed. The current owners of the site BWCL acquired the site via receivership and the current application is in their name.

- 8.3.7. The drawings submitted with the current application shows the existing storm and foul sewers on the site and connecting into third party lands via the northwest corner of the site. The Foul Sewer Layout drawing submitted 1st May 2025 shows an existing 225m foul sewer connecting from the northwestern part of the site (proposed public open space) to the adjoining lands to the north. The Storm Sewer Layout Planning Drawing submitted 1st May 2025 shows an existing 500mm storm sewer connecting from the northwestern part of the site (proposed public open space) to the adjoining lands to the north. It is proposed to connect a new storm sewer via stormtech attenuation tank into this existing storm sewer. The point for the connection of the proposed development to the existing storm sewer is within the site boundary. The Watermain Planning Drawing submitted 1st May 2025 shows a watermain connection into the site at the eastern boundary to the existing estate road.
- 8.3.8. I note the pre connection enquiry letter from Uisce Eireann stating that water and wastewater connection is feasible without infrastructure upgrade by Uisce Eireann. The letter indicates that the connection points do not appear to be UE owned assets. In this regard, connection points are within the red site boundary. I note the letter includes a map showing the UE water and foul network. I also note the references made in the appeal documentation to the Council's wayleave over third party lands.
- 8.3.9. The appellant is an heir to the original 2004 owner Landowner A. He has submitted a solicitor's letter stating that the application shows storm drain connection into Landowner A's way leave and that the appellant being the owner of the way leave does not give permission for the use of the storm drain.
- 8.3.10. The applicant has submitted a letter with solicitors correspondence stating that BWC is the successor in title to Keel Properties. They are the owner of the development site/ folios that have the benefit of the easement between Landowner B and Keel Properties over the third party land required for water services including storm drain.
- 8.3.11. *Assessment*
- 8.3.12. I note Section 34 (13) of the Planning and Development Act 2000 (as amended) states the following: *"A person shall not be entitled solely by reason of permission under this section to carry out any development."*
- 8.3.13. I note Section 5.13 of the Development Management Guidelines relates to issues relating to title to land. The Guidelines state the planning system is not a mechanism for resolving disputes about rights over land. However if there are doubts as to the sufficiency of legal

interest, further information may be sought. Only where it is clear from the response that the applicant does not have sufficient legal interest should permission be refused on that basis. If notwithstanding the further information, some doubt still remains, the planning authority may decide to grant permission however such a grant of permission is subject to section 34(13) of the Act. The developer must be certain under civil law that he/she has all rights in the land to execute the grant of permission.

8.3.14. The existing storm sewers were constructed to service the originally permitted 30 house development. The storm sewer is in place and it is proposed to connect the subject development to this sewer with connection point within the red site boundary. The Council's Environment Section have submitted a report indicating no objection to the proposals. There are no works proposed on third party lands. The applicant owns the site and this site has the benefit of existing services. The existing services pass through third party lands and there is a land registered easement on the third party lands within which the services are located which is for the benefit of the development site. This is confirmed by the applicants solicitor and a copy of the easement is submitted. The easement allows for any potential required works for example maintenance / replacement of the storm sewer etc.

8.3.15. Based on the information available, I consider that the applicant can execute the proposed development. I am not clear that the applicant does not have sufficient legal interest and therefore as per the Guidelines, permission should not be refused on this basis. If the Commission has some doubt in relation to the applicant's legal ability to execute the permission, they can seek further information and if deemed appropriate an advisory note referring to section 34(13) can be attached to the end of a decision (as per the Guidelines). Any further disagreement of rights to land between the appellant and the applicant is a civil matter and outside of the remit of the planning application.

9.0 AA Screening

9.1. I have considered the proposed development in light of the requirements of S177U of the Planning and Development Act as amended. A screening assessment is attached as an appendix to this report.

