



An
Coimisiún
Pleanála

Inspector's Report PL-501474-OY-26

Development	Construction of a two-storey dwelling, garage, and all associated site works.
Location	Annagharvey, Tullamore, Co. Offaly
Planning Authority	Offaly County Council
Planning Authority Reg. Ref.	2660126
Applicant(s)	Ben Neale
Type of Application	Permission
Planning Authority Decision	Grant, subject to conditions.
Type of Appeal	Third Party
Appellant(s)	Oliver Choiseul
Observer(s)	None
Date of Site Inspection	27 th August 2026
Inspector	Terence McLellan

1.0 Site Location and Description

- 1.1. The subject site is located in the rural townland of Annagharvey, approximately 8km to the south-east of Tullamore. The site measures c. 0.34 hectares and comprises an agricultural field with an existing shared access from the L-6001 local road. The existing roadside boundary is marked by a hedgerow. There are neighbouring detached dwellings to the north and south as well as detached dwellings lining the L-6001 to the east. The site is around 380m to the north of the Annagharvey Stream which ultimately connects to the Tullamore River, c. 2km to the north-west.

2.0 Proposed Development

- 2.1. Planning permission is sought for the erection of a two-storey detached dwellinghouse with a detached garage, upgrades to the existing shared entrance from the L6001, and the installation of a tertiary wastewater treatment system.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. Permission was granted by Offaly County Council by Order dated 8th May 2026, subject to 13 standard conditions. Conditions of note include:

Condition 2

- a) The proposed dwelling, when completed, shall be first occupied as a place of permanent residence by the applicant, or members of the applicants' immediate Family or their heirs, and shall remain so occupied for a period of (7) years thereafter.
- b) Within two months of the occupation of the proposed dwelling, the applicants 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 by any person deriving title from such a sale.

Reason: To ensure that the proposed house is used to meet the applicants stated housing needs and that the 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

Condition 7

- a) The proposed wastewater treatment system and percolation area shall be sited and installed in accordance with the recommendations of the 2021 EPA Code of Practice Domestic Wastewater Treatment Systems (P.E.<10).
- b) The wastewater treatment system shall be installed in accordance with the manufacturers guidelines and the details provided.
- c) The work shall be supervised and certified by a suitably qualified and professionally indemnified Engineer. A completion certificate shall be submitted to the Planning Authority upon installation and commissioning of the wastewater treatment system and the percolation area. Photographic evidence of each stage of the works shall be included in the completion certificate submission.
- d) The developer shall submit a signed copy of the agreement for the maintenance of the wastewater treatment system prior to commencement of the works on-site. At all times the maintenance of the wastewater treatment system shall be covered by contract.
- e) The location of the proposed wastewater treatment system and percolation area shall comply with the minimum set back distances for all site features as per Table E2 and Table 6.2 of the EPA Code of Practice "Wastewater Treatment and Disposal System Serving Single Houses (P.E <10).

Reason: In the interest of public health and to ensure adequate wastewater facilities.

3.2. Planning Authority Reports

3.2.1. The Planner's Report contains the following points of note:

- The Applicant has submitted letters from primary and secondary schools confirming attendance from a rural address, which is approximately 7km from the subject site and complies with Policy SSP-27.

- The proposal complies with development management standards for residential development in the countryside.
- Negative impacts on residential amenity are not considered likely.

3.3. **Other Technical Reports**

- 3.3.1. Area Engineer (20.04.2026): No objection, subject to conditions.
- 3.3.2. Water Services (09.04.2026): No objection, conditions recommended.

3.4. **Prescribed Bodies**

- 3.4.1. Uisce Éireann (11.04.2026): Conditions recommended.

3.5. **Third Party Observations**

- 3.5.1. One observation was received from the Appellant and raises the same matters as the grounds of appeal which are set out in detail at Section 7.1 below.

4.0 **Planning History**

Subject Site

- 4.1. None of specific relevance.

Surrounding Area

Adjacent lands to the north

- 4.2. Planning Authority Reference 18/557: Permission was granted by Offaly County Council in August 2019 for a new two storey dwelling with detached garage and associated site works and development. This development has been completed and directly neighbours the subject site to the north.

