



An  
Coimisiún  
Pleanála

## Inspector's Report PL-501052-OY-26

|                                     |                                                                                                                                                                                            |
|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Development</b>                  | Construction of a two-storey dwelling, garage/fuel store, connection to existing main foul sewer system and new vehicular entrance, all associated landscaping and site development works. |
| <b>Location</b>                     | Boherdeel Road, Crinkill, Co. Offaly.                                                                                                                                                      |
| <b>Planning Authority</b>           | Offaly County Council                                                                                                                                                                      |
| <b>Planning Authority Reg. Ref.</b> | 2560094                                                                                                                                                                                    |
| <b>Applicant(s)</b>                 | Donna Torrens                                                                                                                                                                              |
| <b>Type of Application</b>          | Permission                                                                                                                                                                                 |
| <b>Planning Authority Decision</b>  | Refusal                                                                                                                                                                                    |
| <b>Type of Appeal</b>               | First Party                                                                                                                                                                                |
| <b>Appellant(s)</b>                 | Donna Torrens                                                                                                                                                                              |

|                                |                           |
|--------------------------------|---------------------------|
| <b>Date of Site Inspection</b> | 21 <sup>st</sup> May 2026 |
|--------------------------------|---------------------------|

**Inspector**

Colin McBride

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

## **1.0 Site Location and Description**

- 1.1. The appeal site, which has a stated area of 0.16ha, is located to the southeast of the settlement of Crinkill, Co. Offaly and on the western side of Boherdeel Road. The appeal site is part of an existing field (grassland). Adjoining uses include similar agricultural lands to the north and west and a portion of the field the site is taken from to the south. Further south is a small housing development (Southgate) of single-storey dwellings to the south. 8 no. dwellings within Southgate back onto the southern boundary field the site is taken from. Boundary treatment on site consists of a post and rail fence along the roadside boundary (Boherdeel Road), no defined boundary to the south and hedgerow boundaries to the west and north. The site is a flat site.

## **2.0 Proposed Development**

- 2.1 Permission is sought for the construction of a two-storey dwelling, garage/fuel store, connection to existing main foul sewer system and new vehicular site entrance, all associated landscape and site development works. The proposed dwelling has a floor area of 247sqm and a ridge height 8.7m. The dwelling features a pitched roof and external finishes of stone cladding on its front elevation and wet dash or acrylic render on the other elevations and concrete roof tiles. The garage has a floor area of 105sqm and ridge height of 6m. It features a pitched roof with external finishes similar to the dwelling. It is proposed to open a new vehicular entrance off the Boherdeel Road.
- 2.2 In response to further information the design and scale of dwelling was revised to a two-storey dwelling with a floor area of 152sqm and a ridge height of 8.9m. The external finishes are as per the original proposal.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

Permission refused based on two conditions: -

1. The subject site is located in open countryside that is identified as a 'Stronger Rural Area' in the Offaly County Development Plan 2021-2027. In such areas it is Development Plan Policy that certain categories of applicant, which are defined in policy SSP-27 of the Plan, will be given a positive presumption for the development of a permanent rural home. The Council considers that the applicant does not comply with policy SSP-27 as sufficient evidence has not been provided showing that she has lived in the local rural area for a minimum of 5 years at any stage prior to making the planning application. Accordingly, the proposed development would materially contravene the Offaly County Development Plan 2021-2027 and would be contrary to the proper planning and sustainable development of the area.

2. The proposed dwelling through its overly complicated, urban and suburban design is considered inappropriate for the rural area and at variance with DMS-48 of the Offaly County Development Plan which states that; "All planning applications for single houses in the countryside shall demonstrate a high standard of siting and design in accordance with Offaly County Councils booklet 'Designing Houses, Creating Homes – A Guide for Applicants on the siting and design of new houses in the Offaly countryside'. The proposed development would therefore materially contravene the Offaly County Development Plan 2021-2027 and would be contrary to the proper planning and sustainable development of the area.

