



Development	Retention of a domestic garage and log cabin to a dwelling and all other site works
Location	Greenhills , Birdhill , Co. Tipperary
Planning Authority	Tipperary County Council
Planning Authority Reg. Ref.	25225
Applicant(s)	Liam & Sinead Ryan
Type of Application	Retention
Planning Authority Decision	Refuse Retention
Type of Appeal	First Party Normal Planning Appeal
Appellant(s)	Liam & Sinead Ryan
Observer(s)	None
Date of Site Inspection	15 th of April 2026
Inspector	Caryn Coogan

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1.0 Site Location and Description

- 1.1. The subject site is located in the townland of Greenhills, Birdhill, Co. Tipperary. It has a stated area of 0.37Ha, and it is the side garden area of a bungalow.
- 1.2. The site includes a detached garage that was formerly associated with the bungalow. There is a log cabin attached to the detached garage, creating one dwelling unit.
- 1.3. Access to the site is shared with the adjoining bungalow off the L6029 in close proximity to a junction with the R445.
- 1.4. The site includes a grassed area to the rear of a hard surfaced area associated with the main dwelling on the site.
- 1.5. There is a river running along the eastern site boundary, i.e. the Kilmastulla River.

2.0 Proposed Development

- 2.1. Retention of a garage conversion and an attached log cabin to a dwelling unit, and all other site works.

3.0 Planning Authority Decision

3.1. Decision

Tipperary Co. Co. refused Permission for Retention for the development for 3No. reasons:

1. The application site is located in an area designated as an Area Under Urban Influence in the Tipperary County Development Plan 2022. Section 5.5.2, Table 5.2 and Policy 5-11 of the Tipperary County development Plan 2022-2028 set out the following requirements for new rural dwellings in such areas.

An applicant seeking a new rural dwelling must be building their first home for their permanent occupation, demonstrate a housing need, and must not already own or have never owned a dwelling in a rural area.

The planning authority is not satisfied that the applicant Sinead Ryan satisfies the requirements of Section 5.5.2, Table 5.2 and Policy 5-11 of Tipperary County Development Plan 2022-2028 for a new rural dwelling at this location.

The proposed development would contravene the stated policies and objectives of the development plan and would therefore be contrary to the proper planning and sustainable development of the area.

2. Having regard to the poor, unsympathetic and awkward appearance of the structure, it is considered the development for which retention permission is sought represents a substandard, haphazard and piecemeal form of development that detracts from the overall appearance of the area and gives rise to substandard living accommodation for the occupiers of the structure. The proposed development :

- (i) Is contrary to the objectives of Appendix 4 of the Tipperary County Development Plan 2022 (Rural Housing Design Guide)
- (ii) Sets an undesirable precedent for similar development, and
- (iii) Injures the amenities and depreciates the value of property in the vicinity

And contrary to the proper planning and sustainable development of the area.

3. The application site is within the confines of a critical fluvial Flood Zones. In the absence of a site specific Flood Risk Assessment, the applicant has failed to demonstrate that (i) the flood risk to the occupiers of the structure would be minimised and that (ii) the proposed development would not give rise to an increased risk of flooding on the application site and or in the vicinity of the application site. The proposed development if granted would therefore be prejudicial to public health, and would set an undesirable precedent for similar development, contrary to Policy 11-9 of the Tipperary County development Plan 2022-2028, and contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Report

- The living accommodation is for a family member. The applicants have a need to reside in the area for financial reasons. The structure contains 3No.

bedrooms and exceeds 50sq.m.. The proposal fails to meet with the criteria under section 4.13 of the development Management Standards. It is not an extension.

- The applicant Sinead Ryan got planning permission for a dwelling under reference 04/10933 at Birdhill, Newport. The application stated her home address as River House, Kilmastulla. The dwelling was sold in 2015. Therefore, the applicant does not comply with Item iii) Category 2 of Policy 5-11 she has owned a dwelling in a rural area of Co. Tipperary.
- The garage and log cabin have distinctly different appearances, and they do not harmonise sympathetically together. It is a poor standard of design, it is substandard, haphazard and piecemeal. It fails to comply with the Principles of the Rural House Design Code (Appendix 4 Tipperary CDP)
- Intensification of existing access. Sightlines are acceptable.
- The site is within a critical Flood Zone (CFRAMS mapping). No Flood Risk Assessment has been submitted.
- A refusal is recommended.

