



Development	Construction of a house, garage, WWTS and all associated site works.
Location	Treankeel, Kiltimagh, Co. Mayo.
Planning Authority	Mayo County Council
Planning Authority Reg. Ref.	2560425
Applicant(s)	Christopher Finn & Amy Holian
Type of Application	Permission
Planning Authority Decision	Grant Permission + Conditions
Type of Appeal	Third Party Normal Planning Appeal
Appellant(s)	Tomas Skersis and Vilma Skersiene
Observer(s)	None
Date of Site Inspection	29 th April 2026
Inspector	Bébhinn O'Shea

1.0 Site Location and Description

The site is located in Treankeel, Kiltimagh, Co. Mayo, at the junction of the L-5959 to west and the L-59596 to front (northeast) of site. The subject site rises significantly from the road to rear, from north-east to south west. It has a hedgerow and part stone wall along boundaries, other than to the east with the adjacent dwelling where a fence and planted hedge exists. There are clumps of rushes scattered throughout the site and opposite the site there is a grassland riverbank approx. 15m in width and the River Glore.

2.0 Proposed Development

To construct a private dwelling house, domestic garage, a proprietary effluent treatment system, and ancillary site development works.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority sought Further Information on 18/08/2025 as follows:

1. As the site is located within 1.2km of River Moy SAC (Site Code 002298), the applicants are requested to carry out and submit a report under Article 6(3) of the EU Habitat Directive and the potential for hydrological connectivity via any nearby watercourse.
2. Please submit a revised plans and particulars delineating the FFL for the proposed dwelling house and garage and specify all proposed external material finishes shall be included on the revised plans.
3. In order to adequately consider the impact of the proposed development on the site and the immediate surrounding area the Planning Authority require the applicant to submit a longitudinal cross section through the site north to south, so that the impact of the proposed dwelling, garage and driveway can be assessed on the landscape. The cross section should be taken from the rear boundary, through the dwelling and garage, to the front boundary of the application site to include proposed drainage works at the site boundary, showing the existing and proposed levels.

4. It is noted that there is a parcel of land to the north (across the public road) and independent from the main site subject to this planning application. Please clarify why this was included and what its intended purpose is. (Applicant should note this land forms part of the River Moy SAC).
5. Please clarify the proposed water supply and submit documentary evidence that it is feasible to connect to same.

3.2. The PA decided to grant permission for the proposed development on 09/12/2025 subject to 12 No conditions:

- Plans and particulars
- Reduction of the overall gable depth of the dwelling house to be a maximum of 8.5m only and omission of timber metal cladding on the front elevation.
- Finished Floor Level to be 110.3m
- Set back of whole site frontage for sightlines.
- WWTS – compliance with EPA CoP
- Surface water not to discharge onto public road
- Diversion of ESB lines
- Compliance with Mayo County Council Fuel Oil Regulations for single-family dwellings.
- Finishes and materials
- Planting
- Use of garage
- Development contributions

3.3. Planning Authority Reports

3.3.1. Planning Reports

14/08/2025:

The report:

- Noted proposal for a single storey dwelling house with a stated gross floor area 213.69m² and a maximum height 6.3m. No external material finishes have been specified on plans and particulars,
- Noted the FFL of the dwelling house has not been stated on submitted plans and particulars,
- Noted that the site boundary is unusual and includes a parcel of land to north requiring clarification,
- No objection to the proposed garage. No external material finishes have been specified on plans and particulars,
- Notes sightlines have been demonstrated on site layout plan and a report returned from MCC Area Engineer has considered the proposal to be acceptable.
- No documentary evidence that connection to public water supply is feasible.
- The site suitability assessment report deems that the site is suitable for proposed WWTS.
- Notes soakholes proposed for surface water
- Recommends Further Information be requested (as per 3.1 above).

08/12/20025:

- Considers FI response is satisfactory.
- Notes that a precedent has been set for development in this area and given the siting of the dwelling house immediately to the east of the site it is recommended that planning permission is granted (as per conditions at 3.2 above).

3.3.2. Other Technical Reports

MD Engineer:

No objection subject to conditions.

Environment, Climate Change & Agriculture:

This site is located in flood zone C. No further flood risk assessment required.

3.4. **Prescribed Bodies**

No submissions

3.5. **Third Party Observations**

One objection on the grounds of: Loss of privacy, Inadequate setback, Overshadowing and loss of light, Groundwork vibration impact, Risk to sloped boundary from excavation works, Noise and air pollution on neighbouring property, Increase in traffic, Inadequate sightlines, Environmental impact on wildlife and Glore River.

The matters raised are also raised within the appeal below.