### **3.2. Planning Authority Reports**

#### **3.2.1. Planning Report (20/05/25)**

- Further information required including submission of information demonstrating compliance with policy SSP 27 of the County Development Plan, address concerns regarding compliance with policies DMS-48, DMS-50 and DMS-45 of the County Development Plan, applicant was requested to engage with Uisce Eireann, submission of revised site layout plan showing location of public sewer, a revised layout providing suitable landscaping, address concerns regarding the scale of garage in the context of policy DMS-57 of the CDP and clarify the status

of the existing entrance on site in terms of if such as access to lands to the south of the site.

#### Planning Report (26/02/26)

- It was considered that the applicant had failed to demonstrate compliance with policy SSP-27 of the County Development Plan. It was also considered that the design of the dwelling was inappropriate and at variance with policy DMS-48 of the County Development Plan. Refusal was recommended based on the reasons outlined above.

#### 3.2.2. Other Technical Reports

##### Water Services (13/05/26):

- Further information including applicant to engage with Uisce Eireann and submission of a site layout indicating location of the public foul sewer.

##### Area Engineer (14/05/25):

- No objection subject to conditions.

##### Water Services (16/02/26):

- No objection subject to conditions.

#### 3.3. Prescribed Bodies

None

#### 3.4. Third Party Observations

None.

#### 4.0 Planning History

No planning history.

## 5.0 Policy Context

### 5.1 National Policy

The National Planning Framework – First Revision (April 2025) seeks to protect areas that are under strong urban influence from unsustainable over-development on the one hand, and to encourage population to be sustained in more structurally weak areas, that have experienced low growth or decline in recent decades, on the other. This is supported by NPO 24, which states

“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 overdevelopment, while sustaining vibrant rural communities”.

### 5.2 Development Plan

Offaly County Development Plan 2021-2027.

Chapter 2 - Core Strategy, Settlement Strategy and Housing Strategy

The subject site is located on lands which are within an area defined as being a ‘Stronger Rural Area’. As stated in Chapter 2 of the Offaly County Development Plan 2021-2027

(OCDP), these areas exhibit characteristics such as:

- Stable or rising population within a well-developed town and village structure
- Supported by strong agricultural base.
- Level of individual housing tends to be relatively low and confined to certain areas.

The relevant policy of the OCDP is SSP-27:

SSP-27: Having regard to the need to protect County Offaly’s natural resources, environment, landscape and infrastructure, it is Council policy to consider a single dwelling for the permanent occupation of an applicant in Rural Areas under Strong Urban Influence and Stronger Rural Areas and Areas of Special Control where all of the following (1-4) can be demonstrated:

1. The applicant has a functional economic or social requirement to reside in this particular rural area in accordance with (i) or (ii):

(i) Economic requirements will normally encompass persons referred to in the revision to the Sustainable Rural Housing Guidelines 2005 and, if applicable, circulars. Pending the making of the revised Sustainable Rural Housing Guidelines by the Minister, a Functional Economic Requirement in County Offaly shall be taken as including persons who by the nature of their work have a functional economic need to reside in the local rural area close to their place of work. It includes persons involved in full-time farming, horticulture or forestry as well as similar rural-based part-time occupations where it can be demonstrated that it is the predominant occupation. The 'local rural area' is defined as the area generally within 8km radius (5km radius particular to Areas of Special Control) of the place of work.

Or

(ii) Social requirements will normally encompass persons referred to in the revision to the Sustainable Rural Housing Guidelines 2005 and, if applicable, circulars. Pending the making of the revised Sustainable Rural Housing Guidelines by the Minister, a Functional Social Requirement in County Offaly shall be taken as including (a) or (b) below:

(a) The applicant was born within the local rural area, or is living or has lived in the local rural area for a minimum of 5 years (15 years particular to Areas of Special Control) at any stage prior to making the planning application. It includes returning emigrants seeking a permanent home in their local rural area. The 'Local Rural Area' for the purpose of this policy is defined as the area generally within an 8km radius (5km radius particular to Areas of Special Control) of where the applicant was born, living or has lived. For the purpose of this policy, the rural area is taken to include 'Villages' listed in the Settlement Hierarchy, but excludes Tullamore, Birr, Edenderry, Portarlington, Banagher, Clara, Daingean, Ferbane and Kilcormac (i.e. the Key Town, Self-Sustaining Growth Town, Self-Sustaining Towns, Towns and Smaller Towns listed in the Settlement Hierarchy).

