



## Inspector's Report

**PL-500745-WH-26**

<b>Development</b>	Construction of a new dwelling house.
<b>Location</b>	Killinure Townland North , Athlone , Co. Westmeath
<b>Planning Authority</b>	Westmeath County Council
<b>Planning Authority Reg. Ref.</b>	2560549
<b>Applicant(s)</b>	Emily Kelly
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Refuse Permission
<b>Type of Appeal</b>	First Party Normal Planning Appeal
<b>Appellant(s)</b>	Emily Kelly
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	15 <sup>th</sup> March 2026
<b>Inspector</b>	Ciara McGuinness

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## 1.0 Site Location and Description

- 1.1. The site is located in the townland of Killinure North, approximately 6km to the north of Athlone and 3.5km to the northwest of Glasson village. The site is an elevated site on the banks of Lough Ree. The site itself has a stated site area of 0.48 hectares, is broadly rectangular in shape, and comprises greenfield site set as pasture. The site has an existing agricultural entrance and natural hedgerow boundaries. The levels of the site fall away from the road towards the lake. The site offers uninterrupted views across Lough Ree. The site fronts onto an informal Y-junction where a private laneway meets the public road. The approach road from the east offers panoramic views of Lough Ree. There are existing residential dwellings located to the north and south of the site. There is an increasing proliferation of piecemeal one-off housing and linear-type development along roadways in the wider area.

## 2.0 Proposed Development

- 2.1. Permission is sought for a contemporary styled dwellinghouse over basement, with wastewater treatment plant & tertiary unit and all ancillary site works.
- 2.2. The proposed dwelling is sunken into the site in an effort to minimise the visual impact. The house has a stated area of 355sqm and is organised over two levels; lower ground level and ground floor level. The lower ground level is finished with stone cladding. A burnt timber cladding wrapping is proposed around the ground level of the house with sections of plaster.
- 2.3. The proposed wastewater treatment system and percolation area would be located to the west of the house. Water supply is available from the public mains.

## 3.0 Planning Authority Decision

### 3.1. Decision

The Planning Authority issued a refusal of permission on the 13<sup>th</sup> January 2026 for the following reasons;

1. The application site is located within the designated Lough Ree High Amenity Area. It is an objective of the Westmeath County Development Plan 2021–2027,

under CPO 13.8, to protect the landscapes and natural environments of the County by ensuring that new development does not detrimentally impact the character, integrity, distinctiveness, or scenic value of such areas, and that development which would unduly impact these landscapes will not be permitted. The application site occupies an elevated and visually prominent position overlooking Lough Ree, in close proximity to a Protected View and along the designated Lough Ree Driving Route. The proposed development would therefore result in an unacceptable visual intrusion and would detrimentally impact the scenic and unspoilt character of the landscape.

Furthermore, CPO 9.24 seeks to restrict development not related to farming practices or tourism within High Amenity Areas, except for housing for the immediate family (son/daughter) of established residents on landholdings within such areas. The applicant has not demonstrated compliance with the criteria for housing development within a designated High Amenity Area.

Accordingly, the proposed development would contravene the stated policies of the Development Plan, including CPOs 9.24, 13.8, 9.24, 13.9, 13.37, 13.54, and 13.55, and would be contrary to the proper planning and sustainable development of the area.

2. The proposed development, as presented, fails to present the necessary sight lines to achieve safe access and egress from the application site. In the absence of such information, the Planning Authority is not satisfied that the proposed access would provide for the safe and convenient movement of vehicles to and from the site. The proposed development would, therefore, contravene Policy Objective CPO 16.33 of the Westmeath County Development Plan 2021–2027, which requires that “safe, unobstructed sight distances shall be provided and maintained thereafter from vehicular entrances onto the road network.”

Furthermore, the necessity to remove additional natural hedgerow and landscape features at this location would serve to further erode the character and landscape within a designated High Amenity Area.

Accordingly, the proposed development would endanger public safety by reason of traffic hazard, create unnecessary scarring of the landscape, and would be contrary to the proper planning and sustainable development of the area.