3.2.2. **Other Technical Reports**

None Received.

3.3. **Prescribed Bodies**

None received.

3.4. **Third Party Observations**

None received.

4.0 **Planning History**

4.1. Under planning reference **5123708** planning permission was granted for a bungalow on the site Under planning reference 04511051 permission was granted for retention of a dwelling, detached garage, boiler house.

4.2. Under reference **TUD-23-037** enforcement proceedings were initiated.

5.0 Policy Context

5.1. Development Plan

Tipperary County Development Plan 2022-2028

Chapter 5 Housing

Policy 5-11

Facilitate proposals for dwellings in the countryside outside of settlements in accordance with NPF Policy NPO 19 for new Housing in the Open Countryside, and Inspector's Report Page 6 of 26 PL-500119-TY designations illustrated in Section 5.4, and Table 5.2: Rural Housing Technical Principles for Applicants. In 'Areas Under Urban Influence' and 'Primary Amenity Areas', the Council will consider single houses for persons where the criteria set out in Category 1A or B, or Category 2 hereunder are met: Category 1: 'Economic Need' A: The applicant must demonstrate an economic need to reside in the area through active employment in farming/agricultural activity (farming, horticulture, forestry, bloodstock). The farm must exceed 20ha in total. And all the criteria below are met: (i) The applicant must be actively engaged in farming, (ii) The applicant must demonstrate that they have been engaged in farming at that location for a continuous period of over 5 years prior to making the application, (iii) The applicant does not or has never owned a house in the open countryside.

Development Management Guidelines – Volume 3

4.1 Rural Residential Development

The design, orientation, landscaping and other features of all new one-off houses outside designated settlements shall comply with the relevant policies of the Plan and the 'Rural Housing Design Guideline' for one-off houses in the open countryside set out in Volume 3 of the Plan.

4.3 Wastewater Treatment Systems

4.3.1 New Rural Houses Connections to public services shall be made where available. For an on-site wastewater disposal system, the standards, guidance, design and orientation of the EPA Code of Practice for Domestic Wastewater

Treatment Systems (EPA, 2021), shall be met. A report prepared by a qualified site assessor in accordance with the standards shall be submitted with the planning application.

4.13 Provision for Ancillary Family Accommodation

Consideration can be given to building ancillary accommodation as an extension to an existing house where it can be shown that such is required for a family member. Proposals for such development will be required to meet the following design requirements: a) There shall be direct internal access to the principle dwelling and the structure shall not form a permanent separate self-contained unit from the principle dwelling. b) The extension shall be modest in size and shall not provide more than one bedroom (2 bedrooms in exceptional circumstances). c) The extension shall not exceed a gross floor area of 50 square metres. d) There shall be no subdivision of the garden or entrance. e) The design should ensure that the extension forms an integral part of the main dwelling unit capable of integration for single domestic use when no longer required and shall not be sold or leased separately.

Policy 11 - 2 Ensure the protection, integrity and conservation of European Sites and Annex I and II species listed in EU Directives. Where it is determined that a development may individually, or cumulatively, impact on the integrity of European sites, the Council will require planning applications to be accompanied by a NIS in accordance with the Habitats Directive and transposing Regulations, 'Appropriate Assessment of Plans and Projects, Guidelines for Planning Authorities', (DEHLG 2009) or any amendment thereof and relevant Environmental Protection Agency (EPA) and European Commission guidance documents.

Policy 11 - 9 Assess all new developments (both within and without designated Flood Risk Zones) in line with the 'Staged Approach' and pre-cautionary principle set out in the Planning System and Flood Risk Management Guidelines for Planning Authorities, (DEHLG, 2009) and any amendment thereof, and the following:

(a) Require the submission of site-specific Flood Risk Assessments for developments undertaken within Flood Zones A & B and on lands subject to the mid-range future scenario floods extents, as published by the OPW. These Flood Risk Assessments shall consider climate change impacts and adaptation measures including details of

structural and non-structural flood risk management measures, such as those relating to floor levels, internal layout, flood-resistant construction, flood-resilient construction, emergency response planning and access and egress during flood events.

