



Development	Construction of single storey dwelling, entrance, garage, septic tank and percolation area, and all associated site works.
Location	Ballybrittas, Killenard, Co. Laois.
Planning Authority	Laois County Council
Planning Authority Reg. Ref.	2560752
Applicant(s)	James Connolly
Type of Application	Permission
Planning Authority Decision	Refuse
Type of Appeal	First Party
Appellant(s)	James Connolly
Observer(s)	None
Date of Site Inspection	5 th May 2026
Inspector	Emer Doyle

1.0 Site Location and Description

- 1.1. The subject site has a stated area of 0.426 hectares and is located in the rural townland of Ballybrittas, c. 1.5km south of Killenard, Co. Laois. The site is c. 100m south of O' Dempsey GAA club.
- 1.2. The site is located at a 'Y' shaped junction and has frontage onto both the L-3171-0 and the L-3159-0.
- 1.3. The subject site forms part of a larger field which is accessed by an agricultural entrance.
- 1.4. The area is under immense development pressure and there is a proliferation of one off housing on both sides of the 'Y' junction at this location.

2.0 Proposed Development

- 2.1. Permission is sought for a bungalow (244m²) and garage (42m²), septic tank with percolation area, entrance, and all associated works. It is proposed to connect to a public water supply.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. Permission refused for 5 no. reasons, as follows:

1.The subject site is located in an area designated as an Area Under Strong Urban influence as per Table 4.4 of the Laois County Development Plan 2021-2027. As such the onus is on the Applicant to demonstrate that they comply with the rural housing policy of the Laois County Development Plan 2021-2027. On the basis of the information submitted, it is considered that the Applicant has not demonstrated compliance with the local need criteria for such an area as set out in Table 4.4 of the Laois County Development Plan 2021-2027. Accordingly, the proposed development would materially contravene the policies and objectives of the Laois County Development Plan 2021-2027 and would therefore be contrary to the proper planning and sustainable development of the area.

2. Taken in conjunction with existing and permitted development in the area, the proposed development would give rise to excessive density of development in a rural area that lacks capacity to absorb further development. The proposed development would, therefore, be contrary to Policy DM RH1 (f) of the Laois County Development Plan 2021-2027 and consequently contrary to the proper planning and sustainable development of the area.

3. Having regard to Policy RH 12 of the Laois County Development Plan 2021-2027 which seeks to 'restrict residential development on a landholding, where there is a history of development through the speculative sale or development of sites, notwithstanding the applicant's compliance with the local need criteria', the Planning Authority notes that the landowner has sold other sites from the original landholding. To permit the dwelling on the subject site would be contrary to the provisions of the Laois County Development Plan 2021-2027, would set an undesirable precedent for the future speculative sale of sites and would therefore, be contrary to the proper planning and sustainable development of the area.

4. Having regard to the proposed vehicular access to the site, which is located on a L-3171-0 (Local Primary Road), and failure to demonstrate adequate sightlines of 3m x 120m as required under the provisions of the Laois County Development Plan 2021-2027 and to comply with the Roads and Parking Standards 2007, the proposed development would endanger public safety by reason of traffic hazard, the obstruction of road users and would therefore be contrary to the proper planning and sustainable development of the area.

5. The provisions of the Laois County Development Plan 2021-2027, namely section 4.6.3 discourages ribbon development (defined as five or more houses alongside 250 metres of road frontage). Taken in conjunction with the existing level of development in this rural area, it is considered that the proposed development would give rise to sprawl, suburbanisation and an extension of ribbon development which would erode the rural qualities of the area. The proposed development would conflict with Policy RH18 of the Laois County Development Plan 2021-2027 and the Sustainable Rural Housing Guidelines for Planning Authorities 2005 (updated December 2020) and would therefore be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Report

- The planner's report considered that the applicant failed to confirm that this would be his first rural dwelling and failed to supply details of the need to live in the rural area for work/ family reasons.
- It was noted that he is a prospective purchaser of the site and that the landowner had sold two sites off the landholding previously.
- Concerns raised regarding both speculative and ribbon development.
- Satisfied that the dwelling is in compliance with the Rural Design Guidance as set out in Appendix 7.

3.2.2. Other Technical Reports

- **Area Engineer:** Further Information required regarding sightlines- report not on digital file. ACP have contacted PA regarding submission of same twice.