Or

(b) Special consideration shall be given in cases of exceptional health circumstances - supported by relevant documentation from a registered medical practitioner and a



disability organisation proving that a person requires to live in a particular environment or close to family support, or requires a close family member to live in close proximity to that person.

## Chapter 13 Development Management Standards

The relevant development management standards are as follows:

DMS-45 Site Size: A minimum site size of 0.2 hectares (0.5 acres) is required to accommodate a dwelling in the open countryside.

DMS-46 Road Frontage: Dwellings in the open countryside shall provide a minimum of 30 metres road frontage unless on a case by case basis, it is desirable to maintain existing boundary or landscape features or in relation to back land sites that it can be demonstrated that there are no negative residential, visual amenity, traffic or landscape impacts.

DMS-47 Building Line: Dwellings shall not be located in front of established building lines unless the site is set well back from the public road and makes use of the topography and natural screening in the landscape safeguarding the residential amenities of nearby dwellings.

DMS-48 Design & Siting: All planning applications for single houses in the countryside shall demonstrate a high standard of siting and design in accordance with Offaly County Councils booklet 'Designing Houses, Creating Homes – A Guide for Applicants on the siting and design of new houses in the Offaly countryside'.

DMS-50 Landscaping & Boundary Treatment: Boundary treatment and landscaping proposals for residential development in the countryside shall be in accordance with Section 6 of the Offaly County document 'Designing houses, creating homes – A guide for applicants on the siting and design of new houses in the Offaly Countryside'; Hedgerows should be retained and reinforced and only removed where absolutely necessary for the achievement of sightlines ensuring safe entry and exit to a site. Where limited removal is required in order to meet with achievement of sightlines, new hedgerows consisting of species native to the area as listed in Table 4.16 in Chapter 4 of Volume 1 of this Plan shall be planted inside the line of visibility. The design of entrances to houses in the countryside shall be in keeping with its

rural setting. Brick walls and ornamental features will be discouraged. Planning applications should be accompanied by details of the proposed entrance including details of gates, piers, wing walls etc. as well as of front boundary treatment. In the event that the removal of trees is deemed to be necessary, it will be conditional on replacement with appropriate species and at a ratio of at least two replacement trees for each single tree removed.

## **6.0 EIA Screening**

The proposed development has been subject to preliminary examination for environmental impact assessment, and I would refer to Form 1 and Form 2, in Appendix 1 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**

Donna Torrens.

The grounds of appeal can be summarised as follows:

- The appellant notes that the further information request raised concerns about the scale of the dwelling (applicant/appellant reduced the scale of the dwelling) and at no point raised issues of architectural design and design language and that the reason for refusal referencing such is a new issue that had not been raised by the PA in their further information request.
- Refusal on design is procedurally unfair with the appellant referring to Article 33 of the Planning and Development Regulations 2000.
- The revised design in response to further information has been prepared having regard to Offaly County Council's guidance document 'Designing Houses, Creating Homes - A Guide for Applicants on the site and design of

new houses in the Offlay countryside'. Reference under Policy DMS-48 of the CDP. It is considered that the revised design resolved the PA concerns express by way of further information.

- In relation to refusal reason no. 1 and compliance with Policy SSP-27 of the CDP the applicant/appellant's background as part of the Traveller Community is highlighted and the fact that her residential history has featured periods of residence in mobile homes and caravans located throughout the rural area. Independent corroboration has been provided to demonstrate that the applicant/appellant has resided at Clonmora, Rathcabbin, Co. Tipperary for a period of approximately 8 years, which is 5.9km from the site and within the 8km radius specified under Policy SSP-27. This corroboration is from a parish priest and is considered to be the closest equivalent to a community professional and should be accepted in this case.
- The PA further information required identified as number of methods for providing evidence of compliance with Rural Housing policy including letters from schools or a local parish priest. Evidence in this regard was provided and subsequent rejection of such is an escalation beyond the level of evidence originally requested. It is highlighted that the Traveller community do not have access to the same level of evidence (utility bills etc) when providing demonstration with compliance with rural housing need policies.
- Equality and human rights considerations are pointed out with the obligations on public bodies under Section 42 of Irish Human Rights and Equality Commission Act 2014 and the protected status of the travelling community under the Equal Status Acts 2000-2018.
- Additional evidence is provided in terms of letter of supported form the Offaly Traveller Movement and a from a motor dealer confirming the applicant's connection to the rural area.
- The site is a serviced site with access to the foul sewer network and no environmental, heritage, flood risk or appropriate assessment issues concerning the proposal.