4.0 **Planning History**

Site

99/48 Permission granted to Erika Forster to construct dwellinghouse, garage and septic tank

04/1950 Application by Erika Forster for construction of a dwellinghouse, with garage, and to connect to septic tank, granted under planning reference p99/48, including all ancillary siteworks – withdrawn

Adjacent site to east:

18/271 Permission granted to Una Henegen to retain house/garage on site

05/901 Permission consequent granted to Una Heneegan for construction of dwelling on foot of outline permission P03/1454

03/1454 Outline permission granted to Michael Ivers for construction of dwelling

5.0 **Policy Context**

5.1. **Relevant National/ Regional Policy and Ministerial Guidelines**

- National Planning Framework First Revision, April 2025
- Northern & Western Regional Assembly Regional Spatial and Economic Strategy 2020-2032 (RSES)

- Sustainable Rural Housing Development Guidelines, 2005
- EPA Code of Practice for Domestic Wastewater Treatment Systems (Population Equivalent ≤ 10) (2021).

5.2. Development Plan

The relevant plan is the Mayo County Development Plan 2022-2028, including Variation no. 1, hereafter referred to as MCDP. The following sections are most relevant:

5.2.1. Chapter 3 Housing

Section 3.4.8 Rural Single Housing

Policies:

RHP 4: To ensure that future housing in rural areas have regard to the Sustainable Rural Housing Guidelines for Planning Authorities 2005 (DOEHLG) or any amended or superseding guidelines.

RHP 5: To ensure that rural housing applications employ site specific design solutions to provide for proposals that integrate into and reflect and enhance local landscape character, in terms of siting, design, materials, finishes and landscaping

Objectives:

RHO 1: To facilitate single houses in the countryside. However, in Rural Areas under Urban Influence applicants will be required to demonstrate a social or economic link to the area in which they wish to build.....

RHO 2: In rural areas not classified as in Rural Areas under Strong Urban Influence, there is a presumption in favour of facilitating the provision of single housing in the countryside, based on siting and design criteria for rural housing in statutory guidelines and plans, except in the case of single houses seeking to locate along Mayo's Scenic Routes/ Scenic Routes with Scenic Views or Coastal Areas/Lakeshores

RHO 5: To advise all rural housing applicants to utilise the Design Guidelines for Rural Housing (Mayo County Council) and core principles of same.

5.2.2. Chapter 10 Natural Environment

Policies:

NEP 1: To support the protection, conservation and enhancement of the natural heritage and biodiversity of County Mayo, including the protection of the integrity of European sites, that form part of the Natura 2000 network, the protection of Natural Heritage Areas, proposed Natural Heritage Areas Ramsar Sites, Nature Reserves and Wild Fowl Sanctuaries (and other designated sites including any future designations).

Objectives:

NEO 6: To protect surface waters, aquatic and wetland habitats and freshwater and water- dependent species through the implementation of all appropriate and relevant Directives and transposed legislation and seek to protect and conserve the quality, character and features of inland waterways by controlling developments close to navigable and non-navigable waterways.

5.2.3. Volume 2 of the GCDP contains Development Management Standards.

Section 2.0 refers to Rural Residential Development.

Section 2.3 Site size. Section 2.4 Vehicular Access. Section 2.5 Building Line. Section 2.6 Landscaping and Boundary Treatments. Section 2.8 Rural Housing Garages/Sheds. Section 2.10 Effluent Treatment Systems. Section 2.11 Water Supply. Section 2.12 Surface Water. Section 2.13 Occupancy Clause.

Section 7.6 Access Visibility Requirements.

Section 12.1 12.1 Natural Heritage Designations and Biodiversity

5.2.4. Map based objectives

There are no map-based objectives affecting the site. The site is outside Areas of Strong Urban Influence, and outside any Scenic Route or Protected View. The site is within Landscape Protection Policy Area 4 where rural dwellings are considered to have low potential to create adverse impacts on the existing landscape character.

5.2.5. Mayo Rural Housing Design Guideline 2008.

5.3. **Built and Natural Heritage Designations**

The River Moy SAC is less than 10m from the site. I note the site, as per the initial application, included an area within the SAC; this was omitted in response to Further Information. There are no other European Sites or NHAs/pNHAs in proximity to the site.

There are no recorded monuments or sites in the vicinity.

Glore Bridge to the north of site is listed on the NIAH.

6.0 EIA Screening

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

7.0 The Appeal

7.1. Grounds of Appeal

I summarise these as follows:

- Change of site boundaries during the application to exclude part of the River Moy SAC was an error in law. Planning authority failed to properly consider the appellant's observation.
- The proposed dwelling is unacceptably close with a setback of 9.415m uncharacteristic of rural housing on Mayo. The setback is insufficient to protect residential amenity.
- Scale, height, massing and proximity will create strong perception of overlooking and diminish enjoyment of appellant's house. The scale and proximity of the dwelling and garage will dominate the appellant's private property.
- The applicant does not have a rural housing need and therefore conflicts with the Mayo CDP.