9.2. The subject site is located c. 20km from the closest Natura 2000 site – Stabannan-Braganstown SPA. The proposed development comprises the construction of 20 units on

zoned land located within the settlement boundary of Carrickmacross. The development is to connect to public wastewater and water and surface water is to connect to the existing network. There are no hydrological or ecological pathways between the project and the Natura 2000 site network.

9.3. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European site. The reason for this conclusion is as follows:

- the modest scale and nature of the development,
- the distance to the nearest European site
- the lack of connections / pathways to the European site network

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. I have considered the proposed development in light of the requirements of the Water Framework Directive (WFD). A screening assessment is attached as an appendix to this report.

10.1.2. The site is in the Newry, Fane, Glyde and Dee WFD catchment and the Glyde_SC_020 sub catchment.

10.1.3. The site overlays the Carrickmacross ground water body (good status, not at risk). The site is c 195m from the Proules_010 river (moderate, at risk). Foul effluent is to discharge to the public network. The Carrickmacross WWTP discharges to the Proules_010.

10.1.4. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seeks to protect and where necessary, restore surface and ground water bodies in order to reach good status and prevent deterioration.

10.1.5. Having considered the nature, scale and location of the proposed development, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any water bodies either qualitatively or quantitatively.

10.1.6. The reason for this conclusion is as follows:

- the good status of the Carrickmacross ground water body,
- the distance to the Proules_010 river,
- the connection to public main water supply and public sewer (Carrickmacross WWTP has capacity)
- the proposed mitigation measures and recommended conditions including:
 - standard construction management plan to be agreed prior to development,
 - standard integrated pollution / silt control measures on the proposed surface water network.

11.0 Recommendation

I recommend that permission be granted with conditions.

12.0 Reasons and Considerations

Having regard to the location of the subject site on lands zoned as 'Existing Residential' in the Carrickmacross settlement plan in the Monaghan County Development Plan 2025-2031 and the nature, scale and design of the proposed development and the pattern of development in the area, it is considered that subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of the area or property in the vicinity and would be acceptable in terms of traffic safety and convenience, would not be prejudicial to public health and would not have an adverse effect on the integrity of any European site in view of the conservation objectives and would not result in the deterioration of any water body . The proposed development

would therefore, be in accordance with the proper planning and sustainable development of the area.

13.0 Conditions

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| 1 | <p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 15th October 2025, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p> |
| 2 | <p>The proposed development shall be amended as follows:</p> <p>(a) House Type D (unit 31) shall be designed with ‘dual frontage’ features to address the road and public open space.</p> <p>Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interests of visual and residential amenity.</p> |
| 3 | <p>Prior to the commencement of development, the developer shall enter into a Connection Agreement (s) with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply and/or wastewater collection network.</p> |

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| | <p>Reason: In the interest of public health and to ensure adequate water/wastewater facilities.</p> |
| 4 | <p>Prior to the occupation of the dwelling units, the recommendations of the Quality Audit and Road Safety Audit submitted to the planning authority on 15th October 2025 shall be complied with in full unless otherwise agreed in writing with the planning authority.</p> <p>Within one month of completion of the development hereby granted, the developer shall carry out a Stage 3 Road Safety Audit and submit to the planning authority for agreement in writing.</p> <p>Reason: In the interests of traffic safety.</p> |
| 5 | <p>(a) The internal road network serving the proposed development including turning bays, junctions, parking areas, footpaths, and kerbs shall comply with the detailed construction standards of the planning authority for such works and design standards outlined in Design Manual for Urban Roads and Streets (DMURS).</p> <p>(b) Footpaths shall be dished at road junctions in accordance with the requirements of the planning authority.</p> <p>(c) All driveways serving each dwelling unit shall be constructed with block pavements of contrasting colours in keeping with the existing driveways within Ros Cluain housing development.</p> <p>Details of all locations and materials to be used shall be submitted to, and agreed in writing with the planning authority prior to the commencement of development.</p> <p>Reason: In the interest of amenity and of traffic and pedestrian safety.</p> |
| 6 | <p>All roads and footpaths shown to adjoining lands shall be constructed up to the boundaries to provide access to adjoining lands with no obstruction</p> |