## 7.2. Planning Authority Response

Response by Offaly County Council

- The Planning Authority refer the Commission to the technical and planning reports on file and request that the Commission support its decision to grant permission.

## 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 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 as follows:

Compliance with Development Plan policy, Rural Housing.

Detailed design, siting and scale.

Conclusion.

8.2 Compliance with Development Plan policy, Rural Housing.

8.2.1 Permission was refused on the basis that that the applicant does not comply with policy SSP-27 as sufficient evidence has not been provided showing the applicant has lived in the local rural area for a minimum of 5 years at any stage prior to the making the planning application with the proposal deemed to be a material contravention of Development Plan policy.

8.2.2 Under policy SSP-27 the social requirements for establishing a claim to be considered for a single dwelling for permanent occupation in 'Stronger Rural Area' includes a demonstration that the applicant was born within the local rural area, or is living or has lived in the local rural area for a minimum of 5 years (15 years particular to Areas of Special Control) at any stage prior to making the planning application. It includes returning emigrants seeking a permanent home in their local rural area. The 'Local Rural Area' for the purpose of this policy is defined as the area generally within an 8km radius (5km radius particular to Areas of Special Control) of where the

applicant was born, living or has lived. For the purpose of this policy, the rural area is taken to include 'Villages' listed in the Settlement Hierarchy, but excludes Tullamore, Birr, Edenderry, Portarlington, Banagher, Clara, Daingean, Ferbane and Kilcormac (i.e. the Key Town, Self-Sustaining Growth Town, Self-Sustaining Towns, Towns and Smaller Towns listed in the Settlement Hierarchy).

8.2.3 The applicant was requested to submit information demonstrating compliance with policy SSP 27 (21/05/25). In terms of demonstrating compliance the applicant submitted a number of items. The submission in response to further information clarifies that the applicant currently resides in Birr at an address at 17 Drumbane, Birr, Co. Offaly with an Eircode R42 F256 and has done for approximately 7 years since 2019. This is the applicant's parents' home which the applicant does not own. Prior this the applicant resided at a dwelling in Clonmona, Rathcabin with an Eircode of R42 D429 for a period of 8 years between 2011 and 2019, which is in a rural area and a Stronger Rural Area as defined under the Development Plan (I would note that the map the applicant submitted incorrectly labels the dwelling in the townland of Clonmona with the Eircode of the applicant's current residence within Birr, I have confirmed that the Eircode of the rural property is R42 D429). This rural address is approximately 6km from the appeal site (located to the northwest). To back up this personal history the applicant has submitted a letter from parish priest confirming the applicant's residential status and connection to the rural area. In addition, the applicant provided a letter from a motor dealer confirming the applicant's connection to the rural area.

8.2.4 I would highlight item no. 1 of the further information request, which states the following:-

"1. The subject site is located in open countryside within an area of the county that is described as a 'Stronger Rural Area' as Chapter 2 of the Offaly County Development Plan 2021-2027 and where policy SSP 27 applies. In order to assess whether the Applicant meets the specified criteria No. 1 of SSP 27 please supply the following:

(a) Please submit a suitable map indicating all locations, which are within the local rural area and within 8km of the subject site, where the Applicant has been a resident and the length of time at each residence. Please submit Eircode's of these locations.

(b) Further to Item (a) and where the Applicant wishes to demonstrate their links to a particular area, letter(s) from the local schools within this rural area and which they have attended. The Applicants home address at the time of attending shall be included in the letter(s). Alternatively, the Applicant may wish to submit a letter(s) from the head of an Applicant's religious community (e.g. parish priest) which confirm the Applicants current/previous residential address in this rural area.