Site c. 300m to the south-east

- 4.3. ACP Reference 242558 / Planning Authority Reference 13/109: Permission was refused by the Commission in February 2014 for a new dwelling with detached garage and associated site works and development. Permission was refused for the following reason:

1. Having regard to paragraph P04-16 of the Offaly County Development Plan 2009-2015 regarding Single Rural House Policy for Areas of Special Control within the Open Countryside, the location of this site in a 'Pressure Area' (Reference Map Number 4.4 of the said Plan) and to the size and backland location of the site in the open countryside a considerable distance from the public road, the Board is not satisfied that the applicant meets the criteria under "Category 1: Local Rural Persons", as no documentation has been submitted to indicate that the applicant has the need for a permanent dwelling for their own use in this location on land that is in active agricultural use. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

5.0 Policy Context

5.1. National Policy

National Planning Framework First Revision (April 2025)

- 5.1.1. National Policy Objective (NPO) 28 seeks to ensure that, in providing for the development of rural housing, a distinction is made between areas under urban influence, i.e. within the commuter catchment of cities and large towns and centres of employment, and elsewhere:

- In rural areas under urban influence, facilitate the provision of single housing in the countryside based on the core consideration of demonstrable economic or social need to live in a rural area and siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements.
- In rural areas elsewhere, facilitate the provision of single housing in the countryside based on siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements.

5.2. Regional Policy

Regional Spatial and Economic Strategy for the Eastern and Midland Region (RSES).

- 5.2.1. Section 4.8 (Rural Places: Towns, Villages and the Countryside) of the RSES indicates that support for housing and population growth within rural towns and villages will help to act as a viable alternative to rural one-off housing, contributing to the principle of compact growth.
- 5.2.2. Regional Policy Objective (RPO) 4.80 is relevant to the development proposal which notes that 'Local authorities shall manage urban generated growth in Rural Areas Under Strong Urban Influence (i.e. the commuter catchment of Dublin, large towns and centres of employment) and Stronger Rural Areas by ensuring that in these areas the provision of single houses in the open countryside is based on the core consideration of demonstrable economic or social need to live in a rural area, and compliance with statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements

5.3. Local Policy

Offaly County Development Plan 2021-2027

- 5.3.1. The site is on unzoned land in an area classified as a Rural Area Under Strong Urban Influence and in a 'low sensitivity' landscape.
- 5.3.2. 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 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.

2. The applicant does not already own or has not owned a house in the open countryside.
3. If the site is located within an Area of Special Control, there is no alternative site outside of Areas of Special Control.
4. High-quality siting and design.

- 5.3.3. SSP-33 - It is Council policy to consider applications for housing that fall under the description of 'ribbon development' against Appendix 4 of the Sustainable Rural Housing Guidelines for Planning Authorities, 2005, or any subsequent Guidelines.

5.4. **Other Relevant Guidance**

Sustainable Rural Housing Guidelines for Planning Authorities, 2005.

- 5.4.1. The overarching aim of the Guidelines is to ensure that people who are part of rural community should be facilitated by the planning system in all rural areas, including those under strong urban based pressures. To ensure that the needs of rural communities are identified in the development plan process and that policies are put in place to ensure that the type and scale of residential and other development in rural areas, at appropriate locations, necessary to sustain rural communities is accommodated. Circular Letter SP 5/08 was issued after the publication of the guidelines.
- 5.4.2. Appendix 4 of the Guidelines recommends against ribbon development for reasons of road safety, demands for public infrastructure and visual impacts. The example for ribbon development given in these Guidelines is the provision of 5 or more houses on one side of a given 250 metres of road frontage.
- 5.4.3. Whether a given proposal will exacerbate such ribbon development or could be considered will depend on:
- The type of rural area and circumstances of the applicant,
 - The degree to which the proposal might be considered infill development, and
 - The degree to which existing ribbon development would be extended or whether distinct areas of ribbon development would coalesce as a result of the development.