3.3. Prescribed Bodies

- 3.3.1. **Uisce Eireann:** Required Further Information- Insufficient information submitted. In order to assess feasibility of connection to the public water infrastructure, the applicant is requested to submit a pre-connection enquiry to Uisce Eireann.

3.4. Third Party Observations

- 3.4.1. Two No. Third-Party observations were received by the Planning Authority. The issues raised related to impacts on neighbouring dwellings, overdevelopment of area, previous refusal on site, and rural housing policy.

3.5. Planning History

- 3.5.1. Relevant planning history for the site:

PA Reg. Ref. 96/16

Outline permission refused to John Eacrett for a dwelling and septic tank for 3 No. reasons relating to public health.

Adjacent Sites:

PA Reg. Ref. 17/355

Permission granted to Colin and Sandra Kehoe for construction of a detached storey and a half dwelling, detached garage and treatment system on site originally within the holding to the north.

PA Reg. Ref. 21/228

Permission granted to Amy Mooney for storey and a half dwelling, domestic garage and effluent treatment system on site directly adjacent to the north (This dwelling has not been built to date).

4.0 Policy Context

4.1. National Policy

- Project Ireland 2040 – National Planning Framework (2025) – NPO28: siting and design criteria for rural housing.
- Climate Action Plans (2024 & 2025) and Ireland’s 4th National Biodiversity Action Plan (NBAP) 2023-2030
- Our Rural Future: Rural Development Policy 2021-2025
- Design Manual for Urban Roads and Streets (DoHLGH, 2019)
- EPA Code of Practice: Domestic Wastewater Treatment Systems (2021)
- Quality Housing for Sustainable Communities Best Practice Guidelines for Delivering Homes and Sustaining Communities (DoHLGH, 2007)
- Sustainable Rural Housing Guidelines for Planning Authorities (DoHLGH, 2005).

4.2. Regional Policy

- Eastern & Midland Regional Assembly Regional Spatial & Economic Strategy 2019-2031 – Rural Areas: RPO 4.81 siting and design criteria for rural housing.

4.3. Loais County Development Plan 2021-2027

The site is located on unzoned land in the rural countryside.

Chapter 4: ‘Housing Strategy’ contains commentary in relation to housing development. Section 4.6 refers to ‘Open Countryside and Rural Housing’ and notes that policy in relation to rural housing is, in certain areas, based on the local need factor which required applicants to demonstrate that they are functionally or socially

related to the rural community in which the proposed site was located. 5.1.3. Section 4.6.1: 'Rural Area Types' states that the Council recognises the needs of local rural people who wish to live or work in the area in which they grew up. The following three criteria arise in assessing applicants under this category:

- The applicant must come within the definition of a 'Local Rural Person'
- The proposed site must be situated within their 'Local Rural Area'
- The applicant must have a 'Local Rural Housing Need'

Map 4.1 of the Laois County Development Plan 2021-2027 indicates that the site of the subject development is located in a 'Rural Area Under Strong Urban Influence'.

Table 4.4 – 'Rural Area Designation' as contained in the Development Plan provides a definition for 'Rural Area Under Strong Urban Influence' and sets out the policy for this area.

4.3.1. Rural Housing Objectives relevant to this application include:

RH1 Support the sustainable development of rural areas in Laois 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.

RH10 Promote good rural design through the implementation of Rural House Design Guidelines prepared by Laois County Council- Appendix 7. In relation to ribbon development these guidelines state the following: In all cases new sites should not contribute to ribbon development along roads or within undeveloped areas between existing building clusters. Any prospective site that would exacerbate ribbon development, or lead to the coalescence of existing ribbon development, should be avoided.

RH12 Restrict residential development on a landholding, where there is a history of development through the speculative sale or development of sites, notwithstanding the applicant's compliance with the local need criteria.

RH18 Discourage ribbon development (defined as five or more houses alongside 250 metres of road frontage). The Council will assess whether a

given proposal will exacerbate such ribbon development, having regard to the following: (i)The type of rural area and circumstances of the applicant; (ii)The degree to which the proposal might be considered infill development; (iii)The degree to which existing ribbon development would coalesce as a result of the proposed development; (iv) Local circumstances, including the planning history of the area and development pressures. Notwithstanding the above, special regard will be given to the circumstances of immediate family members of a landowner on single infill sites in a line of existing dwellings with 5 or more houses along a 250m of road frontage.

Policy DMRH 1 sets out the range of criteria that are used to assess if a rural site is acceptable in principle for a dwelling house. The capacity of the area to absorb further development including the extent of existing development in the area, the degree of existing haphazard or piecemeal development in the area and the degree of development on a single original landholding.