(b) SFRAs and site-specific flood risk assessments shall provide information on the implications of climate change with regard to flood risk in relevant locations. The 2009 OPW Draft Guidance on Assessment of Potential Future Scenarios for Flood Risk Management (or any superseding document) shall be consulted with to this effect.

(c) Ensure each flood risk management activity is examined to determine actions required to embed and provide for effective climate change adaptation as set out in the OPW Climate Change Sectoral Adaptation Plan for Flood Risk Management applicable at the time.

5.2. **Natural Heritage Designations**

The site adjoins the Lower River Shannon SAC (site Code 002165).

6.0 **EIA Screening**

The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended. No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Appendix 1 of report.

7.0 **The Appeal**

7.1. **Grounds of Appeal**

The entire site which contains the applicant's family home is 0.83Ha. A detached domestic garage on site was converted to living accommodation and was added to with a three-bedroom log cabin.

It is proposed to divide the site leaving 0.457ha with the original bungalow on the overall site and 0.373Ha to the new dwelling.

A new effluent treatment system is proposed to service the new dwelling.

The new dwelling is accessed via a shared existing entrance.

The applicant's and their daughter have been living in the converted garage for over ten years and they cannot afford to purchase a new house. They have never owned a house in the rural area.

The site may lie in a Fluvial Flood Zone but the applicant's family have lived in the area for the past 75 years and have never experienced flooding on the site. The Planning Authority did not request a Flood Risk Assessment.

The development is entirely obscured from public view by trees. It will have no impact on the amenities or value of properties in the vicinity.

The appeal was accompanied by drawings.

7.2. **Planning Authority Response**

There was no further response from the planning authority

8.0 **Assessment**

8.1. Having examined the application details and all other documentation on file, the reports of the Planning Authority, having conducted an inspection of the site, and having reviewed relevant local policies and guidance, I consider that the main issues in this First Party appeal can be addressed under the following relevant headings:

- Development Plan Policy Context
- Design and Siting
- Wastewater Treatment
- Flooding
- Appropriate Assessment (Screening)

8.2 **Development Plan Policy Context**

8.2.1 According to **Policy 5 - 10** of the Tipperary County development Plan 2022-2028, it is planning authority policy to '*Facilitate the sub-division/extension of existing dwellings for the provision of ancillary accommodation for dependant family relatives, subject to compliance with the Development Management Standards set out in Volume 3*'. The applicant's family reside in the adjoining bungalow. The applicant, Sinead Ryan, is a daughter of the owners. The applicant was born and reared in the existing bungalow on the overall site. Under the current application it is proposed to subdivide the residential curtilage of the main dwelling to provide two separate sites, and to retain the structures for residential use. According to the appeal, the detached garage associated with the bungalow was converted into a separate dwelling unit over ten years ago. In addition, a log cabin has been attached to the converted garage and this includes 3No. bedrooms.

8.2.2 According to Policy 5-10 of the development plan, the development should meet with the Development Management Standards outlined in Volume 3 of the development plan. I will examine these in greater detail under the following bullet points, as this issue formed the first reason for refusal.

According to **Section 4.13 Volume 3** the following standards are relevant:

- *There shall be direct internal access to the principle dwelling and the structure shall not form a permanent separate self-contained unit from the principal dwelling.*

The converted garage and log cabin are separate detached structures to the main dwelling on the original site area.

- *The extension shall be modest in size and shall not provide more than one bedroom (2 bedrooms in exceptional circumstances).*

The unit is modest in scale, but it does contain 3No. bedrooms. It is a separate family home and not a granny flat.

- *The extension shall not exceed a gross floor area of 50 square metres.*

The overall unit is 66sq.m.. The entire site area is .373ha and the site has the capacity to absorb the development without reducing the visual or residential amenities of the area.

- *There shall be no subdivision of the garden or entrance.*

The development is not in compliance with this requirement.