OR

(c) If the Applicant wishes to demonstrate that they have lived within this local rural area for a minimum of 5 years, they shall supply a letter from a utility company or from a financial institution confirming how long the customer has been at that address.

The PA's assessment of the further information submitted concluded that there was an absence of evidence showing that the applicant has resided in Clonmona, Rathcabbin for at least 5 years, for example, letters from schools, local clubs, birth cert or utility bills, notwithstanding the letter received from the local parish priest.

8.2.5 I would refer to the wording of the further information request, which clearly required the applicant to identify the rural location by Eircode, which the applicant did as well identifying the period of residency, which again the applicant provided (item 1(a)). The further information request clearly states at 1(b) that the applicant demonstrate their links to a rural area by letters from a school attended or alternatively a letter from a parish priest. In this case the applicant supplied a letter from a parish priest satisfying the terms of item 1(b) of the request. In regards to 1(c) it is clearly stated that such is instead of or in absence of evidence of 1(a) and 1(b). I would be of the view that the applicant submitted evidence that would comply with the requirements of the further information request as written and in particular items 1(a) and 1(b), and that the request as written does not require the applicant to provide evidence to comply with 1(a), 1 (b) and 1 (c) all at the same time.

8.2.6 I would be of the view that the applicant has supplied documentary evidence and information that satisfies the information required by the PA to demonstrate compliance with Policy SSP 27. In this regard I am satisfied the applicant complies with the requirements of this policy in relation to rural housing in a 'Stronger Rural Area'. I would note in this regard the proposed development would not represent a

material contravention of Development Plan policy in relation rural housing and specifically policy SSP 27.

### 8.3 Detailed design, siting and scale:

8.3.1 Permission was also refused on the basis that the design of dwelling was considered overly complicated, urban and suburban design and inappropriate for the rural area and at variance with DMS-48 of the Offaly County Development Plan which states that; "All planning applications for single houses in the countryside shall demonstrate a high standard of siting and design in accordance with Offaly County Councils booklet 'Designing Houses, Creating Homes – A Guide for Applicants on the siting and design of new houses in the Offaly countryside'. The proposal was deemed to be a material contravention of Development Plan policy. The applicant/appellant has made the point that an FI request raised concerns regarding the scale of the dwelling but not the architectural character of the dwelling. The applicant/appellant response to the FI request by reducing the scale of the dwelling significantly and considers that they were given no warning regarding concerns relating to the architectural character despite the fact an FI request was issued.

8.3.2 I would agree with applicant/appellant that the FI request relates more to the overall scale of the dwelling and in particular width of the dwelling and the fact it is considered overdevelopment and out of character in this rural setting. The applicant responded to further information with revised plans entailing a reduction of the proposed dwelling from 247sqm in area and 8.7m in ridge height to 152sqm in area and a marginal increase in ridge height to 8.9m. I would be of the view that the applicant's response to further information addressed the issues raised in the further information request.

8.3.3 Offaly County Councils booklet 'Designing Houses, Creating Homes – A Guide for Applicants on the siting and design of new houses in the Offaly countryside', gives guidance on design and siting of dwellings in the countryside. In the context of this proposal, the appeal site is flat site low lying site located adjoining an existing suburban style housing development. I would be of the view that the revised design proposal would be satisfactory in the context of its overall design, scale and siting and would not be detrimental to the visual amenities of the area. The external

finishes are mainly west dash/acrylic render with stone cladding on the front elevation. I consider subject to a condition requiring the final external finishes to be agreed in writing with the PA, that overall scale and design character of the dwelling would be acceptable at this location and in the context of DMS-48 of the County Development Plan. In this regard I would also state that the proposal would not be a material contravention of Development Plan policy.

#### 8.4 Conclusion:

8.4.1 No issues were raised regarding access, which is located at a point with good horizontal and vertical visibility. In relation to public health the site is to be serviced by an existing public sewer and public watermains with no reliance on an individual wastewater treatment system and therefore no public health considerations. I am satisfied that the proposal would be satisfactory in the context of the visual amenities of the area, the amenities of adjoining properties, traffic safety, public health and Development Plan policies and objectives. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

### 9.0 **Appropriate Assessment**

9.1 I have considered the proposal for the construction of a dwelling in light of the requirements S177U of the Planning and Development Act 2000 as amended.