Chapter 10: 'Infrastructure' contains commentary in relation to transportation and road safety. The following Transportation Development Management Standard is noted: DM TRANS 2: Sightline requirements are determined by the Council having regard to Laois County Council Roads and Parking Standards (2007) guidelines (and any and in exceptional circumstances on a case by case basis. Factors including the type, speed limit and condition of the road shall be taken into consideration: Where sightlines are inadequate and would give rise to a traffic hazard, development will not be permitted. • In cases where an access already exists with inadequate sightlines, it is Council policy to recommend the closing up of this entrance and to facilitate another entrance with adequate sightlines. All applications for planning permission must clearly indicate the sightlines available at the proposed access within the boundary of the site.

Appendix 7 contains Rural Design Guidance.

4.4. Natural Heritage Designations

4.4.1. No natural heritage designations apply to the subject site.

- The closest European Site is the River Barrow and River Nore SAC c. 4.1km to the north.
- The Derries Wood pNHA is located c. 1.7km to the south and Emo Court pNHA is located 2.59km to the south east.

4.5. EIA Screening

4.5.1. 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.

5.0 The Appeal

5.1. Oral Hearing Request

5.1.1. The First Party requested an oral hearing on the appeal. Commission Direction CD-000350 decided that there was sufficient written evidence on file to enable an assessment of issues raised, and therefore an Oral Hearing should not be held.

5.2. Grounds of Appeal

5.2.1. A First-Party appeal has been lodged in this instance. The grounds of the appeal can be summarised as follows:

- The applicant fully complies with the local needs policy. This is not an attempt to move into a rural area or to develop land for profit; it is a genuine attempt to remain in the only place I have ever called home.

- I ask the Board to view my proposal as it is: a single home completing a cluster, not adding pressure to the landscape.
- My site is the last remaining site at this location.
- The required sightlines can be achieved by relocating the entrance along the site frontage.
- My site sits directly beside an existing five-house ribbon that already meets the Development Plan's definition of ribbon development. My home cannot create or extend a pattern that is already fully formed.
- The appeal is accompanied by the following:
 - Appendix A: Site Context
 - Appendix B: Overview of existing development patterns
 - Appendix C: Local Need Documentation
 - Appendix D: Applicant Declaration of Intent
 - Appendix E: Landowner Declaration regarding previous site sales
 - Appendix F: Sightline Requirements

5.3. Planning Authority Response

5.3.1. The Planning Authority's response to the grounds of appeal can be summarised as follows:

- The Planning Authority confirms its decision and asks that the Board refer to the Planner's Report, internal department reports and prescribed body reports.

5.4. Observations

5.4.1. None.

6.0 **Assessment**

6.1. Having examined the application details and all other documentation on file, including 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:

- Rural Housing Need
- Rural Housing Density
- Traffic Safety

6.2. **Rural Housing Need**

6.2.1. The Planning's Authority's first reason for refusal relates to designation of the area as an Area Under Strong Urban influence as per Table 4.4 of the Laois County Development Plan 2021-2027. As such the onus is on the Applicant to demonstrate that they comply with the rural housing policy of the Laois County Development Plan 2021-2027.

6.2.2. On the basis of the information submitted, it is considered by the Planning Authority that the Applicant has not demonstrated compliance with the local need criteria for such an area as set out in Table 4.4 of the Laois County Development Plan 2021-2027.

6.2.3. I have reviewed the supporting documentation submitted by the applicant to identify how he complies with the rural housing policy. Documentation submitted to the Planning Authority included the following:

- Letters from local primary and secondary schools
- Tax documents
- Birth Certificate

Additional information submitted with the appeal include the following:

- Personal statement of long-term residence and local need
- Confirmation of address and permanent residence certified by An Garda Síochána

- Confirmation of residence with local medical centre.

6.2.4. The site is located within an Area Under Strong Urban influence as indicated by Map 4.1 of the Development Plan. The information submitted by the applicant with the application and appeal indicates that this is his first home and it will be a permanent residence. The family home where he states that he has resided all his life is located c. 4km from the site. It is stated that his family, social and community connections are in the area and he needs to live close to his parents as they are aging and have mobility issues. It is a requirement of the policy that an applicant who satisfies the local rural housing need does not and has never owned a house in the local rural area and has a need for a permanent dwelling for their own use in a rural area.