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| | <p>including the erection of any structure which would otherwise constitute exempted development under the Planning and Development Regulations 2001, as amended. These areas shall be shown in a drawing [a revised taking in charge drawing] which shall be submitted to and agreed in writing with the planning authority prior to commencement of development.</p> <p>Reason: In the interest of permeability and proper planning and sustainable development.</p> |
| 7 | <p>Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the relevant Section of the Council for such works and services. Prior to the commencement of development the developer shall submit to the Planning Authority for written agreement a Stage 2 - Detailed Design Stage Storm Water Audit. Upon completion of the development a Stage 3 Completion Stormwater Audit to demonstrate Sustainable Urban Drainage System measures have been installed, and are working as designed and that there has been no misconnections or damage to storm water drainage infrastructure during construction, shall be submitted to the planning authority for written agreement. Pollution prevention and source control measures shall be incorporated into the drainage design.</p> <p>Reason: In the interest of public health and surface water management.</p> |
| 8 | <p>Public lighting shall be provided in accordance with a scheme which shall be submitted to, and agreed in writing with the planning authority prior to the commencement of development. The scheme shall include lighting along pedestrian routes through open spaces and shall take account of tree planting for the development. Such lighting shall be provided prior to the making available for occupation of any residential unit.</p> <p>Reason: In the interest of amenity and public safety.</p> |

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| 9 | <p>The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:</p> <p>(a) A plan to scale of not less than [1:500] showing –</p> <p>(i) Existing trees, hedgerows, specifying which are proposed for retention as features of the site landscaping</p> <p>(ii) The measures to be put in place for the protection of these landscape features during the construction period</p> <p>(iii) The species, variety, number, size and locations of all proposed trees and shrubs</p> <p>(b) Specifications for mounding, levelling, cultivation and other operations associated with plant and grass establishment</p> <p>(c) A timescale for implementation</p> <p>All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development or until the development is taken in charge by the local authority, whichever is the sooner, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.</p> <p>Reason: In the interest of residential and visual amenity.</p> |
| 10 | <p>The areas of public open space shown on the lodged plans shall be reserved for such use and shall be levelled, contoured, soiled, seeded, and landscaped in accordance with the detailed requirements of the planning authority. This work shall be completed before any of the dwellings are made available for occupation unless otherwise agreed with the planning</p> |

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| | <p>authority and shall be maintained as public open space by the developer until taken in charge by the local authority.</p> <p>Reason: In order to ensure the satisfactory development of the public open space areas, and their continued use for this purpose.</p> |
| 11 | <p>Prior to commencement of development, the developer shall submit to the planning authority for written agreement, details (plans, sections and elevations at an appropriate scale) of proposed boundary treatments to include height, form and finish. The plan shall show the following:</p> <p>(a) All boundaries to rear gardens shall be bounded by block walls, 1.8m in height, capped and rendered on both sides to the written satisfaction of the planning authority.</p> <p>(b) The existing timber fencing demarcating the northern boundary of the existing open space shall be removed.</p> <p>Reason: In the interest of orderly development, residential and visual amenity.</p> |
| 12 | <p>Details of the materials, colours and textures of all the external finishes to the proposed buildings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.</p> |
| 13 | <p>All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.</p> |