- *The design should ensure that the extension forms an integral part of the main dwelling unit capable of integration for single domestic use when no longer required and shall not be sold or leased separately.*

The development is not in compliance with this requirement.

8.2.3 Policy 5-10 is not applicable to the current proposal. Therefore, the development must be considered in the context Policy 5-11 in terms of rural Housing Need.

8.2.4 The application site is located in an area designated as an Area Under Urban Influence in the Tipperary County Development Plan 2022. Section 5.5.2 of the Tipperary County Development Plan 2022-2028, Table 5.2 and Policy 5-11 of the Tipperary County Development Plan 2022-2028 set out the following requirement, in addition to other requirements, for new rural dwellings in such areas.

An applicant seeking a new rural dwelling must be building their first home for their permanent occupation, demonstrate a housing need, and must not already own or have never owned a dwelling in a rural area.

The planning authority in the Planning Report refer to a planning application for a rural dwelling and entrance granted at Greenhills, Birdhill to Ms Sinead Ryan, who's address on file is Riverhouse, Kilmastulla, Birdhill. The planning authority was not satisfied that the applicant Sinead Ryan satisfied the requirements of Section 5.5.2, Table 5.2 and Policy 5-11 of Tipperary County Development Plan 2022-2028 for a new rural dwelling at this location. In the report it is sated, Ms Sinead Ryan and Mr. Patrick Rafferty sold the property permitted under PI. Ref. 04/510933 in 2015. Unfortunately, applicant has not addressed this issue on appeal, and further evidence is required and the Coimisiun cannot make any assumptions on whether the claims made by the planning authority are correct or incorrect. The grounds of appeal simply state the applicants have not owned a dwelling in a rural area. A counter argument for the planning authority's first reason for refusal has not been addressed on appeal in a meaningful way by the applicant. In the absence of the required evidence, the first reason for refusal that the proposed development would contravene the stated policies and objectives of the development plan in particular Policy 5-11 should be upheld by the Coimisiun.

8.3 Design and Siting

- 8.3.1 The detached domestic garage associated with the bungalow on the overall site was converted into a living/ kitchen area. A small log cabin structure has been attached to the rear of the garage and includes 3No. bedrooms and a toilet. The proposal also involves the subdivision of the rear and front garden area associated with the existing bungalow on the site.
- 8.3.2 The conversion of the domestic garage and the attachment of a log cabin to provide accommodation, is in my opinion, an incongruous and inappropriate form of rural housing. The overall design, specification and layout are incompatible with each other. Whilst I do accept the structures are not visible from the adjoining roads, i.e. the Regional Road R445 along the northern site boundary, and the L6029 to the east, in my opinion, the visibility of the structures is not the key issue of concern. There is another steel shed and trampoline positioned between the subject structures and the main dwelling on the site. There is an expansive garden area to the front of the curtilage, and a large hard surfaced parking area to the rear of both structures. There is ample amenity space associated with the development.
- 8.3.3 I refer to ***Development Management Guidelines – Volume 3*** which specifies the design, orientation, landscaping and other features of all new one-off houses outside designated settlements shall comply with the relevant policies of the Plan and the ‘Rural Housing Design Guideline’ for one-off houses in the open countryside set out in Volume 3 of the Plan.
- 8.3.4 The site is not located in or adjoining a Designated Area. As stated, the development is not visible from the wider area. However, the development is not in keeping with the existing settlement pattern of the area, which mainly consists of open countryside punctuated by one off housing dispersed on large sites fronting the public roads.
- 8.3.5 The development in my opinion is ad hoc and piecemeal. The two structures do not resemble the design or layouts of rural housing developments as prescribed in the Design Guidelines. I refer to Photo Plates 3 & 4 from my site inspection which illustrate the structures in the context of the appeal site. The overall design and layout of the development is incongruous with the surrounding area, and it fails to appropriately integrate into receiving rural landscape. It is important that design in rural areas meets with the aspirations of those building new homes, without compromising the integrity of Tipperary’s long established rural signature. In this

instance, the overall design and specification of the dwellinghouse bears no resemblance to existing rural housing, design and specification in Co. Tipperary. The external finish of the dwelling is a log cabin attached to a domestic garage formerly associated with the main dwelling house on the site. In addition, in my opinion, there is no explanation or design statement on the planning application file, to justify such a departure from the Tipperary Rural House Design Guidelines.