- The dwelling and garage are higher than the appellant's dwelling and will cause significant overshadowing and loss of natural light to the appellant's property during afternoon and evening hours, particularly habitable rooms. No daylight, sunlight or shadow protection was submitted.
- There is a risk from construction vibration and structural risk due to excavation and groundworks in close proximity to the appellant's dwelling. No vibration risk assessment or construction method statement or monitoring plan was submitted. Prolonged exposure to construction vibration can adversely affect health and wellbeing.
- There is a risk to the stability of the sloped boundary, which connects to a larger slope behind the appellant's dwelling which is vulnerable to destabilisation. Potential consequences are impacts on the boundary hedgerow, disturbance to root systems and soil conditions. No geotechnical or slope stability assessment was submitted.
- The construction phase of the proposed development will generate significant noise and dust which will affect vulnerable members in the household. The heat recovery ventilation system is facing the proposed development and is likely to draw dust and pollutants into the system straining the equipment and pose additional risks.
- No CEMP was submitted.
- The local road network has limited capacity to accommodate heavy construction traffic. Increase in traffic with construction will cause safety hazards.
- The driveway will reduce visibility for vehicles entering existing properties and increase the risk of traffic accidents. A boundary fence would further obstruct sightlines. No sightline assessment was submitted with the application.
- The River Glore runs immediately adjacent to the site is a valuable habitat and any pollution could have serious consequences. Site is within the catchment and zone of influence of the River Moy SAC. The environmental assessment undertaken was inadequate.

- Site is located in Flood Zone C but could increase flood risk elsewhere though excavation and ground level changes. No detailed surface water management of construction-phase run-off control measures to show it would not increase flood risk.
- The letter from Pollronahan GWS has no standing if the scheme is under the control of Uisce Éireann as the appellant believes.
- There are inaccuracies in the drawings.

7.2. Applicant Response:

- Decision was correct and robust. Conditions are applied which will ensure adherence to sightlines and design requirements. The applicant is a native of the area and she has a local housing need. Permission was granted on the site previously. The appeal is vexatious.
- There is no overlooking of the neighbouring property. There is only one window in the relevant elevation and it is an obscure bathroom window. Ground levels, vegetation will also continue to prevent overlooking.
- The setback is adequate at 9.4 metres from the boundary, over three times the 3m minimum required, along with a vegetation provides a clear buffer.
- The building line and orientation of the proposed and neighbouring dwelling means that daylight and sunlight to the appellants dwelling will not be affected.
- Construction related impacts will be temporary activities will be carried out in accordance with best practice guidelines
- Any excavation will be limited and will not affect the neighbouring property or sloped boundary.
- Traffic increase will be temporary during construction. Traffic management requirements will be fully implemented. There is no risk to traffic safety or local infrastructure

- Sightlines are adequate, the entrance point is close to the access point of the existing neighbouring property and will have the same sightlines and visibility as that entrance, with clear unobstructed views.
- Claims about future development along the riverbank are speculative. Impact on European Sites have been fully considered

7.3. **Planning Authority Response**

No response

7.4. **Observations**

None

8.0 **Assessment**

8.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeals, the reports of the local authority, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Procedural matters
- Rural housing need
- Siting, layout and pattern of development
- Impact on residential amenity of adjoining property
- Traffic safety
- Construction impacts
- Water, surface water and flooding
- Appropriate Assessment

8.2. **Procedural matters**

I note concerns raised in the appeal in relation to modifications to the site boundary during the course of the application. It is not uncommon for site boundaries to be modified during the course of a planning application. The lands to which the development relates do not extend to the opposite side of the road/riverbank, and I consider the modification reasonable. In any event, following modifications at FI stage, the appeal site, as it comes before the Commission, is confined to the south side of the road, and will be assessed as such.

8.3. **Rural housing need**

The appeal contends that no housing need has been demonstrated. The site is within a rural area outside areas under Strong Urban Influence and as such there is no requirement to demonstrate rural housing need. Consideration of housing is based on siting and design criteria for rural housing in statutory guidelines and plans, except in the case of single houses seeking to locate along Mayo's Scenic Routes/ Scenic Routes with Scenic Views or Coastal Areas/Lakeshores. The site is not on a scenic route or views. The applicant is eligible for consideration for a house on the site.

8.4. **Siting, layout and pattern of development**

Although somewhat elevated, having regard to the history of the site and existing development I consider the siting acceptable. The site is not located on any existing scenic routes or views and will not detract from the visual amenity of the wider area. There is adequate separation distance between the proposed dwelling and existing.

There are a number of features of the proposed development which are inconsistent with the Rural Housing Guide of 2008 e.g. entrance detail, front boundary treatment as per condition 4, need for planting/ landscaping. These may be addressed by condition in the event of a grant of planning permission, in the interest of protecting the rural character of the area.

