



An
Coimisiún
Pleanála

Inspector's Report PL-501363-KE-26

Development	Construction of dwelling with effluent treatment system.
Location	Oughterard, Straffan, Co.Kildare.
Planning Authority	Kildare County Council
Planning Authority Reg. Ref.	2660209
Applicant(s)	Niamh Murray
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party Normal Planning Appeal
Appellant(s)	Niamh Murray
Observer(s)	Rosemarie & Noel Murray
Date of Site Inspection	28 th August 2026
Inspector	Emer Doyle

Contents

1.0 Site Location and Description	3
2.0 Proposed Development	3
3.0 Planning Authority Decision	3
3.1. Decision	3
3.2. Planning Authority Reports	3
3.3. Prescribed Bodies	4
3.4. Third Party Observations	4
4.0 Planning History	4
5.0 Policy Context	6
6.0 EIA Screening	10
7.0 The Appeal	10
7.1. Grounds of Appeal	10
7.2. Planning Authority Response	11
7.3. Observations	11
8.0 Assessment	11
9.0 AA Screening	18
10.0 Water Framework Directive	19
11.0 Recommendation	19
Appendix 1: Form 1 EIA Pre-Screening	22
Appendix 2: Form 2 - EIA Preliminary Examination	25

1.0 Site Location and Description

- 1.1. The subject site has a stated area of 1.568 hectares and is located in the rural townland of Oughterard, Straffan, c. 4km east of Kill, Co. Kildare.
- 1.2. The site is currently in agricultural use and assessed from an existing agricultural gate. There are panoramic views from the site and the site is located on Scenic Route 11 of the Development Plan. The roadside boundary is defined by mature trees and hedgerow and there is some new planting on the site. A 110KV overhead powerline traverses the site in a northeast/ southwest direction.
- 1.3. The road serving the site is relatively narrow and accommodates sporadic housing and agricultural developments with limited recent development.

2.0 Proposed Development

- 2.1. Permission is sought for a bungalow, effluent treatment system, blocking up and existing agricultural entrance and construction of a new entrance and all associated works.

The application is accompanied by documentation including the following:

- Landscape Design Statement
- Landscape and Visual Impact Assessment

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. Permission was refused for three reasons relating to visual impact of proposed development and location of site on Scenic Route No. 11, traffic hazard and public health.

3.2. Planning Authority Reports

- 3.2.1. Planning Reports

- The planner's report noted that there was a pre-planning meeting regarding the site. It was considered that the applicant complied with the rural housing policy. Concerns were raised in relation to visual impact of proposed development on a designated scenic route.

3.2.2. Other Technical Reports

Area Engineer: No objection subject to conditions.

Water Services: No objection subject to conditions.

Environment Section: There is insufficient information on the file- Further Information requested to include a site suitability report.

Transport: It is unclear how sightlines can be achieved in an easterly direction without the removal of some of the existing boundary wall and hedgerow. The extent and detail of proposals for hedgerow removal /setback must be clearly indicated as set out in Section 15.7.3.

3.3. Prescribed Bodies

- 3.3.1. No reports were received from prescribed bodies.

3.4. Third Party Observations

- 3.4.1. No Third-Party observations were received by the Planning Authority.

4.0 Planning History

- 4.1. Relevant planning history for the site:

PA Reg. Ref. 25/60833

Permission refused to current applicant for dwelling on this site. Reasons for refusal relating to visual impact on scenic route and insufficient information in relation to waste water treatment plant.

PA Reg. Ref. 25/60191

Permission refused to current applicant for dwelling on this site. Reasons for refusal relating to visual impact on scenic route and insufficient information in relation to waste water treatment plant.

PA Reg. Ref. 24/60923

Permission refused to current applicant for dwelling on this site. Reasons for refusal relating to visual impact on scenic route and local need.

PA Reg. Ref. 23/919

Permission refused to current applicant for dwelling on this site. Reasons for refusal relating to visual impact on scenic route and local need.

PA Ref. Ref 18/796/ ABP Ref. 302613/18

Permission refused to Niall Donnelly for dwelling on this site by both the Planning Authority and Commission on appeal. The reasons for refusal by the Commission related to the rural housing policy and visual impact on a designated scenic route.