## 3.2. Planning Authority Reports

### 3.2.1. Planning Reports

The Planners Report (dated 13<sup>th</sup> January 2026) notes that the proposed site is located in a highly scenic and elevated location that offers panoramic views across Lough Ree, a designated High Amenity Area. The Policy objective pertaining to development within Areas of High Amenity (CPO 9.24) indicates that development not related to farming or tourism will be restricted. The policy is also clear in respect of housing provision, that development will be restricted with the principal exception of 'housing for the immediate family (son/daughter) of established residents living on landholdings'. The applicant is prospective a purchaser and the development is not related to farming or tourism practices in HAA.

The Planner's report has also noted that the site is also proximate to a Protected view (No. 3). Furthermore, the site is situated opposite a T-Junction with a public and private road. The site in its current context offers valuable approach views from the public road across the lake and panoramic landscape which is highly valued for its scenic, amenity, and recreational qualities and therefore warrants protection.

Efforts to minimise the impact of the development through contemporary design are acknowledged. Notwithstanding same, the site is considered to be located at a highly scenic and sensitive site that should be preserved in its natural form; it is considered that there is no justification to interrupt the scenic quality of this unspoilt natural landscape with the imposition of a building that is not warranted at this particular location within a High Amenity Area. Refusal of permission is recommended.

### 3.2.2. Other Technical Reports

District Engineer – Not satisfied with available sightlines. Recommends Further Information in relation to proposed measures to achieve sightlines in accordance with CPO 16.33.

WCC Environment - Recommends Further Information for a Preliminary Ecological Impact Assessment, and if required, based on the outcomes of the provisional assessment, a full Ecological Impact Assessment, prepared by a suitably qualified ecologist.

## 3.3. Prescribed Bodies

None.

### 3.4. **Third Party Observations**

None.

## 4.0 **Planning History**

PA Reg Ref 08/1059 – Refusal for the demolition of existing dwelling and erection of residential dormer dwelling with effluent treatment plant.

PA Reg Ref 07/1212 – Refusal for the demolition of existing dwelling and erection of residential dormer dwelling with effluent treatment plant

PA Reg Ref 07/1042 – Refusal for the demolition of existing dwelling and erection of residential dormer dwelling with effluent treatment plant

## 5.0 **Policy Context**

### 5.1. **Westmeath County Development Plan 2021-2027**

The Westmeath County Development Plan 2021-2027 is the operative plan. The appeal site is designated as being within a ‘Rural Area Under Strong Urban Influence.’ The application site is also located within the designated Character Area 6 – Lough Ree and within the Lough Ree High Amenity Area. The access road to the site forms part of the Lough Ree Driving Route designated Scenic Route.

Policies and objectives relevant to the proposal include the following:

#### **Areas of High Amenity Policy Objectives**

**CPO 9.24** Restrict development not related to farming practices and tourism in all High Amenity Areas, with the exception of housing for the immediate family (son/daughter) of established residents living on landholdings, who demonstrate a housing need and have long-term intrinsic links with the area. The entire landholding will be demonstrated to have been in the resident’s ownership 5 years prior to the date of application.

#### **Rural Housing Need Policy Objectives**

##### **CPO 9.1**

Areas Under Strong Urban Influence - To accommodate demand from individuals for permanent residential development in defined 'Rural Areas Under Strong Urban Influence' who have strong links to the area and who are an intrinsic part of the rural community, subject to good planning practice, environmental carrying capacity and landscape protection considerations. 5.3.4.

Local Housing Need - Permit residential development in areas defined 'Rural Areas Under Strong Urban Influence and Stronger Rural Areas' subject to the following circumstances:

1. Persons who are actively engaged in agriculture, horticulture, forestry, bloodstock and peat industry,
2. Members of farm families seeking to build on the family farm,
3. Landowners for this purpose being defined as persons who own the land 5 years prior to the date of planning application,
4. Persons employed locally whose employment would provide a service to the local community,
5. Persons who have personal, family or economic ties within the area, including returning emigrants,
6. Persons who wish to return to farming and who buy or inherit a substantial farm holding which is kept intact as an established farm unit, will be considered by the Council to be farmers and will be open to consideration for a rural house, as farmers. Where there is already a house on the holding, refurbishment or replacement of this house is the preferred option.

The local area for the purpose of this policy is defined as the area generally within a 10km radius of the applicant's family home.