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| | <p>Reason: In the interests of visual and residential amenity.</p> |
| 14 | <p>All of the in-curtilage car parking spaces serving the residential units shall be provided with electric connections to allow for the provision of future electric vehicle charging points.</p> <p>Reason: in the interest of sustainable transportation.</p> |
| 15 | <p>The development hereby permitted shall be carried out and completed at least to the construction standards as set out in the planning authority's Taking In Charge Standards. In the absence of specific local standards, the standards as set out in the 'Recommendations for Site Development Works for Housing Areas' issued by the Department of the Environment and Local Government in November 1998. Following completion, the development shall be maintained by the developer, in compliance with these standards, until taken in charge by the planning authority.</p> <p>Reason: To ensure that the development is carried out and completed to an acceptable standard of construction.</p> |
| 16 | <p>Proposals for an estate/street name, house/apartment numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate and street signs, and house/apartment numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).</p> <p>Reason: In the interest of urban legibility and to ensure the use of locally appropriate placenames for new residential areas.</p> |

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| 17 | <p>Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority [in relation to the transfer of a percentage of the land, to be agreed with the planning authority, in accordance with the requirements of section 94(4) and section 96(2) and 96(3)(a), (Part V) of the Planning and Development Act 2000, as amended, and/or the provision of housing on lands in accordance with the requirements of section 94(4) and section 96(2) and 96(3) (b), (Part V) of the Planning and Development Act 2000, as amended], unless an exemption certificate has been granted under section 97 of the Act, as amended. Where such an agreement cannot be reached between the parties, the matter in dispute (other than a matter to which section 96(7) applies) shall be referred by the planning authority or any other prospective party to the agreement, to An Coimisiún Pleanála for determination.</p> <p>Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan for the area.</p> |
| 18 | <p>(a) Prior to the commencement of the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house or duplex unit), pursuant to Section 47 of the Planning and Development Act 2000, that restricts all relevant residential units permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.</p> <p>(b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified</p> |

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| | <p>housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each of the residential units for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing.</p> <p>(c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified housing units, in which case the planning authority shall confirm in writing to the applicant or any person with an interest in the land that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit.</p> <p>Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.</p> |
| 19 | <p>The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:</p> <ul style="list-style-type: none"> (a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse; (b) Location of areas for construction site offices and staff facilities; (c) Details of site security fencing and hoardings; (d) Details of on-site car parking facilities for site workers during the course of construction; (e) Details of the timing and routing of construction traffic to and from the |

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| | <p>construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;</p> <p>(f) Measures to obviate queuing of construction traffic on the adjoining road network;</p> <p>(g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;</p> <p>(h) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;</p> <p>(i) Provision of parking for existing properties during the construction period;</p> <p>(j) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;</p> <p>(k) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;</p> <p>(l) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;</p> <p>(m) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.</p> <p>(n) A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be available for inspection by the planning authority.</p> <p>Reason: In the interest of amenities, public health and safety and environmental protection.</p> |
| 20 | <p>Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific</p> |

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| | <p>proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.</p> <p>Reason: In the interest of proper planning and sustainable development.</p> |
| 21 | <p>Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p> |
| 22 | <p>Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.</p> <p>Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.</p> |

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| 23 | <p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.</p> <p>Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.</p> |
| 24 | <p>The developer shall pay a financial contribution of € 48,000 (forty eight thousand euro) to the planning authority as a special contribution under Section 48(2)(c) of the Planning and Development Act 2000, as amended, in respect of the following:</p> <ul style="list-style-type: none"> (a) The provision of a 70m footpath along Lurgan Hill Road as per the submitted Quality Audit received on 15th October 2025 including pedestrian crossing, dropped kerbs, tactile paving, road line marking and signage. (b) Tactile paving and road line marking at the new entrance to the development as indicated on the submitted site layout drawings. <p>The contribution shall be paid prior to commencement of development or in such phased payments as may be agreed prior to the commencement of</p> |

the development, and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the terms of payment of this financial contribution shall be agreed in writing between the planning authority and the developer.

Reason: It is considered reasonable that the developer should contribute towards the specific exceptional costs which are incurred by the planning authority in respect of public services, which are not covered in the Development Contribution Scheme or the Supplementary Development Contribution Scheme and which will benefit the proposed development.