There is no rationale for the deviation of layout and specification to warrant granting planning permission for this design, which I consider to be unrelated to and incompatible with this rural Tipperary setting. I consider the overall development appears to be completely out of place, an inappropriate design and it should be refused for this reason. It may also set a highly undesirable precedent for similar developments without detailed and informed justification for permitting such a radical change to the rural architecture and design in rural Co. Tipperary.

8.4 Wastewater Treatment

8.4.1 The subject site overlies a poor aquifer with moderate vulnerability. It should be noted the River Kilmastulla flows along the western site boundary. The development is served by a public water supply. A tertiary sewage is proposed. The proposed system complies with the EPA Guidelines in terms of the specified standards and separation distances.

8.5 Flood Issues

8.5.1 The planning authority's third reason for refusal is because the site is located within a critical Flood Zone as per the CFRAMS maps. Planning applications within these zones should be accompanied Flood Risk Assessment. Despite the clear wording of Reason No. 3 of the planning authority's decision, the applicant did not submit a Flood Risk Assessment Site Specific on appeal. They simply made a statement that the applicant's family have resided in the area for over 75 years and there has no flooding associated with the site.

8.5.2 The proposed sewage treatment system is located 55m from the Kilmastulla River, which is a tributary of the Lower River Shannon SAC, and with the required information regarding flooding it cannot be determined if there is or is not a direct hydrological link between the application site and the SAC.

9.0 AA Screening

- 9.1.1 In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that it is not possible to exclude that the proposed development alone will give rise to significant effects on Lower River Shannon SAC European Site(s) in view of the sites conservation objectives.
- 9.1.2 The applicant has failed to demonstrate that the location of the proposed waste water treatment system is not at risk of flooding, and as a result it is not possible to determine if there is a direct hydrological connection between the application site and the Killmastulla River which is a tributary of the Lower River Shannon Special Area of Conservation (SAC) and therefore I am not satisfied that the development proposed to be retained would not have an adverse effect on the site integrity of this SAC.

10.0 Water Framework Directive

- 10.1. The subject site is located in a rural area and it adjoins the Killmastulla River.
- 10.2. The development comprises of the retention of a garage conversion and log cabin as one residential unit, the installation of a waste water treatment system, shared entrance and all associated works.
- 10.3. No water deterioration concerns were raised in the planning appeal.
- 10.4. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am not satisfied that it can be eliminated from further assessment because there is insufficient evidence on file to determine that there is no conceivable risk to any adjoining surface water bodies either qualitatively or quantitatively. The reason for this conclusion is as follows:
- 10.5. The site adjoins a river Killmastulla River

10.6. The site is located in a Flood Risk Zone

10.7. There has been no Site Specific Flood Risk Assessment carried out.

11.0 Recommendation

11.1. I recommend the planning authority's decision to refuse the development be upheld.

12.0 Reasons and Considerations

1. Having regard to the totality of documentation submitted in support of the application and appeal and to the location of the site within an 'Area under Urban Influence' as indicated in Figure 5.3 in the current Tipperary City and County Development Plan 2022-2028, the applicants have failed to demonstrate that they accord with policy 5-11 that sets criteria for rural housing in areas under urban influence, the proposed development therefore contravenes the Tipperary County Development Plan 2022-2028, Residential Development in the Open Countryside, Section 5.5. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The site of the development proposed to be retained is located within an 'Area under Urban Influence' as indicated in the current Tipperary City and County Development Plan 2022-2028 for the area, where emphasis is placed on the importance of designing with the landscape as set out in the current Tipperary Rural House Design Guide, Appendix 4, Volume 3, which Guidelines are considered to be reasonable. Having regard to the location of the development proposed to be retained on subdivided residential curtilage serving an existing dwelling, to the design and siting of the structures to be retained, it is considered that the development proposed to be retained would form a discordant feature on the landscape at this location, would militate against the preservation of the rural environment and would set an undesirable precedent for other such located development in the vicinity. The development proposed to be retained would, therefore, be contrary to the proper planning and sustainable development of the area.