PA Reg. Ref. 17/1109

Permission refused to Niall Donnelly for dwelling on this site. Reasons for refusal related to visual impact on scenic route and local need.

PA Reg. Ref. 17/540

Permission refused to Niall Donnelly for dwelling on this site. Reason for refusal related to visual impact on scenic route.

PA Reg. Ref. 09/1093

Permission refused to Seamus Quinan for dwelling on this site. Reasons for refusal related to visual impact on scenic route and local need.

Pre-planning

I note that a meeting was held with the Planning Authority under pre-planning clinic number P6248.

5.0 Policy Context

5.1 Development Plan - Kildare County Development Plan 2023-2029

- 5.1.1. The site is located on unzoned lands. The Council's overall goal for rural housing is contained within Chapter 3 of the Plan.
- 5.1.2. At the time of the application the site was located on 'Eastern Transition' lands as identified by the Landscape Character Map. Table 13.4 identified that the sensitivity of these lands for rural housing was classified as 'medium'.
- 5.1.3. Variation No. 4 of the Development Plan replaces the Landscape Character Assessment (2004) with the Landscape Character Assessment (2025) and Map V1-13.2 indicates that the site is located within Landscape Character 8- Naas and Liffey Foothills. Table 13.4 indicates that the sensitivity of these lands is 'high' for rural housing
- 5.1.4. The site is located off a scenic route no.11, Views of the Upland Areas on the Oughterard Road (L6018 and L6021). Oughterard, Tuckmilltown, Blackchurch, Lyons and Pluckstown.

Objective HO O51: Require all applications to demonstrate the ability to provide safe vehicular access to the site without the necessity to remove extensive stretches of native hedgerow and trees. All applications will be considered on a case-by-case basis, having regard to, the quality of the hedgerow, age and historical context, if an old town boundary hedgerow, species composition, site context and proposed mitigation measures.

Objective TM O102: Minimise the extent of hedgerow removal in order to achieve adequate sightlines. However, where it has been satisfactorily demonstrated that there is no other suitable development site (for planning reasons) any removed hedgerow shall be replaced with native hedgerow species. Opportunities should be sought to translocate existing species rich hedgerows, where possible, and subject to proper biosecurity protocols.

Objective LR 014: (as amended by Variation No. 4) Maintain the visual integrity of the Naas and Liffey Foothills and the South Eastern Kildare Hills landscape character areas, which have retained an upland character.

Policy LR P3: Protect, sustain and enhance the established appearance and character of all important views and prospects.

5.3 National Guidance

- National Planning Framework: First Revision, April 2025

The National Planning Framework (NPF, as revised) postdates the guidelines and maintains the established policy that applicants for new rural dwellings in locations under urban influence demonstrate a functional economic or social requirement for housing need.

The relevant National Policy Objective (NPO) is NPO 28 which states:

‘NPO 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 settlement’.
- Climate Action Plan (CAP) 2025/ CAP 2024

The CAP 2025 builds upon previous plans by refining and updating the measures and actions required to deliver the carbon budgets and sectoral emissions ceilings and it should be read in conjunction with CAP 2024.

Section 28 Ministerial Guidelines

- Sustainable Rural Housing Guidelines for Planning Authorities, 2005 (Rural Housing Guidelines)

Outlines the planning context for applicants seeking dwellings in rural areas, including those areas under urban influence, defines ‘rural generated housing’, and identifies the different categories of persons which can demonstrate a rural housing need.

Section 3.2.3 of the guidelines refer to ‘Persons who are an intrinsic part of the rural community’. This category includes persons who have spent substantial periods of their lives living in rural areas as members of the established rural community (e.g., farmers, their sons and daughters, and people (sons and daughters of rural families) who have lived most of their lives in rural areas and are building their first homes).

5.4 Natural Heritage Designations

The site is not located in or immediately adjacent to a European site or a Natural Heritage Area.