**CPO 9.2** - In line with Circular Letter PL 2/2017, review rural housing policy in line with Development Plan or other relevant Guidelines issued by the Minister in this area having regard to NPO 19.

**CPO 9.8** Ensure that, in permitting one-off rural housing, key rural assets such as water, natural and cultural heritage and landscape quality are protected and maintained.

**CPO 9.13** Have regard to the Department of Environment, Community and Local Government's Sustainable Rural Housing Guidelines 2005, and any subsequent amendment in the assessment of applications for rural housing

### **Landscape Character Assessment Policy Objectives**

**CPO 13.8** Protect the landscapes and natural environments of the County by ensuring that any new developments do not detrimentally impact on the character, integrity, distinctiveness or scenic value of their area. Any development which could unduly impact upon such landscapes will not be permitted.

**CPO 13.9** Ensure the preservation of the uniqueness of a landscape character type by having regard to the character, value and sensitivity of a landscape in new development proposals.

**CPO 13.10** Ensure development reflects and, where possible, reinforces the distinctiveness and sense of place of the landscape character types, including the retention of important features or characteristics, taking into account the various elements which contribute to their distinctiveness.

**CPO 13.12** Require a Landscape and Visual Impact Assessment for proposed developments with the potential to impact on significant landscape features within the county.

### **High Amenity Areas Policy Objectives**

**PO 13.20** Protect High Amenity areas from inappropriate development and reinforce their character, distinctiveness and sense of place.

**CPO 13.21** Protect and preserve designated High Amenity Areas from inappropriate urban generated housing development or any other development which would be injurious to or detract from the natural amenity of Areas of High Amenity.

### **Lough Ree Policy Objectives**

**CPO 13.37** Maintain and preserve the aesthetic value of the main lake (Lough Ree) and its shoreline from the impacts of inappropriate dispersed, highly visible development.

**CPO 13.54** Ensure that development proposals avoid significant adverse effects in the foreground of views from the Lough Ree Driving Route.

**CPO 13.55** Sustain the established appearance and character of views over the surrounding countryside while facilitating the continued development of uses that sustain the activities that give rise to the appearance and character of the landscape.

### **Development Management Standards Policy Objectives - Rural Housing**

**CPO 16.32** relates to site selection, design and materials and detailing for rural houses

**CPO 16.33** relates to boundary treatments, Access and Sight Lines, Landscaping and Surface and Wastewater Treatment.

The following is stated in relation to Access and Sight Lines

- All applications for planning permission must include (at a minimum scale of 1:500) comprehensive details of the way in which safe access and egress to the site can be achieved.
- Existing roadside hedgerows and trees should be retained as much as possible. The entrance should be carefully considered to achieve the required sight distance with the removal of a minimum extent of existing hedgerow.
- Where satisfactory access can be achieved only by removing large stretches of roadside hedgerow/ditches/stone boundaries, an alternative site for the proposed development should be sought.
- The sharing of vehicular entrances will be encouraged where appropriate in order to avoid a proliferation of access points. Where a new house is to be sited adjacent to existing dwellings, use of existing entrances, avenues and driveways should be considered.
- Safe unobstructed sight distances should be provided and maintained thereafter from vehicular entrances onto the road network as follows:

- Local Roads: 90 metres, (subject to the discretion of the Planning Authority where a lesser distance is demonstrably adequate in terms of traffic safety).
- Regional Roads: 150 metres
- National Roads: 230 metres

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

The NPF has been revised and updated to take account of changes that have occurred since it was published in 2018. Relevant objectives include:

**National Policy Objective 24:** Support the sustainable development of rural areas by encouraging growth and arresting decline in areas that have experienced low population growth or decline in recent decades and by managing the growth of areas that are under strong urban influence to avoid over-development, while sustaining vibrant rural communities.

**National Policy Objective 28:** Ensure, in providing for the development of rural housing, that a distinction is made between areas under urban influence, i.e. within the commuter catchment of cities and large towns and centres of employment, and elsewhere: In rural areas under urban influence, facilitate the provision of single housing in the countryside based on the core consideration of demonstrable economic or social need to live in a rural area and siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements; In rural areas elsewhere, facilitate the provision of single housing in the countryside based on siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements.