In terms of the information presented in the application and appeal, I am satisfied that the application complies with the requirements set out in the Development Plan for 'rural housing need' category (d)- the application is being made by a local rural person who has spent a substantial period of their life living in the local rural area and, for family and/ or work reasons need to live in the rural area. Should the Commission be minded to grant permission for the proposed development, I recommend that an occupancy condition is attached.

6.2.5. Notwithstanding the fact that the appellant meets the rural housing need criteria in terms of social need, the application must identify how the development does not prejudice the environment and rural character of the area. This is examined in further detail in the following sections of this report.

6.3. Rural Housing Density

6.3.1. The area in the vicinity of the subject site accommodates a significant number of rural dwellings. Section 4.6.3 of the Development Plan sets out the policy in relation to ribbon development which is defined as five or more houses alongside 250 metres of road frontage.

6.3.2. Rural Housing Objectives relevant to this application include RH10, RH12, and RH18 as set out in the policy section above.

Policy DMRH 1 sets out the range of criteria that are used to assess if a rural site is acceptable in principle for a dwelling house. The capacity of the area to absorb

further development including the extent of existing development in the area, the degree of existing haphazard or piecemeal development in the area and the degree of development on a single original landholding are important considerations.

6.3.3. As set out in Section 7.1, I am satisfied that the applicant meets the local need criteria as set out in the Development Plan. Three of the reasons for refusal by the Planning Authority relate to ribbon development, excessive development in the area and the speculative sale of sites from the original holding.

6.3.4. The appeal addresses these reasons for refusal as follows:

- The application is not speculative and is the last remaining site within the field.
- The land is physically detached from the landowner's main farm and has no agricultural activity.
- The site is not being purchased for resale- it is for a permanent home.
- There are many examples in the local area of ribbon development.
- The proposal represents infill within an existing cluster.
- The landowner has sold 2 sites from this 3 acre field which were granted under the same Development Plan.

Appendix A shows the site context, Appendix B shows the overall settlement pattern within 800m of the site, with the site shown in blue, together with a number of examples of ribbon development within the area, Appendix D includes a declaration of intent by the applicant, and Appendix E provides for a declaration of the owner regarding the sale of 2 No. previous sites on the landholding.

6.3.5. During my physical inspection of the site, I observed there to be what only could be described as a proliferation of one-off housing along the surrounding road network. I note that an additional dwelling has been granted on the site immediately to the north of the site within the same landholding which has not been built to date. I accept that the site is for the prospective purchasers use and that this is the last remaining site within the landholding. Nevertheless, it is evident to me that development pressure in this area has become acute and due to the prevalence of one-off housing in the vicinity (I refer the Commission to Map B as submitted with the appeal which demonstrates development in the vicinity including extensive ribbon

development on both sides of the Y junction at this location). There is now a proliferation of ad-hoc rural housing development occurring which has led to the intensity of one-off houses becoming overly concentrated, within this small rural townland, and its rural character gradually being eroded and transformed into a peri-rural area. In addition, in terms of planning history in the area, I note that the Commission refused permission for development in the same townland c. 800m to the south of the site under ABP 315899-23 for one reason relating to ribbon development.

- 6.3.6. Having regard to the above, the proposed development is considered to be contrary to Objectives RH 10, RH12 and RH18 of the County Development Plan and should therefore be refused planning permission.

6.4. Traffic Safety

- 6.4.1. The fourth reason for refusal by the Planning Authority considered that the applicant failed to demonstrate sightlines of 3m x 120m as required by the provisions of the Development Plan.
- 6.4.2. The Local Authority Engineer had requested further information requiring the applicant to submit details of 3m x 120m sightlines.
- 6.4.3. The applicant, in their appeal addresses this in Appendix F. It is stated that the required sightlines are available along the site frontage from the current location of the entrance. It is stated that it is possible to relocate the entrance a further 7m to the north should this be required by condition. It is noted that the road geometry and junction causes traffic to slow down when approaching the site from the south. The measured achievable distance from the proposed entrance location is 265m to the south and 167m to the north.
- 6.4.4. Having regard to the nature of the road, which is relatively straight in the vicinity of the site and the road geometry in the vicinity of the site where cars would be required to reduce speed limits due to the proximity of a junction, I consider that the proposed entrance would provide adequate sightline visibility. Consequently, I do not consider that the proposed development poses any significant traffic safety concern.