3. In the absence of a Site Specific Flood Risk Assessment (SSFRA) the applicant has failed to demonstrate that the location of the proposed waste water treatment system is not at risk of flooding, and as a result it is not possible to determine if there is a direct hydrological connection between the application site and the Kilmastula River which is a tributary of the Lower River Shannon Special Area of Conservation (SAC) and therefore the Coimisiun is not satisfied that the development proposed to be retained would not have an adverse effect on the site integrity of this SAC. The development proposed to be retained would be contrary to Policy 11-2 of the Tipperary County Development Plan 2022-2028 and would therefore be contrary to the proper planning and sustainable development of the area

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

Caryn Coogan
Planning Inspector

23rd of April 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL 500606-26
Proposed Development Summary	Retention of domestic garage and log cabin to a dwelling house and all other site development works
Development Address	Greenhills, Birdhill, Co. Tipperary
IN ALL CASES CHECK BOX / OR LEAVE BLANK	
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 Q.2.
	<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.	State the Class here
<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 checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.	

<p>Preliminary examination required. (Form 2)</p> <p>OR</p> <p>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	
<p>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)?</p>	
<p>Yes <input type="checkbox"/></p>	<p>Screening Determination required (Complete Form 3)</p>
<p>No <input checked="" type="checkbox"/></p>	<p>Pre-screening determination conclusion remains as above (Q1 to Q3)</p>

Inspector: _____

Date: _____

Appendix 2: Form 2 - EIA Preliminary Examination

Case Reference	PL 500606-TY-26
Proposed Development Summary	Retention of a domestic garage and log cabin for residential use
Development Address	Greenhills, Birdhill, Co. Tipperary
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
<p>Characteristics of proposed development</p> <p>(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).</p>	Retention of a small three-bedroom residential unit (consisting of a garage conversion and an attached log cabin) for a family member which includes the installation of a tertiary treatment system with an infiltration system
<p>Location of development</p> <p>(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.</p>	The rural location is removed from any sensitive designated sites or cultural interests. No loss of hedgerow / trees is proposed.

<p>wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).</p>	
<p>Types and characteristics of potential impacts</p> <p>(Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).</p>	<p>The impacts will be contained within the site with any water-based run-off contained on site and wastewater treated on site. (However, the site is located within a designated Flood Risk Zone, so there could be potential impacts to the adjoining Lower River Shannon SAC. This is an Appropriate Assessment Issue)</p>
<p>Conclusion</p>	
<p>There is no real likelihood of significant effects on the environment.</p>	<p>EIA is not required.</p>

Inspector: _____ Date: _____

Appendix 3: Standard AA Screening Determination Template 2

Test for likely significant effects

Screening for Appropriate Assessment Test for likely significant effects	
Case Reference Number: 500606-TY-26	
The proposal is a small scale residential unit consisting of retention of the conversion of a domestic garage and the attachment of a log cabin with a tertiary treatment system	
Brief description of project	Conversion of a domestic garage and the attachment of a log cabin to form and single residential unit
Brief description of development site characteristics and potential impact mechanisms	The subject site is the subdivision of a residential curtilage which originally included a bungalow and detached garage. The overall site is bounded on two sides by the Kilmastulla River, which is a tributary of the Lower River Shannon SAC (Site Code 001265)
Screening report	No
Natura Impact Statement	No
Relevant submissions	No
Step 2. Identification of relevant European sites 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
Lower River Shannon (Site Code 002156)	1029 Freshwater Pearl Mussel 1095 Sea Lamprey 1096 Brook Lamprey 1099 River Lamprey	A tributary adjoins the subject site	The Kilmastulla River runs along the western boundary of the appeal site. This river is a tributary of the Lower River Shannon basin. Having regard to the small scale of the proposed development, and the consequent dilution effect on any contaminated run-off from the appeal site during a flood event, I do not consider a likelihood of significant effects.	Yes
Lough Derg Shannon (Site Code 004058)		Approx 4km to the north west of the site	There is no hydrological connection	No

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

- (a) The site includes the subdivision of a residential curtilage associated with a bungalow on the overall site. The overall original site is bounded on two sides by a river (Kilmastulla River), and the site is located in an identified Flood Risk Area.