5.5. **Natural Heritage Designations**

- 5.5.1. The site is not located within or immediately adjacent to any European sites. The nearest European sites are:
- The River Barrow and River Nore SAC (Site Code:002162), c. 8.3km
 - Raheenmore Bog SAC (Site Code: 00582), c. 8.4km

- Charleville Wood SAC (Site Code: 000571), c. 8.7km

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 the Appendices of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

7.0 The Appeal

7.1. Grounds of Appeal

- 7.1.1. A Third Party appeal has been received from Oliver Choiseul against the decision of Offaly County Council to grant permission for the proposed development. The grounds of appeal can be summarised as follows:

- The surrounding area has been progressively developed with housing. There are 11 dwellings within a 200m radius. Many of these dwellings were intended for family of the relevant landowners but are not currently owned/occupied as such.
- Planning has been refused for similar development in the area on the basis of being sporadic ribbon development and housing need in the context of being a pressure area.
- Permission is not justifiable as three permissions have already been granted to the landowner on this field.
- The proposal represents ribbon development.
- It is a pressure area.
- There is significant pressure on water quality, visual amenity, and all other negative effects of turning agricultural land into real estate.

7.2. Applicant Response

7.2.1. A First Party response has been received from D. Clear Construction Limited, for and on behalf of the Applicant, Ben Neale. The submission can be summarised as follows:

- The previous permissions referred to relate to other lands and applicants and are not related to the Applicant, the vendor, or the application itself.
- Previous applications were dealt with under the previous county development plan.
- The Planning Authority have confirmed that the Applicant (Ben Neale) complies with Policy SSP-27 regarding housing need.
- The Site Assessment confirms 'good' status for the local groundwater body (Geashill Groundwater Body), and that it is not at risk from pollution.
- The groundwater body is at low risk from the proposed development due to sufficient, deep, free draining, oxygenated subsoils in excess of 2.6m deep with favourable percolation characteristics.
- Separation distances from the wastewater treatment system are sufficient.
- The Site Assessment confirms that all three options of treatment level are suitable on the site. The Applicant has proposed the highest treatment level which exceeds the treatment levels required.
- The Applicant has a justified and proven need to reside on family land, surrounded by family members, in an area he has always lived in.

7.3. Planning Authority Response

7.3.1. The Commission are directed to the Planner's Report.

7.4. Observations

7.4.1. None.

7.5. Further Responses

7.5.1. None.

8.0 **Assessment**

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

- Rural Housing Need
- Ribbon Development
- Wastewater Treatment

8.2. **Rural Housing Need**

8.2.1. Concerns are raised by the Appellant that many of these dwellings developed in the immediate area were intended for the family of the relevant landowners but are not currently owned/occupied as such. The Applicant submits that the previous permissions referred to by the Appellant relate to other lands and applicants and that they are not related to the Applicant, the vendor, or the application itself. I would agree with the Applicant that these sites are unrelated, however, the primary consideration in an application for a new one-off dwelling is the matter of an Applicant's compliance with the requirements of the rural housing policy. The Planning Authority's rural housing policy is set out in the Core Strategy under Policy SSP-27 of the County Development Plan 2021-2027. The site is within a Rural Area Under Strong Urban Influence. Such areas have the following characteristics:

- Proximity to immediate environs or close commuting catchment of cities/large towns;
- Rapidly rising population;
- Pressure for residential development due to proximity to urban area/major transport corridors;
- Pressure on infrastructure.

8.2.2. The Planning Authority concluded that the Applicant, Ben Neale (hereafter referred to as 'the Applicant'), complied with part 1 (ii) (a) of the policy, i.e a person born within the local rural area and who is living or has lived there for a minimum of five years, the

site is within 8km of the family home, and the Applicant has not owned a house in a rural area and has the need for a permanent dwelling. Evidence submitted includes letters from the Applicant's primary and secondary school, confirming attendance from a rural address, which is around 7km from the subject site. Further documents submitted include various letters of support, including from the Applicant's employer and parish priest/reverend, as well as maps showing the location of the Applicant's parent's dwelling within 8km in addition to the homes of other family members.