The subject site is located in a rural area and 3.48km from Sharavogue Bog SAC (000585) which are the nearest European Site(s).

The proposed development comprises construction of a dwelling, garage and associated site works. The dwelling is to be connected to public mains in terms of water supply and the public sewer in regard to wastewater. No nature conservation concerns were raised in the planning appeal.

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:

- Nature of works are small scale in nature.
- Location-distance from nearest European site and lack of connections.

I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

## **10.0 Water Framework Directive**

10.1 An assessment of the proposed development has been undertaken with regard to the objectives set out in Article 4 of the EU Water Framework Directive. Having considered the nature, scale, and location of the proposed development, it is concluded that the proposal will not result in any risk of deterioration in the status of any water body, including surface waters (rivers and lakes), groundwater, transitional waters, or coastal waters. This applies to both qualitative and quantitative status, and in respect of temporary and permanent effects. In addition, the proposed development will not adversely affect the achievement of established environmental objectives, including the protection, maintenance, and improvement of water body status, as required under the Directive. Accordingly, the proposed development is considered to be compliant with the requirements of Article 4.

## **11.0 Recommendation**

11.1. I recommend a Grant of permission subject to the following conditions.

## **12.0 Reason and Considerations**

Having regard to information submitted by the applicant and the nature and scale of the proposed development, the proposed development would be compliant with rural housing policy as set out under Chapter 2 and SSP 27 of Offaly County

Development Plan 2022-2028. The overall design and scale of the proposed dwelling has adequate regard to its location within the rural area and would be satisfactory in the context of Development Plan policy. The proposal would also be satisfactory in the context of the amenities of adjoining properties, traffic safety and public health and would, therefore, be in accordance with the proper planning and sustainable development of the area.

### 13.0 Conditions

1. 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 01<sup>st</sup> day of February 2026, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Details of the materials, colours and textures of all the external finishes to the proposed dwelling shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.

3.

(a) The proposed dwelling, when completed, shall be first occupied as a place of permanent residence by the applicant, members of the applicant's immediate family or their heirs, and shall remain so occupied for a period of at least seven years thereafter unless consent is granted by the planning authority for its occupation by other persons who belong to the same category of housing need as the applicant. Prior to commencement of development, the applicant shall enter into a

written agreement with the planning authority under section 47 of the Planning and Development Act, 2000 to this effect.

(b) Within two months of the occupation of the proposed dwelling, the applicant shall submit to the planning authority a written statement of confirmation of the first occupation of the dwelling in accordance with paragraph (a) and the date of such occupation.

This condition shall not affect the sale of the dwelling by a mortgagee in possession or the occupation of the dwelling by any person deriving title from such a sale.

Reason: To ensure that the proposed house is used to meet the applicant's stated housing needs and that development in this rural area is appropriately restricted [to meeting essential local need] in the interest of the proper planning and sustainable development of the area.

4.

(a) All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road or adjoining properties.

(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.

Reason: In the interest of traffic safety and to prevent flooding or pollution.

5. The proposed garage shall be ancillary to the enjoyment of the existing dwelling and shall not be used for any commercial purposes or as an independent dwelling unit.

Reason: In the interests of orderly development.

6. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

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, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

---

Colin McBride  
Senior Planning Inspector

23<sup>rd</sup> June 2026

## Appendix 1 - Form 1

### EIA Pre-Screening

[EIAR not submitted]