- Wicklow Mountains SAC (Site Code 002122) is located c. 12.64 to the east of the site
- Glenasmole Valley SAC (Site Code 001209) is located c. 12.19km to east of the site.
- Grand Canal pNHA is located c. 2.5km to the northwest of the site.
- Wicklow Mountains SPA (Site Code 004040) is located c. 16km to the east of the site.
- Poulaphouca Reservoir SPA (Site Code 004063) is located c. 11.46km to the south 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 Appendix A 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

- 7.1.1. The grounds of appeal can be summarised as follows:

- The first reason for refusal relates to an extensive driveway. This is inaccurate as the application has been redesigned from previous refusals on the site to provide for a minimal driveway in order to address this issue. This application

also provides for a detailed visual impact assessment and a detailed landscaping plan based on a pre-planning meeting held with the Planning Authority. The applicant also planted mature trees on the site based on a pre-planning meeting.

- The Planning Authority granted permission for a bigger house with 2 large equine barn type structures on the same scenic route under PA 25/60985. This was for a replacement house but the Commission is requested to consider the precedent.
- It is proposed to upgrade the existing agricultural entrance and it is considered that the road has the capacity to accommodate the development.
- A site suitability report for the proposed wastewater treatment system is required. This matter can be conditioned.

7.2. Planning Authority Response

- The response from the Planning Authority states that it has reviewed the contents of the First Party appeal and have no further comments to make.

7.3. Observations

7.3.1. One observation has been submitted which can be summarised as follows:

- We are in support of our daughter's application.
- The family have lived in the area for 66 years.
- The site is a natural extension of our family holding.
- We believe the proposal conforms with the current Kildare County Council Development Plan.

8.0 Assessment

8.1. 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
- Site Services
- Landscape and Visual Impact
- Traffic Safety

8.2. Rural Housing Need

- 8.2.1. In accordance with the Rural Housing Policy Zones Map in the Kildare CDP, the site is located in zone 1 as set out under Map V1-3.1 of the Kildare County Development Plan 2023-2029, which encompasses areas under strong urban influence. I note the 2 No. applicant categories and the rural housing need assessment criteria set out in Table 3.4 of the Kildare County Development Plan.
- 8.2.2. I have reviewed the supporting documentation submitted by the applicant to identify how she complies with the rural housing need criteria. The applicant has submitted a substantial amount of information including details of her family home 3.1 km from the site, details of family members living in the area, details of schools attended, various letters and bank statements showing address as Hydown, Athgoe Hill, Newcastle, Co. Dublin, support from community organisations detailing involvement over many years. She has lived in the area since birth and currently lives in her family home (map included with application) with her parents and family including three children. I note that she works with her parents in the family business locally- Newcastle Blinds. The information submitted states that she 'needs to support her parent's both personally and where necessary in relation to the family business as her father is close to retirement age.' A sworn statement witnessed by a solicitor has been submitted indicating that she has never owned a house. This is in accordance with Objective HO O43 which requires applicants to demonstrate that they do not own or have not previously been granted permission for a one-off rural dwelling in Kildare.
- 8.2.3. The Planning Authority have raised no issues in relation to local need. In terms of the information presented in the application and appeal, I am satisfied that the applicant

has presented sufficient information to demonstrate that she complies with Category B 'Social' for Zone 1 lands- Areas under Strong Urban Influence as set out in Table 3.4.

- 8.2.4. Notwithstanding the fact that the applicant 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.

8.3. Site Services

- 8.3.1. The applicant proposes to install a waste water treatment system to treat effluent discharged from the dwelling.
- 8.3.2. The Environment Section Report considers that there is a lack of sufficient information and requires Further Information in relation to a site characterisation form and a polishing filter in accordance with the requirements of the EPA 2021 Code of Practice for Domestic Waste Water Treatment Systems.
- 8.3.3. I have examined the site tests submitted with the application and note that they were carried out on the 26th and 27th of April 2023 and appear to have been part of a previous planning application (PA Reg. Ref. 23/919) as they are date stamped the 27th of September 2023. There was no evidence of an open trial hole on the date of my site inspection.
- 8.3.4. I have examined the previous applications on the site and note that the same tests were submitted in the PA 25/60833 and PA 25/60191, with the Environment Section issuing a similar report requiring an updated site suitability report and a similar reason for refusal relating to this issue in terms of insufficient information for the proposed wastewater treatment system. I also note that the same tests were submitted under PA 24/60923 and PA 23/919 with the Environment Section seeking Further Information but the reasons for refusal did not include a reason in relation to public health.
- 8.3.5. Objective HO P27 of the Kildare County Development Plan 2023-2029 requires all applications to demonstrate to the satisfaction of the Planning Authority that the proposed development site can accommodate an on-site wastewater treatment

system in accordance with the EPA Code of Practice for Wastewater Treatment Systems for single houses (2021), the County Kildare Groundwater Protection Scheme, and any other relevant documents / legislation as may be introduced during the Plan period.