- 8.2.3. Whilst the Planning Authority are content that the CDP rural housing policy has been satisfied, I do not consider that current national or regional policy in relation to rural housing has been met. NPO 28 of the National Planning Framework, requires that, in rural areas under urban influence such as this site, the provision of single housing in the countryside is facilitated 'based on the core consideration of demonstrable economic or social need to live in a rural area ... having regard to the viability of smaller towns and rural settlements'.
- 8.2.4. Likewise, the Eastern & Midlands RSES 2019-2031 contains similar provisions promoting the revitalisation of rural towns and villages. Policy RPO 4.80 reiterates NPO 28 by stating that, in Rural Areas Under Strong Urban Influence, local authorities shall ensure the provision of single houses in the open countryside is based on the core consideration of demonstrable economic or social need to live in a rural area having regard to the viability of smaller towns and rural settlements.
- 8.2.5. I do not consider that it has been demonstrated that there is a social or economic need to live in the rural area of the site. The Applicant attended school in Tullamore, with both primary and secondary schools confirming the Applicant's rural address, which is the Applicant's parents' house, itself in the rural area but on the outskirts of Tullamore (c.1.6km from the edge of the town as the crow flies). The subject site is c.7km from the Applicant's parent's home. The letter from the parish priest/reverend states that the Applicant is a parishioner of St Catherine's Church, which is in Tullamore. Furthermore, the Applicant's employment is also in Tullamore.
- 8.2.6. I acknowledge that the Applicant has extended family in the wider rural area and that they grew up in the rural area, but I do not consider that this alone is sufficient to warrant a dwelling in an area under Strong Urban Influence. Having considered all matters, I am not satisfied that the Applicant has demonstrated a social or economic

need to live in the area nor do they comply with national and regional policy for rural housing based on the core considerations of demonstrable economic or social need having regard to the viability of smaller towns and rural settlements.

8.2.7. In the absence of an identified locally based need for a house, the proposed development would contribute to the encroachment of random rural development in the area, would militate against the conservation of the rural environment and the efficient provision of public services and infrastructure, and the preservation of resources and amenities associated with this environment. I recommend permission be refused on this basis.

8.2.8. The Planning Authority considered that the Applicant complied with the rural housing policy and it was not raised in the grounds of appeal. As such, this constitutes a new issue, and the Commission may therefore wish to seek the views of the parties.

8.2.9. **Ribbon Development**

8.2.10. The grounds of appeal state that the development would constitute ribbon development. The Planning Authority do not directly address the matter nor does the First Party response, although it should be noted that the Planning Authority considered the siting of the dwelling to be acceptable.

8.2.11. There are several existing one-off houses in the immediate vicinity of the site. There are five houses on the same side of the road as the subject site, two of which are separated from the remaining three by the subject site itself and the remainder of the agricultural field in which it would be located. This gap measures c. 100m along the road frontage, with the subject site measuring c.38m of the road frontage. The proposed development would therefore leave a gap of some 60m, which is, in effect, creating an additional infill site(s) and would lead to the further consolidation and coalescence of single dwellings on this stretch of road. On the opposite side of the road there is a continuous line of four dwellings.

8.2.12. The proposed development would lead to the creation of additional infill sites and would intensify the extent of one-off housing in the area, exacerbating the creation of a suburban character in a rural area. Having regard to the location of the site in an area under strong urban influence, the existing level of one-off housing along this stretch of road and in the immediate vicinity of the site, and the absence of a demonstrated social or economic need for a dwelling in this location, I am of the view

that the proposal would serve to intensify the existing pattern of ribbon development in the vicinity and give rise to an excessive density of development in this rural area that would militate against the conservation of the rural environment and the preservation of resources and amenities associated with this environment. I recommend permission be refused on this basis.