## 5.3. **Sustainable Rural Housing Guidelines for Planning Authorities**

These guidelines differentiate between Urban Generated Housing and Rural Generated Housing and directs urban generated housing to towns and cities and lands zoned for such development. Urban generated housing has been identified as development which is haphazard and piecemeal and gives rise to much greater public infrastructure costs. Rural generated housing includes sons and daughters of families living in rural areas and having grown up in the area and perhaps seeking to build their first home near the family place of residence.

#### 5.4. **Natural Heritage Designations**

Lough Ree SPA (Site Code 004064) – c.175m to the west of the site

Lough Ree SAC (Site Code 000440) – c.175m to the west of the site

Lough Ree pNHA (Site Code 000440) – c.170m to the west of the site

### 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**

The appeal is a first party appeal against Westmeath County Council's decision to refuse planning permission. The Grounds of appeal can be summarised as follows;

- The refusal reasons are disproportionate to the scale and nature of the proposed development and insufficiently supported by a reasoned analysis. The decision is inconsistent with the Development Plan, national guidance and established decision-making approach of ACP in relation to rural housing.
- References are made to recent case laws which emphasis the need for decision makers to engage with the substance of proposals and issues in dispute.
- There is no presumption of refusal solely by virtue of High Amenity Designation. The relevant policy test is whether the proposal would result in undue visual intrusion or material diminution of landscape character having regard to the capacity of the landscape to absorb development.

- The Planning Authorities conclusions are stated at a high level of generality and do not demonstrate a clear evaluative link between the specific characteristics of the proposed development and the harm alleged.
- The proposed dwelling is modest in scale and rural form, is sited below the ridgeline, and is enclosed by existing vegetation and reinforced by native hedgerow planting. These characteristics constitute an acceptable design response where landscape capacity exists.
- The Landscape Strategy included in Appendix A of the appeal demonstrates effective visual integration consistent with Chapter 13 of the Development Plan.
- The proposal upgrades an existing entrance, which is used regularly for agricultural purposes.
- The subject road is a 'L-class' road characterised by low traffic volumes, constrained rural geometry and naturally self-calming vehicle speeds.
- Measured visibility from the proposed entrance provides approximately 90m sightlines in one direction and 60m in the other direction. These distances arise from long established road alignment and geometry and are not created by the proposed development.
- Hedgerow removal will be restricted to what is necessary within visibility triangles, while reinforcing hedgerows immediately behind splays.
- The applicant is willing to accept further conditions in relation to the maintenance of visibility splays and in relation to the widening and set back of the entrance.
- No analysis is provided to support the assertion that traffic related rimming will adversely affect visual amenity.
- A revised site plan is submitted (Appendix D) with an upgraded entrance gate set back 8m from the road edge and with an additional lay by area included to allow vehicles pull in safely before entering or exiting the site.

## 7.2. Planning Authority Response

None.

### 7.3. **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 appeal, the report/s 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

- Refusal Reason 1 - Siting/Visual Impact
- Refusal Reason 2 – Access
- Other Issues

### 8.2. **Refusal Reason 1 - Siting/Visual Impact**

8.2.1. The Planning Authority refused permission for the proposed development for reasons related to adverse visual impact within the Lough Ree High Amenity Area. I note at the outset that the subject site is located in a highly scenic area offering panoramic views of Lough Ree. The site is located within a designated High Amenity Area and within close proximity of Protected View No. 3 Lough Ree. The approach road to the site also forms part of a designated Scenic Route, the Lough Ree Driving Route.

8.2.2. The applicant has set out that the proposed development is modest in scale and is highly sympathetic to its context. The applicant contends that the Planning Authority's assessment did not fully engage with the proposal. While the sensitivity of the site is noted, it is considered that this does not warrant automatic refusal and the proposal must be assessed on the sites capacity to absorb the development. In this regard, I note that I have reviewed the Planner's Report and consider that the assessment is thorough and provides a site-specific assessment of the site context and development proposed. A summary of the Planning Authority's assessment is provided in Section 3 above.