- 8.3.6. The response to the appeal states the following: 'We have inspected the planning reports appended to the application and it would appear that a SSR report for the proposed wastewater system is required. This is not a reason for refusal, in our opinion, and can be conditioned.'
- 8.3.7. I do not share this view and consider that it is contrary to Objective HO P27 as set out above. In the absence of the submission of a properly constituted site suitability assessment carried out by a qualified assessor in accordance with the EPA's Code of Practice, it is my opinion that the Commission cannot be satisfied that the site is capable of the effective and safe treatment and disposal of effluent arising from the proposed dwelling at this location.

8.4. Landscape and Visual Assessment

- 8.4.1. In terms of impacts on visual amenity and landscape, I note that this was a matter of concern raised in the previous applications on the site and in the previous appeal to the Commission with a long history of refusal related to visual impact.
- 8.4.2. The applicant has sought to address this issue by a number of measures including the redesign of the site layout, the removal of the garage, the planting of trees prior to the submission to aid screening, a landscape design statement, a landscaping plan, and a landscape and visual impact assessment.
- 8.4.3. Map V1 of the County Development Plan - Section 13.3 identifies that the site is located off a scenic route no.11- Views of the Upland Areas on the Oughterard Road (L6018 and L6021). Oughterard, Tuckmilltown, Blackchurch, Lyons and Pluckstown. The site is located on the L6018 section of this designated scenic route.
- 8.4.4. At the time of the application to the Planning Authority, the site was located within the Eastern Transition Landscape Character Area, described as an undulating pastoral landscape with regular field patterns, rising landform and distant upland

views. In relation to landscape sensitivity – Table 13.1 describes lands in the Eastern Transition as having medium sensitivity for rural housing.

- 8.4.5. Variation 4 of the Development Plan (Landscape Character Assessment 2025) indicates that the site is located in Landscape Character Area 8 - Naas and Liffey Valley Foothills. This character area sets out the scenic routes at this location including Scenic Route 11 identified above and outlines that a landscape character assessment is necessary for such applications. The sensitivity rating for rural housing has altered and Table 13.4 indicates that the sensitivity of these lands is 'high' for rural housing. Policy LR P1 sets out that it is the policy of the Council to 'protect and enhance the county's landscape, by ensuring that development retains, protects and, where necessary, enhances the appearance and character of the local landscape. Policy LR P3 sets out that it is the policy of the Council to protect, sustain and enhance the established appearance and character of all important views and prospects. It is an objective under LR 02 to require a landscape / visual impact assessment for sites located on a route or view identified in Map V1-13.3. Objective LR 014 (as amended in Variation No. 4) requires the maintenance of the visual integrity of the Naas and Liffey Foothills landscape character areas, which have retained an upland character.
- 8.4.6. Scenic Route 11 is designated for the protection of views of the upland areas on the Oughterard Road. The road is elevated with spectacular views of the undulating lands at the county boundary, as well as views of the Wicklow Mountains in the distance. The Landscape and Visual Impact Assessment describes the route as being defined by long distance views across undulating pastureland toward distant mountain backdrops, framed intermittently by hedgerows and vegetation. The road appears to be a popular walking route with warning signs indicating this in close proximity to the site.
- 8.4.7. I note that the appeal refers to a previous application in Pluckstown (PA Reg. Ref. 25/60985 and PA Reg. Ref. 23/686) for the demolition of an existing house and construction of a stable haybarn/machinery store where permission was granted for a long driveway without the same scrutiny by the planning authority on visual grounds. I have examined this application and do not consider that it is a relevant precedent as the original application provided for the demolition of an existing dwelling. I note that the appeal also considers that the wording of the reason for

refusal is incorrect and appears to have been 'copied and pasted' from previous refusals in terms of reference to an 'extensive driveway'. I have examined the previous applications and compared them to the current application and concur with the appellant with regard to the driveway. The applicant has changed the location of the access and the configuration and length of the driveway and I do not consider that it is such wording is appropriate as the revised driveway could not reasonably be described as extensive in my view.