- 8.5. I note condition 2 reducing the overall gable depth of the dwelling house to a maximum of 8.5m only and omitting the timber metal cladding on the front elevation. I consider the first part of this condition unnecessary as the depth does not exceed 8.5 m. I agree with the omission of the timber cladding in that the variety of finishes at

this somewhat elevated site would detract from the degree to which the development is absorbed into the landscape.

8.6. **Impact on residential amenity of adjoining property**

Overbearance: The proposed dwelling is single storey to a height of 6.3m. The depth of the dwelling at the side nearest the appellant's site is 8.5m at a distance of c. 9.4m from the site boundary. The rear return is at the opposite side of the site. This scale is not excessive or out of keeping with that existing adjacent. (The depth and height of the dwelling permitted under 18/271 is 9.2m and 5.49m respectively.) The contiguous elevation shows the proposed dwelling to have the same floor level as existing. I do not consider that there is any basis to conclude that it will be overbearing, dominate the appellant's' private property or diminish the enjoyment of appellant's house.

Overlooking: There is only one window in the eastern elevation of the proposed dwelling. It serves a bathroom and will be obscure. There will be no overlooking from the dwelling. The dwelling is single storey. From my site inspection I could only view the roof of the existing dwelling adjacent from the proposed site. The proposed lower FFL of the dwelling and its immediate curtilage and planting of boundaries will further mitigate against overlooking. I consider the contention within the appeal that the proposed development will create strong perception of overlooking to be unfounded

Daylight/sunlight: The existing and proposed dwellings face northeast. Having regard to this orientation and relationship of buildings the proposed development will have no impact on the appellant's light from east, south or much of southwest.

The MCDP states (in Volume 2 Section 4.5.4 Overshadowing) that where new dwellings are proposed very close to adjoining buildings and may impact upon the residential amenities of an adjacent property, daylight and shadow projections may be required in accordance with the recommendations of Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice (BR 209, 2011). I do not consider that the proposed dwelling is very close to existing however I have considered the provisions of BR 209. To assess loss of sunlight to an existing building, BR 209 suggests that all main living rooms of dwellings, and conservatories, should be checked if they have a window facing within 90° of due south. Kitchens and bedrooms are less important, although care should be taken not to block too much sun.

In this case, the side conservatory windows, kitchen (and utility) windows are not within 90° of due south. The conservatory also has a window facing south; the proposed dwelling is entirely north of this window and the proposed garage is at a significant indirect distance from same. The main habitable room in the existing dwelling (living room) faces north and is unaffected.

Having regard to the scale of the development, orientation and relationship/spacing of buildings and the guidance within BR209, I do not consider that the submission of a daylight, sunlight or shadow projection was warranted. No technical detail or daylight, sunlight or shadow projection prepared by a person with relevant expertise was submitted by the appellants to support their claim of impact on that dwelling. I do not consider that there will be any undue loss of daylight or sunlight from the proposed development.

8.7. Traffic safety

I consider that the roadway, while narrow, is capable of accommodating traffic from one additional dwelling. I note that the MD Engineer was satisfied regarding the safety of the proposed entrance and that a drawing of sightlines was submitted. A condition regarding same was attached to planning. The need for an 8m wide entrance however is unclear. This may be controlled by way of a planning condition in the event of a grant of permission.

8.8. Construction impacts

The proposed development is for a dwelling, garage and WWTS, and not a type of development that would require a geotechnical assessment. There is no significant excavation proposed; the proposed development is to be sited within the 109m and 110m contours. FFL to be 110.3 There is no basement level. From site inspection, the similar excavation of the appellants site does not appear to have de-stabilised adjoining lands, there is no clear reason to suggest any unusual additional risk at the proposed site. I note that the proposed site layout plan does suggest hard surfacing up to the joint boundary, and that some transition in slope would be required. I consider that this matter may be addressed by condition, in the event of a grant of permission.

The proposed dwelling is c. 17 m from existing. Given this distance I do not consider that there is a significant risk from construction vibration and excavation to the appellant's property, as might be the case in a dense urban situation. No technical

detail from an individual with expertise has been submitted by the appellant to support the claim of structural risk from excavation and groundworks based on particular circumstances at this site. Vibration relating to the construction of a single dwelling would be temporary and related mostly to early stages of construction, rather than prolonged.

It is unavoidable that any construction would generate noise and dust, however these would be temporary. There is also reasonable separation distance to the existing dwelling to mitigate impacts. There is no specific requirement for a CEMP to be submitted with this scale of application however given proximity to waterbodies (assessed below) I consider it would be appropriate in this case.

8.9. Water, surface water, flooding

I am satisfied that the applicant has indicated consent to connect to the Group Water Scheme.

The proposed development is within flood zone C and not at risk of flooding.