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.

Aisling Mac Namara
Planning Inspector

14th April 2026

Appendix 1: Form 1 - EIA Pre-Screening

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|---|---|
| Case Reference | 500585 |
| Proposed Development Summary | Construction of 20 dwellings and associated site works |
| Development Address | Lurgans , Carrickmacross , Co. Monaghan |
| | In all cases check box /or leave blank |
| <p>1. Does the proposed development come within the definition of a ‘project’ for the purposes of EIA?</p> <p>(For the purposes of the Directive, “Project” means:</p> <ul style="list-style-type: none"> - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources) | <p><input checked="" type="checkbox"/> Yes, it is a ‘Project’. Proceed to Q2.</p> <p><input type="checkbox"/> No, No further action required.</p> |
| <p>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</p> | |
| <p><input type="checkbox"/> Yes, it is a Class specified in Part 1.</p> <p>EIA is mandatory. No Screening required. EIAR to be requested.</p> | State the Class here |
| <p><input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3</p> | |
| <p>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?</p> | |
| <p><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.</p> <p>No Screening required.</p> | |

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| | |
| <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) | Schedule 5, Part 2, 10 (b) (i) Construction of more than 500 dwelling units 10 (iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere. |

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| 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: _____

Appendix 2: Form 2 - EIA Preliminary Examination

| | | |
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| Case Reference | 500585 | |
| Proposed Development Summary | Construction of 20 dwellings and associated site works | |
| Development Address | Lurgans , Carrickmacross , Co. Monaghan | |
| This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith. | | |
| Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health). | <ul style="list-style-type: none"> - Proposed residential use within settlement boundary is compatible with other uses in area. - Modest size and intensity of development. - Localised impact on natural resources. - Connection to public water and foul network. Surface water to connect to existing network. - Modest production of waste. - No significant risk of pollution or nuisance. - No significant risk of accidents / disasters to human health. | |
| Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance). | <ul style="list-style-type: none"> - Urban area, site located within settlement boundary. - Local ecology only on site. Existing hedgerow on northern boundary to be retained. - No built heritage on site. - No designated sites at the site. - Localised impacts on streetscape. - No significant risk to water bodies. Refer to WFD screening. | |
| Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation). | Having regard to the following: <ul style="list-style-type: none"> - nature and scale of the development, - lack of significant environmental sensitivities on the site, - absence of significant 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. x | EIA is not required. |
|---|----------------------|

Inspector: _____ **Date:** _____

DP/ADP: _____ **Date:** _____

(only where Schedule 7A information or EIAR required)

Appendix 3: AA Screening Determination Template Test for likely significant effects

| 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 20 dwellings and associated site works Wastewater to public sewer Water connection via public main Surface water via existing network | | | |
| Brief description of development site characteristics and potential impact mechanisms | Site forms part of an uncompleted housing development. No surface water features on site. Natural hedgerow/ trees to northern and western boundary. | | | |
| Screening report | No | | | |
| Natura Impact Statement | No | | | |
| Relevant submissions | no | | | |
| Planning authority | Planning authority AA screening concludes that the proposed development by itself for in combination with other plans and development in the vicinity will not be likely to have a significant effect on a European Site and Stage 2 NIS is not required. | | | |
| Step 2. Identification of relevant European sites within zone of influence using the Source-pathway-receptor model | | | | |
| European Site (code) | Qualifying interests ¹ Link to conservation objectives (NPWS, date) | Distance from proposed development (km) | Ecological connections ² | Consider further in screening ³ Y/N |

| | | | | |
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| <p>n/a</p> <p>There are no Natura 2000 sites within a 15km radius of the site.</p> <p>There are no hydrological or ecological pathways to the Natura 2000 network.</p> | | | | |
|--|--|--|--|--|

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

n/a

AA Screening matrix

| Site name | Qualifying interests and conservation objectives | Possibility of significant effects (alone) in view of the conservation objectives of the site | |
|-----------|--|---|--|
| n/a | | | |

¹ Summary description / cross reference to NPWS website is acceptable at this stage in the report

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

³if no connections: N

Screening Determination

I have considered the proposed development in light of the requirements of S177U of the Planning and Development Act as amended.