|                                                                                                                                                                                                                                                                                                    |                                                                                                |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|
| <b>Case Reference</b>                                                                                                                                                                                                                                                                              | <b>PL-501052-OY-26</b>                                                                         |
| <b>Proposed Development Summary</b>                                                                                                                                                                                                                                                                | <b>Two-storey dwelling, garage/fuel store, new vehicular access and associated site works.</b> |
| <b>Development Address</b>                                                                                                                                                                                                                                                                         | <b>Boherdeel Road, Crinkill, Co. Offaly.</b>                                                   |
|                                                                                                                                                                                                                                                                                                    | <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"/> <b>Yes, it is a 'Project'. Proceed to Q2.</b>              |
| <b>(For the purposes of the Directive, "Project" means:</b><br><br><b>- The execution of construction works or of other installations or schemes,</b><br><br><b>- Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)</b> | <input type="checkbox"/> <b>No, no further action required.</b>                                |

|                                                                                                                                                                                                                                                                                             |                                                         |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|
| <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"/> <b>Yes, it is a Class specified in Part 1.</b><br><br><b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>                                                                                                                      | <b>State the Class here.</b>                            |
| <input checked="" type="checkbox"/> <b>No, it is not a Class specified in Part 1. Proceed to Q3</b>                                                                                                                                                                                         |                                                         |
| <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"/> <b>No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road ABP-320781-24 Inspector's Report Page 23 of 32 development under Article 8 of the Roads Regulations, 1994.</b><br><br><b>No Screening required.</b> |                                                         |
| <input type="checkbox"/> <b>Yes, the proposed development is of a Class and meets/exceeds the threshold.</b>                                                                                                                                                                                | <b>State the Class and state the relevant threshold</b> |

|                                                                                                                                                                                                                                                                                   |                                                                                                                                          |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|
| <b>EIA is Mandatory. No Screening Required</b>                                                                                                                                                                                                                                    |                                                                                                                                          |
| <p><input checked="" type="checkbox"/> <b>Yes, the proposed development is of a Class but is sub-threshold.</b></p> <p><b>Preliminary examination required. (Form 2)</b></p> <p><b>OR</b></p> <p><b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b></p> | <p><b>State the Class and state the relevant threshold</b></p> <p><b>Class 10(b)(i) Construction of more than 500 dwelling units</b></p> |

|                                                                                                                                                                 |                                                                           |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|
| <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 <input type="checkbox"/></b>                                                                                                                             |                                                                           |
| <b>No <input checked="" type="checkbox"/></b>                                                                                                                   | <b>Pre-screening determination conclusion remains as above (Q1 to Q3)</b> |

### Form 2 – EIA Preliminary Examination

|                                     |                                                                                                |
|-------------------------------------|------------------------------------------------------------------------------------------------|
| <b>Case Reference</b>               | <b>PL-501052-OY-26</b>                                                                         |
| <b>Proposed Development Summary</b> | <b>Two-storey dwelling, garage/fuel store, new vehicular access and associated site works.</b> |
| <b>Development Address</b>          | <b>Boherdeel Road, Crinkill, Co. Offaly.</b>                                                   |

| <p><b>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</b></p>                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Characteristics of proposed development</b></p> <p><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></p>                                                                                                | <p><b>Briefly comment on the key characteristics of the development, having regard to the criteria listed.</b></p> <p><b>The development proposed is the construction of a two-storey dwelling, garage/fuel store, new vehicular entrance and associated site works. The proposal is acceptable in design and scale, is located adjacent to existing residential development and is not out of context at this location and will not give rise to any significant waste or pollutants. The development, by virtue of its type and scale, does not pose a risk of major accident and/or disaster and presents no risks to human health.</b></p> |
| <p><b>Location of development</b></p> <p><b>(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,</b></p> | <p><b>Briefly comment on the location of the development, having regard to the criteria listed</b></p> <p><b>The development is situated serviced lands and is located at a remove from sensitive natural habitats, designated sites and landscapes of significance identified in the Offaly County Council Development Plan 2021-2027.</b></p>                                                                                                                                                                                                                                                                                                |



|                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>cultural or archaeological significance).</b>                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Types and characteristics of potential impacts<br/>(Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).</b> | <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><b>Having regard to the modest nature of the proposed development, its location relative to 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.</b></p> |
| <b>Conclusion</b>                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Likelihood of Significant Effects</b>                                                                                                                                                                                                                                    | <b>Conclusion in respect of EIA</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>There is no real likelihood of significant effects on the environment</b>                                                                                                                                                                                                | <b>EIA is not required.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

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

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