Surface water is to be directed to soakholes.

Given proximity to watercourse, I consider surface water pollution controls considered appropriate as part of a CEMP.

9.0 AA Screening

In screening the need for Appropriate Assessment, based on a precautionary approach it was determined that the proposed development could result in significant effects the River Moy SAC and that Appropriate Assessment under the provisions of S177V was required.

Following an examination, analysis and evaluation of relevant material and taking into account observations on nature conservation, I consider that adverse effects on site integrity of the River Moy SAC can be excluded in view of the conservation objectives of these sites and that no reasonable scientific doubt remains as to the absence of such effects.

My conclusion is based on the following:

- The relevant Conservation Objectives of the Qualifying Interests relating to Water Quality
- Assessment of likely construction and operational impacts.
- Effectiveness of mitigation measures applied including CEMP and WWTS with tertiary treatment
- Application of planning conditions to ensure adherence to these measures.

10.0 Water Framework Directive

See Appendix 3. 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 waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no likely risk to any surface and/or groundwater water bodies either qualitatively or quantitatively. The reason for this conclusion is as follows:

- Construction best practice
- Compliance with EPA Code of Practice for Domestic Waste Water Treatment Systems

I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

11.0 Recommendation

I recommend permission be granted.

12.0 Reasons and Considerations

Having regard to the location of the site outside of Rural Areas under Strong Urban Influence, and to the planning history of the site and the existing development adjacent, and having regard to the modest scale of the proposed development and its positioning in relationship to the adjacent property, it is considered that, subject to conditions, the proposed development would not significantly detract from the rural character of the area, or the amenities of the adjoining property and would be in accordance with the provisions of the Mayo County Development Plan 2022-2028 and with the proper planning and sustainable development of the area.

13.0 Conditions

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 27th of October 2025 and 20th day of November 2025, except as may otherwise be required in order to comply with the following conditions.</p> <p>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>A Construction and Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the planning authority prior to the commencement of development.</p> <p>The CEMP shall include but not be limited to construction phase controls for protection of soils, groundwaters, and surface waters, dust, noise and vibration, waste management, site housekeeping, emergency response planning, site environmental policy, and project roles and responsibilities.</p> <p>Unless otherwise agreed by the Planning Authority, during construction silt fencing will be installed at the perimeter of the site to the north/northeast. The area within the ownership of the applicant to the north of the roadside shall be closed off during construction to preclude any storage of materials or use by vehicles adjacent the river Gloire.</p> <p>Reason: In the interest of environmental protection, residential amenities and public health.</p>

3	<p>(a) The wastewater treatment system hereby permitted shall be installed in accordance with the recommendations included within the site characterisation report submitted with this application on 26th June 2025 and shall be in accordance with the standards set out in the document entitled “Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)” – Environmental Protection Agency, 2021.</p> <p>(b) Treated effluent from the septic tank/ wastewater treatment system shall be discharged to a percolation area/ polishing filter which shall be provided in accordance with the standards set out in the document entitled “Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)” – Environmental Protection Agency, 2021.</p> <p>(c) Within three months of the first occupation of the dwelling, the developer shall submit a report to the planning authority from a suitably qualified person (with professional indemnity insurance) certifying that the septic tank/ wastewater treatment system and associated works is constructed and operating in accordance with the standards set out in the Environmental Protection Agency document referred to above.</p> <p>Reason: In the interest of public health and to prevent water pollution</p>
4	<p>The timber metal cladding shall be omitted from the front elevation of the dwelling. The dwelling house shall be finished in nap plaster or dash with no colour components. Any stone used shall be a local stone indigenous to the area. Roof slates/tiles shall be blue black in colour. The front door shall be of simple design in hardwood.</p> <p>Reason: In the interests of visual amenity.</p>
5	<p>The finished floor level of the house shall be at 110.3m as shown on the site layout plans submitted to Mayo County Council on the 27th of October 2025.</p> <p>Reason: In the interests of clarity and visual amenity</p>
6	<p>There shall be no excavation of ground within 2 metres of the shared boundary with the neighbouring dwelling, along the southeast of the site.</p> <p>Reason: To protect existing topography and vegetation, in the interests of orderly development and visual amenity.</p>
7	<p>(a) The front boundary of the site shall be set back a minimum of 3m from the nearer edge of the adjoining tarred/surfaced carriageway.</p> <p>(b) The new front boundary shall consist of a 600mm natural stone or rendered blockwork wall with hedgerow behind.</p> <p>(c) The entrance gates to the proposed house shall be set back not less than 4m from the new boundary and the entrance shall not exceed 4m in width.</p> <p>(d) Wing walls forming the entrance shall be splayed at an angle of not less than 45 degrees and shall not exceed 1metre in height.</p> <p>(e) Sightlines shall not be obstructed by the vehicular entrance.</p>