7.0 **AA Screening**

7.1. I have considered the proposed dwelling and secondary sewage treatment system in light of the requirements S177U of the Planning and Development Act 2000 as amended.

The subject site is located approximately 4.1km from the River Barrow and Nore SAC (Site Code: 002162).

The proposed development comprises a dwelling, garage, together with a septic tank and percolation area, entrance and associated site works.

Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.

The reason for this conclusion is as follows:

- The site is located approximately 4.1km from the River Barrow and Nore SAC and there is a lack of connections.
- Taking into account the determination by Planning Authority.

I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.

Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

8.0 **Water Framework Directive**

8.1. 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.

8.2. I refer the Board to Appendix 2 for my screening assessment.

9.0 Recommendation

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

10.0 Reasons and Considerations

1. Taken in conjunction with existing development in the vicinity including the previous sale of sites from the original landholding, it is considered that the proposed development contributes to the excessive density of development and would consolidate and contribute to ribbon development in an open rural area and would, therefore, contravene Objectives RH 10, RH12 and RH18 of the Laois County Development Plan 2021-2027. Furthermore, the development, when taken into account the existing development in the vicinity of the site, would contribute to the sprawl of low-density un-serviced development in an open rural area. This would militate against the preservation of the rural environment and lead to demands for the provision of further public services and community facilities. The development would therefore contribute to the erosion of the rural character of the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Emer Doyle
Planning Inspector

11th May 2026

Appendix 1 Form 1 - EIA Pre-Screening

Case Reference	ACP-500780-LS-26
Proposed Development Summary	Construction of single storey dwelling, entrance, garage, septic tank and percolation area, and all associated works.
Development Address	Ballybrittas, Killenard, Co. Laois.
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? (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)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1.	

<p>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</p>	
<p><input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3</p>	
<p>3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?</p>	
<p><input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994.</p> <p>No Screening required.</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p>EIA is Mandatory. No Screening Required</p>	
<p><input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p>	<p>The class is 10(b)(i) Construction of more than 500 dwelling units. The development is for the construction of 1 no. dwelling and therefore is sub-threshold.</p>

<p>Preliminary examination required. (Form 2)</p> <p>OR</p> <p>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	
---	--

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes <input type="checkbox"/>	Screening Determination required (Complete Form 3)
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ **Date:** _____

Appendix 2 Form 2 - EIA Preliminary Examination

Case Reference	ACP-500780-LS-26
Proposed Development Summary	Construction of single storey dwelling, entrance, garage, septic tank and percolation area, and all associated works.
Development Address	Ballybrittas, Killenard, Co. Laois.
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
<p>Characteristics of proposed development</p> <p>(In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).</p>	<p>The development involves the construction of 1 no. house on a 0.426 ha site. The site is located in a rural area.</p> <p>The project due to its size and nature will not give rise to significant production of waste during both the construction and operation phases or give rise to significant risk of pollution and nuisance.</p> <p>The construction of the proposed development does not have potential to cause significant effects on the environment due to water pollution. The project characteristics pose no significant risks to human health.</p> <p>The proposed development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change.</p>
<p>Location of development</p> <p>(The environmental sensitivity of geographical areas likely to</p>	<p>The site is not located in or immediately adjacent to any European site.</p>

<p>be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).</p>	<p>The closest Natura 2000 site is the River Barrow and Nore Special Area of Conservation which approximately 4.1km to the east.</p>
<p>Types and characteristics of potential impacts</p> <p>(Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).</p>	<p>Localised construction impacts will be temporary. The proposed development would not give rise to waste, pollution or nuisances beyond what would normally be deemed acceptable.</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 significant effects on the environment.</p>	
<p>There is a real likelihood of significant effects on the environment.</p>	

Inspector: _____ Date: _____

DP/ADP: _____ Date: _____

(only where Schedule 7A information or EIAR required)

Appendix 3
Screening the need for Water Framework Directive Assessment
Determination

The subject site is located in Ballybrittas, Killenard, Co. Laois. The nearest water body is the Barrow 120 IE_SE_14B011500 (good ecological status), located c. 2.5km to the south-east of the site. The groundwater body is Bagnelstown Upper IE_SE_G_153 (good water body status). The proposed development is detailed in section 2.0 of my report. No water deterioration concerns were raised in the planning appeal.

I have assessed the development proposed of one dwelling at the site in Ballybrittas and I 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:

- Nature of works e.g. small scale and nature of the development
- Location-distance from nearest water bodies and/or lack of hydrological connections

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.