- 8.2.3. Section 9.8 of the Development Plan notes that High Amenity Areas are associated with the county's major lakes and the River Shannon and are designated due to their amenity value and recreational potential. The Council aims to protect against housing developments which are urban-generated or speculative in designated Areas of High Amenity. Objective CPO 9.24 seeks to '*Restrict development not related to farming practices and tourism in all High Amenity Areas, with the exception of housing for the immediate family (son/daughter) of established residents living on landholdings, who demonstrate a housing need and have long-term intrinsic links with the area.*' The applicant is a prospective purchaser of the site, with no stated ties to the immediate area within the Killinure townland. The submitted application documentation demonstrates links to the wider Glasson and Tubberclair area. I note that applicant has not addressed this specific element of the refusal reason in their appeal. I therefore consider that the applicant does not qualify for the housing need exception within High Amenity Areas and therefore permission should be refused as the proposed development contravenes CPO 9.24.
- 8.2.4. In relation to design, I consider that the applicants have made some efforts to reduce the visual impact of the proposed development with the sunken design and flat roof profile, however notwithstanding those efforts I would have concerns about the proposed site selection. The site at present allows for unobstructed views of Lough Ree from the local approach road which is also part of the designated Lough Ree Driving Route. I note from my site visits that views from this approach are striking and I consider that any development on this site would have the potential to cause a significant impact on the visual amenities of the area. Objective CPO 13.54 seeks to '*Ensure that development proposals avoid significant adverse effects in the foreground of views from the Lough Ree Driving Route.*' I consider that the proposed development would be contrary to this objective.
- 8.2.5. It is my view that the site does not have the capacity to accommodate a dwelling without resulting in adverse impacts on the visual amenities of a highly sensitive area. Having regard to the above assessment, I also consider that the proposed development also contravenes the more general landscape protection provisions under Objectives CPO 13.8, 13.9, 13.37 and 13.55 (outlined above in Section 5). I recommend that the reason for refusal is upheld.

### 8.3. Refusal Reason 2 - Access

- 8.3.1. The second reason for refusal notes that the proposal fails to present the necessary sight lines to achieve safe access and egress from the application site. Sightlines of approximately 90m and 60m are achieved in either direction. The applicant has outlined that the road experiences low level of traffic and these distances arise from the existing long-established road alignment. The applicant has outlined their flexibility and willingness to accept conditions in relation to the setting back and widening of the entrance and in relation to the maintenance of visibility splays.
- 8.3.2. The proposed development is accessed from a local road with an informal Y-junction to the front of the site where the public road meets a private laneway. I note the limited width of the road carriageway on all approaches and consider that the roadway cannot readily accommodate the passing of two vehicles. CPO16.33 of the County Development Plan sets out the requirements in relation to sightlines. It is stated that '*Safe unobstructed sight distances should be provided and maintained thereafter from vehicular entrances onto the road network as follows: - Local Roads: 90 metres, (subject to the discretion of the Planning Authority where a lesser distance is demonstrably adequate in terms of traffic safety).*' The district engineers report notes that '*Proposals for 'lesser distances' will only be considered where they meet the requirements of Section 5.6 of DN-GEO-03060 (Geometric Design of Junctions (2023))*'. From the information submitted it is evident that sightlines do not meet the required 90m for Local Roads. I note a revised site layout plan is submitted with the entrance set back 8m from the edge of the public road, however there has been no apparent improvement to the achieved sightlines. Furthermore, no information has been submitted to demonstrate compliance with DN-GEO-03060 (Geometric Design of Junctions (2023))'. I therefore consider that the proposed development is contrary to CPO16.33. The proposed development would endanger public safety by reason of traffic hazard and would be contrary to the proper planning and sustainable development of the area.
- 8.3.3. The Planning Authority have also raised concerns with regards to the necessitated removal of natural hedgerow and landscape features at this location to accommodate sightlines. It is noted that their removal would serve to further erode the character and landscape within a designated High Amenity Area. Given the

sensitivity of the location as outlined in Section 8.2 above, I concur with the Planning Authority in this regard. I recommend that the reason for refusal is upheld.

#### 8.4. **Other Issues**

##### Precedent Cases

8.4.1. I note the applicant has made reference to a number of precedent cases which they consider provides a '*contextual comparison*' or '*methodology endorsed by the Commission*'. At the outset, it must be stated that every planning application for a rural house is different and must be assessed on its own merits. Of particular relevance in this case, is the high amenity value of the site and the associated designations as identified in the County Development Plan. In my view, the site location and the applicant's circumstances are materially different from the referenced precedent cases. I do not consider that the cases offer any comparison of value or precedence of relevance.