	<p>(f) The area of land between the proposed front boundary and the nearside edge of the existing carriageway shall be excavated to a depth of 300mm, backfilled with CI804 granular material and finished with a sealed durable surface compliant with Specification for Road Works Series 400. The driveway shall comply with Direct access gradients as per table 6, Section 7.9, Volume 2 of the Mayo County Council Development Plan 2022-2028.</p> <p>(g) The finish surface level shall tie into the level of the existing carriageway.</p> <p>Reason: In the interest of traffic safety, visual amenity and to protect the rural character of the area.</p>
8	<p>(a) All surface water generated within the site boundaries shall be collected and disposed of to soakways within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road or adjoining properties.</p> <p>(b) The access driveway to the proposed development shall be provided with adequately sized pipes or ducts to ensure that no interference will be caused to existing roadside drainage.</p> <p>Reason: In the interest of traffic safety and to prevent flooding or pollution.</p>
9	<p>The site shall be landscaped, using only indigenous deciduous trees and hedging species, in accordance with details 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) the establishment of a hedgerow along all boundaries of the site, (b) planting of trees at intervals along the boundaries of the site, and (c) a timeframe for implementation</p> <p>Any plants, trees or hedging which die, are removed or become seriously damaged or diseased, within a period of 5 years from the completion of the development, 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 order to screen the development and assimilate it into the surrounding rural landscape, in the interest of visual amenity.</p>
10	<p>The proposed domestic garage shall be used only as a private external storage building /domestic garage/shed and shall not at any time be used for agricultural, industrial or commercial purposes or converted for human habitation.</p> <p>Reason: In the interests of residential amenity.</p>
11	<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</p>

Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

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

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

Bébhinn O'Shea

Senior Planning Inspector

30th April 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	500608-MO-26
Proposed Development Summary	Single rural dwelling and associated works
Development Address	Treankeel, Kiltimagh, Co. Mayo.
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.
(For the purposes of the Directive, "Project" means: - 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)	
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 type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	State the Class and state the relevant threshold
<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)	State the Class and state the relevant threshold Class 10 (b)(i) Construction of more than 500 dwelling units.
4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes <input type="checkbox"/>	
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____

Date: _____

Appendix 2: Form 2 - EIA Preliminary Examination

Case Reference	500608-MO-26
Proposed Development Summary	Construction of a house, garage, WWTS and all associated site works.
Development Address	Treankeel, Kiltimagh, Co. Mayo.
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 (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>	<p>The development is modest in scale, comes forward as a standalone project, does not require demolition works, does not require the use of substantial natural resources, or give rise to significant risk of pollution or nuisance. The development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change. It presents no risks to human health.</p>
<p>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,</p>	<p>The development is situated in a rural area, agricultural with some rural housing. It is in proximity to a river and SAC. The development is otherwise removed from sensitive natural habitats, centres of population and designated sites and landscapes of identified significance in the County Development Plan. Potential impacts on the SAC and River Gloré are considered in the report above including in AA and WFD screening and are not considered in themselves significant such that EIA is warranted.</p>

cultural or archaeological significance).	
<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>Having regard to the modest nature of the proposed development, its location, normal construction practices, likely limited magnitude and spatial extent of effects, and absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.</p>
<p>Conclusion</p>	
<p>Likelihood of Significant Effects</p>	<p>Conclusion in respect of EIA</p>
<p>There is no real likelihood of significant effects on the environment.</p>	<p>EIA is not required.</p>
<p>There is significant and realistic doubt regarding the likelihood of</p>	

significant effects on the environment.	
There is a real likelihood of significant effects on the environment.	

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: 500608				
Step 1: Description of the project and local site characteristics Construction of house, garage and wastewater treatment system. Rural site, elevated from road – FFL c. 6m above road level. Close proximity to River Moy SAC (c. 7metres) as River Glore across the road, bank of c. 15m in width				
Brief description of project	Dwelling house, garage, WWTS			
Brief description of development site characteristics and potential impact mechanisms	Site of .55 hectares. No disturbance in immediate proximity to SAC. Potential impact mechanisms from WWTS and surface water runoff.			
Screening report	Yes in response to FI. Site initially included a portion within SAC (separated from site proper by road) but no works were proposed within SAC. The site boundary was amended amended at FI stage.			
Natura Impact Statement	No			
Relevant submissions	Appeal states that the River Glore runs immediately adjacent to the site, site is within the catchment and zone of influence of the River Moy SAC. The environmental assessment undertaken was inadequate.			
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

River Moy SAC 002298	<u>ConservationObjectives.rdl</u> Dated 3 rd August 2016	7 metres	Indirect: Surface water runoff Groundwater	Y
----------------------------	--	----------	--	---