The subject site is located c. 20km from the closest Natura 2000 site – Stabannan-Braganstown SPA. The proposed development comprises the construction of 20 units on zoned land located within the settlement

boundary of Carrickmacross. The development is to connect to public wastewater and water and surface water is to connect to the existing network. There are no hydrological or ecological pathways between the project and the Natura 2000 site network.

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 modest scale and nature of the development,
- the distance to the nearest European site
- the lack of connections / pathways to the European site network

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.

Appendix 4: Water Framework Directive Screening

| WFD IMPACT ASSESSMENT STAGE 1: SCREENING | | | | | | |
|--|---------------------------|---|---|--|---|--|
| Step 1: Nature of the Project, the Site and Locality | | | | | | |
| An Bord Pleanála ref. no. | 500585 | Townland, address | Lurgans , Carrickmacross , Co. Monaghan | | | |
| Description of project | | Construction of 20 dwellings and associated site works | | | | |
| Brief site description, relevant to WFD Screening | | No surface water features on the site. | | | | |
| Proposed surface water details | | Connection to existing services | | | | |
| Proposed water supply source & available capacity | | Public mains UE CoF states water connection feasible without infrastructure upgrade by UE. | | | | |
| Proposed wastewater treatment system & available capacity, other issues | | <p>UE CoF states wastewater connection feasible without infrastructure upgrade by UE.</p> <p>Note: Uisce Eirean capacity register indicates that Carrickmacross WWTP has available spare capacity and indicates WWTP project is planned /underway. Information on UE website indicates that Carrickmacross Wastewater Treatment Plant upgrade is currently underway. The project is expected to be concluded in 2027.</p> | | | | |
| Step 2: Identification of relevant water bodies and Step 3: S-P-R connection | | | | | | |
| Identified water body | Water body name(s) (code) | Distance to (m) | WFD Status | Risk of not achieving WFD Objective e.g.at risk, review, not at risk | Identified pressures on that water body | Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater) |
| | | | | | | |

| River | PROULES_010 | 195m | Moderate | At risk | Agriculture Urban Run-off Waste | Surface water at operational stage | |
|---|--|-------------------------------|----------------------------|---|---|---|---|
| Groundwater | Carrickmacross Protected Article 7 abstraction for drinking water | underground | Good | Not at risk | none | Drainage to groundwater at construction and operational stage | |
| River | PROULES_010 | | Moderate | At risk | Agriculture Urban Run-off Waste | Via Carrickmacross WWTP | |
| Step 3: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage. | | | | | | | |
| CONSTRUCTION PHASE | | | | | | | |
| No. | Component | Waterbody receptor (EPA Code) | Pathway (existing and new) | Potential for impact/ what is the possible impact | Screening Stage Mitigation Measure* | Residual Risk (yes/no) Detail | Determination* * to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2. |
| | Drainage to ground | Carrickmacross | underground | Pollution | Standard best construction. Recommended Condition: Standard condition for Construction Management Plan | No | Screened out |
| OPERATIONAL PHASE | | | | | | | |
| | Effluent disposal to WWTP | PROULES_010 | Discharge of effluent | pollution | WWTP has capacity. | No | Screened out |

| | | | | | | | |
|------------------------------|-------------|-------------|-----------------------------|---------------------------|---|----|--------------|
| | Storm water | PROULES_010 | Via surface water discharge | Pollution / sedimentation | Standard best construction. Recommended Condition: Standard condition for integrated pollution controls on drainage network | no | Screened out |
| DECOMMISSIONING PHASE | | | | | | | |
| | N/A | | | | | | |