#### 9.0 **AA Screening**

9.1. Refer to Appendix 3 for Appropriate Assessment Screening Determination. 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 the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on the Lough Ree SPA (004064) and the Lough Ree SAC (000440), or any other European Site, in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- The minor scale of the development and lack of impact mechanisms that could significantly affect a European Site.
- No significant ex-situ impacts on wintering birds
- Taking into account the determination of the Planning Authority

## 10.0 Water Framework Directive

10.1. The subject site is located c. 175m from the Lough Ree.

The proposed development comprises construction of a dwelling.

I have assessed the proposed dwelling 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 satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

The reason for this conclusion is as follows:

- Small scale and nature of the development
- Lack of hydrological connections

Refer to Appendix 4 below for WFD Impact Assessment Stage 1: Screening.

### Conclusion

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

11.1. I recommend that planning permission be refused for the reasons and considerations set out below.

## 12.0 Reasons and Considerations

1. Having regard to the elevated and visually prominent location of the site overlooking Lough Ree, within the Lough Ree High Amenity Area, and located along the

designated Lough Ree Driving Route, it is considered that the proposed development would result in an unacceptable visual intrusion and would detrimentally impact the scenic and unspoilt character of the landscape. Furthermore, CPO 9.24 of the Westmeath County Development Plan 2021–2027 seeks to restrict development not related to farming practices or tourism within High Amenity Areas, except for housing for the immediate family (son/daughter) of established residents on landholdings within such areas. The applicant has not demonstrated compliance with the criteria for housing development within a designated High Amenity Area. Accordingly, the proposed development would contravene the stated policies of the Development Plan, including CPOs 9.24, 13.8, 13.9, 13.37, 13.54, and 13.55, and would be contrary to the proper planning and sustainable development of the area.

2. The proposed development, as presented, fails to present the necessary sight lines to achieve safe access and egress from the application site. In the absence of such information, the Commisison is not satisfied that the proposed access would provide for the safe and convenient movement of vehicles to and from the site. The proposed development would, therefore, contravene Policy Objective CPO 16.33 of the Westmeath County Development Plan 2021–2027, which requires that “safe, unobstructed sight distances shall be provided and maintained thereafter from vehicular entrances onto the road network.” Furthermore, the necessity to remove additional natural hedgerow and landscape features at this location would serve to further erode the character and landscape within a designated High Amenity Area. Accordingly, the proposed development would endanger public safety by reason of traffic hazard, create unnecessary scarring of the landscape, and would be contrary to the proper planning and sustainable development of the area.

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

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Ciara McGuinness

Planning Inspector

16<sup>th</sup> March 2026

### Appendix 1: Form 1 EIA Pre-Screening

<b>Case Reference</b>	PL-500745-WH-26
<b>Proposed Development Summary</b>	Construction of a new dwelling house.
<b>Development Address</b>	Killinure Townland North , Athlone , Co. Westmeath
<b>IN ALL CASES CHECK BOX / OR LEAVE BLANK</b>	
<b>1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?</b>	<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)	
<b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	

<input type="checkbox"/> Yes, it is a Class specified in Part 1. <b>EIA is mandatory. No Screening required. EIAR to be requested.</b>	<b>State the Class here</b>
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
<b>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?</b>	
<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. <b>No Screening required.</b>	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. <b>EIA is Mandatory. No Screening Required</b>	
<input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.  <b>Preliminary examination required. (Form 2)</b> <b>OR</b>	Class 10(b)(i) construction of more than 500 dwellings.  The proposed development is for 1 dwelling unit. The proposed development is below the 500 dwelling threshold.