There is a tertiary sewage treatment proposed 55m from the river. However there was no Site Specific Flood Impact Statement was submitted with the planning application or on appeal. In the absence of a Site Specific Flood Risk Assessment (SSFRA) the applicant has failed to demonstrate that the location of the proposed waste water treatment system is not at risk of flooding, and as a result it is not possible to determine if there is a direct hydrological connection between the application site and the Kilmastulla River which is a tributary of the Lower River Shannon Special Area of Conservation (SAC)

(ii) The risk of negative impacts to the qualifying interests of the adjoining SAC is low due to the dilution factor, the lack of an obvious hydrological link from the sewage treatment system to the SAC. However, the potential flooding of the site would require more investigation.

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
Site 1: Lower Shannon SAC	<p>The works are for retention of two structures and the provision of a sewage treatment plant. The site is a small brownfield rural site, which includes another dwellinghouse. There are very limited site development works required during the construction phase. In addition, the proposed sewage treatment system is 55m from the river to the west. There is no potential for the water quality pertinent to this European Site to be negatively</p>	

	<p>affected by any contaminants, such as silt from site clearance and other construction activities.</p> <p><u>Operational Phase Impacts on Lower Shannon SAC</u> - during the operational phase the applicants propose to discharge effluent to the sewage treatment system. The site is within a Flood Risk Area, and the potential for flooding or establishing if there is a hydrological link has not been examined. In this regard, there is uncertainty regarding potential for the water quality pertinent to this European Site to be negatively affected.</p> <p><u>Likely significant effects on the European sites in view of the conservation objectives</u></p> <p>The operational phase of the proposed development may result in impacts that could affect the conservation objectives of the SACs due to flooding and possible ecological/ hydrological connections. There may be changes in ecological status of the European sites due to flood related emissions.</p>	
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	<p>Likelihood of significant effects from proposed development (alone)</p> <p>908</p>	
	<p>If No, is there likelihood of significant effects occurring in combination with other plans or projects?</p>	
<p>Screening Determination</p> <p>Significant effects cannot be excluded</p> <p>In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that it is not possible to exclude that the proposed development alone will give rise to significant effects on Lower River Shannon SAC European Site(s) in view of the sites conservation objectives. Appropriate Assessment is required.</p> <p>This determination is based on:</p> <ul style="list-style-type: none"> • The location of the site in a Flood Risk Zone • The absence of a SSFRA 		

12.1. Appendix 2 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.	500606-TY-26	Townland, address		Greenhills, Birdhill, Co.Tipperary		
Description of project		Retention of conversion of domestic garage for residential use and a log cabin, and ancillary works				
Brief site description, relevant to WFD Screening,		<p>Site is flat and adjoins the River Killmastulla.</p> <p>Subsoils comprise a mixture of sand and gravel type (Lower Paleozoic/Devonian) and made ground to the rear of the appeal site.</p> <p>According to the CFRAMS mapping the site is located within a critical Flood Risk Zone. .</p>				
Proposed surface water details		Development will be drained to a soakpit and discharged to groundwater.				
Proposed water supply source & available capacity		Connection to public mains				
Proposed wastewater treatment system & available capacity, other issues		Tertiary WWTS and infiltration area				
Others?		Not applicable				
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection						
Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface runoff, drainage, groundwater)
River Waterbody	Along western		Poor	At risk	Shannon Lower	Maybe hydrologically

	site boundary	Kilmastulla-050					connected to surface watercourse.
Groundwater waterbody	Underlying site	Nenagh SH-G-178	Good	Not at risk	N/A		Poorly productive bedrock
Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.							
CONSTRUCTION PHASE							
No.	Component	Water body receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.
1.	Surface	Kilmastulla-050	None	None	None	No	Screened out
3.	Ground	Nenagh SH-G-178	Drainage	Hydrocarbon Spillages	Standard Construction Measures / Conditions	No	Screened out
OPERATIONAL PHASE							
3.	Surface	_0500	Maybe	Maybe	None	No	
4.	Ground	SH-G-178	None	None	None	No	Screened out