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

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
Site 1: River Moy SAC (002298) QI list 1092 White-clawed Crayfish 1095 Sea Lamprey 1096 Brook Lamprey 1106 Salmon 1355 Otter 7110 Active raised bogs* 7120 Degraded raised bogs still capable of natural regeneration 7150 Depressions on peat substrates of the Rhynchosporion 7230 Alkaline fens 91A0 Old sessile oak woods with Ilex and Blechnum in the British Isles 91E0 Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno- Padion, Alnion incanae, Salicion albae)*	Direct: None Indirect: Uncontrolled release of sediment and contaminants during construction. Insufficiently treated discharge from WWTS reaching watercourse through groundwater flow	Undermining of conservation objectives relating to water quality.
	Likelihood of significant effects from proposed development (alone):	

	<p>There is a low likelihood of significant effects, based on normal construction practices and given the proposed WWTS complies with the requirements of the EPA CoP. However the application and screening report states that “a tertiary treatment system is proposed because of the proximity of the SAC. This system provides higher quality effluent, is easier to install with minimal ground disturbance and will exceed the requirement of the EPA CoP 2021. This constitutes a mitigation measure therefore triggers a requirement for AA.</p>	
	<p>If No, is there likelihood of significant effects occurring in combination with other plans or projects?</p> <p>N/A AA required.</p>	
	<p>Impacts</p>	<p>Effects</p>
	<p>Likelihood of significant effects from proposed development (alone):</p> <p>N/A AA required.</p>	
	<p>If No, is there likelihood of significant effects occurring in combination with other plans or projects?</p> <p>N/A AA required.</p>	
<p>Step 4: Conclude if the proposed development could result in likely significant effects on a European site</p>		
<p>In my opinion the proposed development (alone) would not result in likely significant effects on the River Moy SAC. The proposed development would have no likely significant effect in combination with other plans and projects on any European site. However, as mitigation measures are proposed within the application Appropriate Assessment follows.</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 at screening stage that the proposed development alone will give rise to significant effects on the River Moy SAC in view of the sites conservation objectives. Appropriate Assessment is required. This determination is based on mitigation measures proposed by the applicant to protect the SAC.</p>		

Appropriate Assessment

The requirements of Article 6(3) as related to Appropriate Assessment of a project under part XAB, sections 177V of the Planning and Development Act 2000 (as amended) are considered fully in this section.

Taking account of the preceding screening determination, the following is an Appropriate Assessment of the implications of the proposed housing development in view of the relevant conservation objectives of the River Moy SAC site code 002298. The information relied upon includes the following:

AA Screening Report prepared by Siobhan Sheil, Sitecheck
NPWS Conservation Objectives River Moy SAC site code 002298.

I am satisfied that the information available is adequate to allow for Appropriate Assessment. I am satisfied that all aspects of the project which could result in significant effects have been considered and assessed and mitigation measures designed to avoid or reduce any adverse effects on site integrity are included and assessed for effectiveness

Submissions/observations

Appeal states that the River Glore runs immediately adjacent to the site, site is within the catchment and zone of influence of the River Moy SAC. The environmental assessment undertaken was inadequate.

European Sites

River Moy SAC Site code: 002298

Noted that this SAC overlaps with others as listed on the site CO document. The other European Sites are very removed from the proposed development site, to the north-west. The Zone of Influence of the development is limited.

Summary of key issues that could give rise to adverse effects:

Water quality degradation (i) The uncontrolled release during construction of sediment or contaminants (hydrocarbons, cementitious material, etc.) in run-off or discharge into the aquatic environment leading to increased siltation, nutrient release and/or contamination. (ii) The flow through groundwater of under treated discharge from the proposed domestic WWTS

Qualifying Interest features likely to be affected	Conservation Objectives Targets and Attributes	Potential Adverse effects	Mitigation measures
<p>7110 Active raised bogs</p>	<p>Attribute: Water Quality</p> <p>Target: Water quality on the high bog and in transitional areas close to natural reference conditions</p>	<p>None. Site is not in vicinity of active raised bogs as set out in NPWS Conservation Objectives document. Site is also downstream of same.</p>	<p>N/A</p>

7230 Alkaline fens	Attribute: Water quality: nutrients Target: Appropriate water quality to support the natural structure and functioning of the habitat	Increased siltation, nutrient release and/or contamination leading to deterioration in water quality and resultant deterioration in structure and function of habitat	Best practice construction management (CEMP) Tertiary WWTS treatment system
1092 White clawed crayfish	Attribute: Water quality Target: At least Q3-4 at all sites sampled by EPA	Increased siltation, nutrient release and/or contamination leading to deterioration in water quality and resultant deterioration in habitat.	Best practice construction management (CEMP) Tertiary WWTS treatment system
1106 Salmon	Attribute: Water Quality Target: At least Q4 at all sites sampled by EPA	Increased siltation, nutrient release and/or contamination leading to deterioration in water quality and resultant deterioration in habitat.	Best practice construction management (CEMP to be applied by condition) Tertiary WWTS treatment system

Assessment of issues that could give rise to adverse effects:

Water quality degradation

Uncontrolled release of sediment and contaminants during construction.
 Insufficiently treated discharge from WWTS reaching watercourse through groundwater flow

Mitigation measures

The proposed WWTS complies with the requirements of the EPA 2021 Code of Practice. The applicant has however proposed a tertiary treatment system as a precautionary measure because of the proximity to the SAC. This will maximise the removal of any potential pollutants at source.