8.4.8. Nevertheless, I note that the landscape design statement and the landscape and visual assessment refer to the relocation of the entrance in order to retain the roadside boundary. The Transport Section consider that it unclear how sightlines can be achieved in an easternly direction without the removal of some of the existing boundary wall and hedgerow and request that the extent and detail of proposals for hedgerow removal /setback must be clearly indicated as set out in Section 15.7.3 of the plan. Having viewed the site, I consider that it is not possible to provide an access at the location proposed providing sufficient sightlines without the removal of a section of the front boundary. A strong case is made by both the landscape design statement and the visual impact assessment that the development priorities retention, reinforcement and enhancement of existing landscaping with all mature roadside vegetation protected. I agree with the appeal that there is a balance to be achieved between minimizing the removal of trees and hedgerow and providing adequate sightlines but in my view, this would be very difficult at this location without impacting on the visual amenities of the area. There are a number of policies and objectives in the Kildare County Council Development Plan in relation to the protection and trees and hedgerows and biodiversity including BI P6, BI 026, BI027 and Objective TM O102. These policies and objectives recognise the important contribution trees and hedgerows make to the county biodiversity, and support the minimisation of the removal of hedgerows and trees. I note in particular that Objective TM 0102 requires the minimisation of the extent of hedgerow removal in order to achieve adequate sightlines.

8.4.9. Whilst I consider that the design and materials proposed for the proposed development are acceptable, I am of the view that adequate sightlines cannot be provided without the removal of a section of the roadside boundary. I consider that the removal of hedgerow would be seriously detrimental to the visual amenities of

the area and would seriously detract from the established character and pattern of development in the area. I agree with Section 3.1 of the Landscape and Visual Impact Statement which states the following '*A mature roadside hedgerow and tree line form a continuous vegetative boundary along the northern frontage. This hedgerow framework forms the primary visual envelope when viewed from the scenic route and plays a significant role in filtering and containing views into the site.*' The Landscape and Visual Impact Statement considers that the proposed development will be visually absorbed within the existing hedgerow framework and will not alter the composition or scenic qualities of the protected views. The site itself is elevated and located on a designated scenic route and I consider that the proposed development would be visually prominent and would fail to integrate satisfactorily with the established character and pattern of development in the Naas and Liffey Foothills Landscape Character Area and would not respond adequately to its setting and would therefore be contrary to Policy LR P3 and Objective LR 014 of the Development Plan.

8.5. Traffic Safety

- 8.5.1. As outlined in the previous section, the applicant relocated the proposed access from previous applications on the site in order to maximize the amount of tree retention. The Traffic and Transport report on file expresses concern in relation to sightlines to the east and required Further Information indicating sightlines together with permission from the landowner and details of tree/ hedgerow removal. The Planning Authority report also expresses concerns in relation to the sightlines and tree removal.
- 8.5.2. Having inspected the site, I consider that sightlines are deficient in both directions from the proposed entrance. I do not consider that it would be possible to provide adequate sightlines at this location without the removal of trees and hedgerow. Section 15.7.5 of the Development Plan outlines that where sightlines are inadequate and would give rise to a traffic hazard, development will not be permitted. The applicant has not demonstrated that sufficient sightlines are available at the proposed entrance. In this regard, it is considered that the turning movements generated by the proposed development from the site would interfere with the safety

and freeflow of traffic on the public road and would endanger public safety by reason of traffic hazard, or obstruction of road users at a point where sightlines are restricted in an easterly and westerly direction.

9.0 AA Screening

9.1. I have considered the proposed development of a single storey dwelling and effluent treatment plant in light of the requirements of S177U of the Planning and Development Act 2000 as amended.

The subject site is located 11.46km from the nearest European Site - Poulaphouca Reservoir SPA (Site Code 004063).

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 European Site. The reason for this conclusion is as follows:

- Scale and nature of the development
- Lack of Hydrological pathways
- Location-distance from nearest European site and lack of connections.