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

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

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

## Appendix 2: Form 2 - EIA Preliminary Examination

<b>Case Reference</b>	PL-500745-WH-26
<b>Proposed Development Summary</b>	Construction of a new dwelling house.
<b>Development Address</b>	Killinure Townland North, Athlone , Co. Westmeath
<b>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</b>	
<b>Characteristics of proposed development</b>  (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	<b>Briefly comment on the key characteristics of the development, having regard to the criteria listed.</b>  The development has a modest footprint, 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.
<b>Location of development</b> (The environmental sensitivity of geographical areas likely to be affected by the development)	<b>Briefly comment on the location of the development, having regard to the criteria listed</b>

<p>in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).</p>	<p>The development is situated in a rural area on agricultural land which is abundant in the area. The development is removed from sensitive natural habitats and centres of population. The site is located in proximity to Lough Ree, in a High Amenity Area. The site is in close proximity to a Protected View and is located along the designated Lough Ree Driving Route. Given the nature of the development and the site/surroundings, it would not have the potential to significantly affect other significant environmental sensitivities in the area.</p>
<p><b>Types and characteristics of potential impacts</b></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><b>Having regard to the characteristics of the development and the sensitivity of its location, consider the potential for SIGNIFICANT effects, not just effects.</b></p> <p>Having regard to the modest nature of the proposed development, its location removed from sensitive habitats/features, likely limited magnitude and spatial extent of effects, and absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.</p>
<p><b>Conclusion</b></p>	
<p><b>Likelihood of Significant Effects</b></p>	<p><b>Conclusion in respect of EIA</b></p>

<p><b>There is no real likelihood of significant effects on the environment.</b></p>	<p><b>EIA is not required.</b></p> <p>✓</p>
<p><b>There is significant and realistic doubt regarding the likelihood of significant effects on the environment.</b></p>	<p><b>Schedule 7A Information required to enable a Screening Determination to be carried out.</b></p>
<p><b>There is a real likelihood of significant effects on the environment.</b></p>	<p><b>EIAR required.</b></p>

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

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

(only where Schedule 7A information or EIAR required)

### Appendix 3: AA Screening Determination

<b>Screening for Appropriate Assessment Test for likely significant effects</b>	
<b>Case Reference Number:</b> PL-500745-WH-26	
<b>Step 1: Description of the project and local site characteristics</b>	
<b>Brief description of project</b>	Construction of a new dwelling house.
<b>Brief description of development site characteristics and potential impact mechanisms</b>	<p>The proposed development consists of the construction of a dwelling house with all associated works. A detailed description of the proposed development is set out in Section 2 of my report above.</p> <p>A wastewater treatment plant &amp; tertiary unit is proposed.</p>
<b>Screening report</b>	<p>No AA Screening Report submitted.</p> <p>AA Screening Assessment was carried out by the Planning Authority. The proposed development was screened out in terms of Appropriate Assessment.</p>
<b>Natura Impact Statement</b>	No
<b>Relevant submissions</b>	N/A

**Step 2. Identification of relevant European sites using the Source-pathway-receptor model**

Two European sites were identified as being within a potential zone of influence of the proposed development using SPR linkages; Lough Ree SAC and Lough Ree SPA

European Site (code)	Distance from proposed development (km)	Ecological connections <sup>2</sup>	Consider further in screening <sup>3</sup> Y/N
Lough Ree SPA (004064)	175m	Possible Indirect	Y
Lough Ree SAC (00044)	175m	Possible Indirect	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
<b>Site 1: Lough Ree SPA (004064)</b>	Direct: None. Indirect: Localized, temporary, low magnitude impacts from noise, dust and construction related emissions to surface water during construction	The contained nature of the site (serviced, defined site boundaries, no direct ecological connections or pathways) and distance from receiving features connected to the SPA make it highly unlikely that the proposed development could generate impacts

<p>Little Grebe (Tachybaptus ruficollis) [A004]</p> <p>Whooper Swan (Cygnus cygnus) [A038]</p> <p>Teal (Anas crecca) [A052]</p> <p>Mallard (Anas platyrhynchos) [A053]</p> <p>Tufted Duck (Aythya fuligula) [A061]</p> <p>Common Scoter (Melanitta nigra) [A065]</p> <p>Goldeneye (Bucephala clangula) [A067]</p> <p>Coot (Fulica atra) [A125]</p> <p>Golden Plover (Pluvialis apricaria) [A140]</p> <p>Lapwing (Vanellus vanellus) [A142]</p> <p>Common Tern (Sterna hirundo) [A193]</p> <p>Wigeon (Mareca penelope) [A855]</p> <p>Shoveler (Spatula clypeata) [A857]</p> <p>Wetland and Waterbirds [A999]</p>		<p>of a magnitude that could affect habitat quality within the SPA for the SCI listed.</p> <p>No significant disturbance to any SCI wintering birds (ex-situ).</p> <p>Conservation objectives would not be undermined.</p>
	<p><b>Likelihood of significant effects from proposed development (alone): No</b></p>	
	<p><b>If No, is there likelihood of significant effects occurring in combination with other plans or projects? No</b></p>	