Given the proximity to a watercourse, I recommend that a CEMP be sought by condition to ensure adherence to best practice construction management. This requirement is not based on proximity to the SAC but to the watercourse regardless of its status as a European Site. This to include construction stage controls for protection of soils, groundwaters, and surface waters, noise and vibration, waste management, site housekeeping, emergency response planning, site environmental policy, and project roles and responsibilities.

Mitigation measures related to water quality are captured in planning conditions 2 and 3

In-combination effects

There are no recently permitted large relevant developments in the area such that in combination effects arise.

Findings and conclusions

The applicant proposed mitigation measures in the interest of protecting the SAC in the form of a tertiary wastewater treatment system. This mitigation, although precautionary, triggered a requirement for AA.

This assessment determined that following the implementation of mitigation measures the construction and operation of the proposed development alone, or in combination with other plans and projects, will not adversely affect the integrity of the European Site.

Based on the information provided, I am satisfied that adverse effects arising from the proposed development can be excluded for the River Moy SAC.

No direct impacts are predicted. Indirect impacts during construction would be temporary in nature and mitigation measures will apply. Operational impacts are unlikely as the WWTS will comply with the EPA CoP and tertiary treatment is proposed.

Reasonable scientific doubt

I am satisfied that no reasonable scientific doubt remains as to the absence of adverse effects.

Site Integrity

The proposed development will not affect the attainment of the Conservation Objectives of the River Moy SAC.

Adverse effects on site integrity can be excluded and no reasonable scientific doubt remains as to the absence of such effects.

Appropriate Assessment Conclusion: Integrity Test

In screening the need for Appropriate Assessment, based on a precautionary approach it was determined that the proposed development could result in significant effects the River Moy SAC and that Appropriate Assessment under the provisions of S177V was required.

Following an examination, analysis and evaluation of relevant material and taking into account observations on nature conservation, I consider that adverse effects on site integrity of the River Moy SAC can be excluded in view of the conservation objectives of that site and that no reasonable scientific doubt remains as to the absence of such effects.

My conclusion is based on the following:

- The relevant Conservation Objectives of the Qualifying Interests relating to Water Quality
- Assessment of likely construction and operational impacts.
- Effectiveness of mitigation measures applied including CEMP and WWTS with tertiary treatment
- Application of planning conditions to ensure adherence to these measures.

Appendix 3: WFD Screening

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
Single dwelling, garage, WWTS. Rural area.			
An Bord Pleanála ref. no.	500608-26	Townland, address	Treankeel, Kiltamagh, Co. Mayo
Description of project		Dwelling, garage, WWTS	
Brief site description, relevant to WFD Screening		The site is .55 ha and located co. 20m from the River Glore, rises notably from road.	
Proposed surface water details		Soakways	
Proposed water supply source & available capacity		Water supply from GWS . Letter of consent submitted.	
Proposed wastewater treatment system & available capacity, other issues		Proposed tertiary WWTS.	
Others?		-	
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection			

Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)
river	c. 20m	GLORE (MAYO)_020 IE_WE_34G020200	Moderate	At risk	Agriculture Hydro morphology	Surface water run-off
Groundwater	0m	Swinford IE_WE_G_0033	Good	Not at risk	-	Infiltration

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	GLORE (MAYO)_020 IE_WE_34G020200	Surface water run off due to proximity of site	Hydrocarbon spillages, silt entering watercourse	Standard Construction Measures / CEMP/ Conditions	No	Screened out
2	Ground	Swinford	Infiltration	Contaminated run-off from pH/hydrocarbon	Standard Construction Measures / CEMP/ Conditions	No	Screened out

		IE_WE_G_003 3		spillage entering ground water.			
OPERATIONAL PHASE							
3	Surface	GLORE (MAYO)_020 IE_WE_34G02 0200	Groundwater flow feeding watercourse	Undertreated effluent from WWTS	WWTS complies with EPA CoP Tertiary System proposed	No	Screened out
4	Ground	Swinford IE_WE_G_003 3	Infiltration from WWTS percolation area	Under treated effluent from WWTS	WWTS complies with EPA CoP Tertiary System proposed	No	Screened out
DECOMMISSIONING PHASE							
7.	NA	NA	NA	NA	NA	NA	NA