I conclude that 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 (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

This conclusion is based on:

- Nature, scale and location of the proposed development.
- Nature of the closest surface watercourse and proximity to other surface watercourses.
- Lack of any meaningful hydrological connections to any waterbody.
- Use of best practice construction practices during construction phase.

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 subject development is considered to be compliant with the requirements of Article 4 of the Water Framework Directive.

11.0 Recommendation

- 11.1. I recommend that planning permission be refused for the following reasons:

12.0 Reasons and Considerations

1. The site of the proposed development is located along a designated scenic route in the Kildare County Development Plan (Route 11 as identified on Map V1-13.3) and within the Nass and Liffey Foothills Character Area. Having regard to the elevated position of the site and the requirement to remove trees and hedgerow in order to facilitate adequate sightlines at the proposed access and the absence of sufficient information regarding the extent of hedgerow removal required, it is considered that the proposed development would form an discordant and obtrusive feature, would fail to be adequately absorbed into the landscape and would fail to integrate satisfactorily with the established character and pattern of development in the area. The proposed development would therefore be contrary to Policy LR P3 and Objective LR O14 of the Development Plan, would seriously injure the visual amenities and character

of the area and would be contrary to the proper planning and development of the area.

2. Having regard to Policy HO P27 of the Kildare County Development Plan 2023-2029, the submissions made in connection with the planning application and appeal, and the absence of a detailed up-to-date appraisal of the site, including site specific ground investigations to determine the suitability of the site for the safe disposal and treatment of effluent from the proposed development, the Commission is not satisfied that effluent generated by the proposed development can be satisfactorily treated and disposed of on-site without risk to groundwater. The proposed development would be prejudicial to public health, and would, therefore, be contrary to the proper planning and sustainable development of the area.
3. Having regard to the horizontal and vertical alignment of the local road, the site entrance is considered unsatisfactory. The applicant has not demonstrated that sufficient sightlines are available at the proposed entrance. In this regard, it is considered that the turning movements generated by the proposed development from the site would interfere with the safety and freeflow of traffic on the public road and would endanger public safety by reason of traffic hazard, or obstruction of road users at a point where sightlines are restricted in an easterly and westerly direction. Furthermore, it is also considered that the additional works required to provide visibility sightlines from the entrance of the site would constitute a significant intervention that would undermine the principles of Objective TM 0102 which requires the minimisation of the extent of hedgerow removal in order to achieve adequate sightlines. Therefore, the proposed development 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.”

Emer Doyle
Planning Inspector

9th September 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-501363-KE-26
Proposed Development Summary	Construction of dwelling and wastewater treatment plant.
Development Address	Oughterard, Straffan, Co. Kildare.
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?	☒ Yes, it is a 'Project'. Proceed to Q.2.
	☐ No, No further action required.
(For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to	State the Class here

be requested. Discuss with ADP.	
☒ No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
☐ No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
☒ Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	Class 10 (b)(i) Construction of more than 500 dwelling units - The proposed development is subthreshold as it relates to the construction of 1 no. dwelling.

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 ☐	
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ **Date:** _____

Appendix 2: Form 2 - EIA Preliminary Examination

Case Reference	PL-501363-KE-26
Proposed Development Summary	Construction of dwelling and wastewater treatment plant.
Development Address	Oughterard, Straffan.
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	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.
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural	Project is not located in, on , or adjoining any European site, and designated or proposed Natural Heritage Area, or any other listed area of ecological interest or protections. The site is located on a designated scenic route. Notwithstanding the findings of negative impacts on the

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).	visual amenities of the area, it is considered that the likelihood of significant effects, such that would result in the requirement for an EIA for the project, can be reasonably excluded.
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	Having regard to the characteristics of the development and the sensitivity of its location, consider the potential for SIGNIFICANT effects, not just effects. There are no other locally sensitive environmental sensitivities in the vicinity of relevance. There would be no significant cumulative considerations.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant	EIA is not required.

effects on the environment.	
-----------------------------	--

Inspector: _____ **Date:** _____

DP/ADP: _____ **Date:** _____

(only where Schedule 7A information or EIAR required)