	Impacts	Effects
<p><b>Site 2: Lough Ree SAC (00044)</b></p> <p>Natural eutrophic lakes with Magnopotamion or Hydrocharition - type vegetation [3150]</p> <p>Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [6210]</p> <p>Active raised bogs [7110]</p> <p>Degraded raised bogs still capable of natural regeneration [7120]</p> <p>Alkaline fens [7230]</p> <p>Limestone pavements [8240]</p> <p>Bog woodland [91D0]</p> <p>Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae) [91E0]</p> <p>Lutra lutra (Otter) [1355]</p>	As above	<p>The contained nature of the site (serviced, defined site boundaries, no direct ecological connections or pathways) and distance from receiving features connected to the SAC make it highly unlikely that the proposed development could generate impacts of a magnitude that could affect habitat quality within the SAC for the QIs listed.</p> <p>Conservation objectives would not be undermined.</p>

	<p><b>Likelihood of significant effects from proposed development (alone): No</b></p>
	<p><b>If No, is there likelihood of significant effects occurring in combination with other plans or projects? No</b></p>
<p><b>Step 4: Conclude if the proposed development could result in likely significant effects on a European site</b></p>	
<p>I conclude that the proposed development (alone) would not result in likely significant effects on the Lough Ree SPA and Lough Ree SPA. The proposed development would have no likely significant effect in combination with other plans and projects on any European site(s). No further assessment is required for the project. No mitigation measures are required to come to these conclusions.</p>	
<p><b>Screening Determination</b></p> <p><b>Finding of no likely significant effects</b></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 the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on the Lough Ree SPA (004064) and the Lough Ree SAC (000440), or any other European Site, in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.</p> <p>This determination is based on:</p> <ul style="list-style-type: none"> <li>• The minor scale of the development and lack of impact mechanisms that could significantly affect a European Site.</li> <li>• No significant ex-situ impacts on wintering birds</li> <li>• Taking into account the determination of the Planning Authority</li> </ul>	

## Appendix 4 -WFD Impact Assessment Stage 1: Screening

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
<b>An Bord Pleanála ref. no.</b>	PL-500745-WH-26	<b>Townland, address</b>	Killinure Townland North , Athlone , Co. Westmeath
<b>Description of project</b>		Construct a dwelling house with all associated works.	
<b>Brief site description, relevant to WFD Screening,</b>		Site is located on an elevated site, c.175m from Lough Ree. There are no drainage ditches within the site. The site is surrounded by well drained grassland.	
<b>Proposed surface water details</b>		Proposed soakpit	
<b>Proposed water supply source &amp; available capacity</b>		Connect to public water supply	
<b>Proposed wastewater treatment system &amp; available capacity, other issues</b>		WWTS and tertiary unit	

Others?	Not applicable.
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**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)
Lake Waterbody	c.175m	IE_SH_26_750a Ree	Moderate	Not at Risk	No pressures	Not hydrologically connected to lake waterbody.
Groundwater waterbody	Underlying Site	IE_SH_G_110 Inny	Poor	Not at risk	No pressures	Freely draining soil

**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.	Lake	IE_SH_26_750a Ree	None	None	None	No	Screened out
3.	Ground	IE_SH_G_110 Inny	Drainage	Hydrocarbon Spillages	Standard Construction Measures / Conditions	No	Screened out
<b>OPERATIONAL PHASE</b>							
4.	Lake	IE_SH_26_750a Ree	None	None	None	No	Screened out
6.	Ground	IE_SH_G_110 Inny	Drainage	None	None	No	Screened out
<b>DECOMMISSIONING PHASE</b>							
7.	N/A	N/A	N/A	N/A	N/A	N/A	N/A