8.3. Wastewater Treatment

- 8.3.1. It is proposed to install a tertiary packaged wastewater treatment system with a capacity of PE 8 and a 60sqm infiltration bed. The site is in an area with a locally important aquifer which is moderately productive in local zones and of moderate vulnerability. The site is underlain by the Geashill groundwater body which currently has good status and is not at risk. Neither groundwater nor rock were met within the 2.6 metre deep trial hole. The topsoil was clay, with silt, clay and gravels at 0.6- 0.9m, sandy gravels from 0.9m – 1.6m, and silty gravels, rocks and cobbles from 1.6m – 2.5m.
- 8.3.2. The Site Assessment Report details that the T-test result was 25.33 and that the percolation test value was 10.11min/25mm. The results are generally consistent with the conditions observed on-site and the characteristics of the underlying ground conditions. At the time of my inspection the trial hole and percolation test holes appeared to have been filled in but there was no indication of any drainage issues either on the site or the neighbouring lands, particularly noting that there had been heavy rainfall that day.
- 8.3.3. The site assessment demonstrated suitability of all treatment options, including a standard septic tank. A tertiary packaged system with a PE 8 would be installed with a 60sqm infiltration bed and I note that all separation distances set out in Code of Practice would be met. I am satisfied that the site can accommodate the proposed wastewater treatment system, and I note the Water Services Section raised no objections subject to the inclusion of standard conditions.

9.0 AA Screening

- 9.1. I have considered the proposal in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located c. 8.3km from the River Barrow and River Nore SAC (Site Code:002162), which is the nearest European

site. The development comprises a single dwellinghouse, as set out in Section 2.1 of this report. No specific appropriate assessment issues were raised as part of the 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:

- The nature and small scale of the works.
- The proposed tertiary packaged treatment system and the underlying ground conditions and drainage characteristics.
- The significant separation distance from the nearest European site and lack of viable connections.
- The screening determination of the Planning Authority.

9.2. I conclude, on the basis of objective information, that the 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. There are no water courses within the appeal site or immediately on its boundaries. The Annagharvey Stream is c. 380m to the south and connects to the Tullamore River c. 2km to the north-west. The proposed development comprises a single dwellinghouse. Concerns were raised in the appeal regarding water quality. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration.

10.2. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively. The reason for this conclusion is as follows:

- The nature and scale of the works.
- The proposed tertiary packaged treatment system, existing ground conditions and drainage characteristics, and the ability to deal with all drainage entirely on site.
- The lack of direct hydrological connections to any watercourses.

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

11.0 Recommendation

11.1. I recommend that the Commission refuse planning permission for the reasons stated.

12.0 Reasons and Considerations

1. The site is located in a rural area which is identified in the Offaly County Development Plan 2021-2027, as a rural area under strong urban influence. Policy SPP-27 of the CDP relates to housing in rural areas under strong urban influence. This policy is consistent with National Policy Objective 28, as set out in the Revised National Planning Framework 2025, which requires that in areas under urban influence, Applicants are required to demonstrate an economic or social need to live in the rural area. Having regard to the submissions made, it is considered that the applicant does not come within the scope of the housing need criteria for a house at this location. In the absence of an identified locally based need for a house, the proposed development would contribute to the encroachment of random rural development in the area, would militate against the conservation of the rural environment and the efficient provision of public services and infrastructure and the preservation of resources and amenities associated with this environment. The proposed development would contravene Policy SSP-27 of the Offaly County Development Plan 2021-2027 and National Policy Objective 28 of the Revised National Planning Framework

2025 and would be contrary to the proper planning and sustainable development of the area.

2. The site is located in a rural area, which is identified within the Offaly County Development Plan 2021-2027, as a rural area under strong urban influence. Policy SSP-33 of the CDP relates to Ribbon Development and states that it is policy to consider applications for housing that fall under the description of 'ribbon development' against Appendix 4 of the Sustainable Rural Housing Guidelines for Planning Authorities, 2005. The proposed development is located in a rural area, where there is already a significant number of dwellings at this location. It is considered that the development of an additional dwelling at this location, in the absence of a demonstrated economic or social need by the applicant, would intensify the existing pattern of ribbon development in the vicinity. The proposed development would give rise to an excessive density of development in this rural area, would militate against the conservation of the rural environment and the preservation of resources and amenities associated with this environment. The proposed development would contravene Policy SSP-33 of the Offaly County Development Plan 2021-2027 and the provisions of Sustainable Rural Housing Guidelines for Planning Authorities, 2005 and would be contrary to the proper planning and sustainable development of the area.

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

Terence McLellan

Senior Planning Inspector

15th September 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-501474-OY-26
Proposed Development Summary	Construction of one two storey dwelling and one garage and all associated site works.
Development Address	Annagharvey, Tullamore, Co. Offaly
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	

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.	Class 10 (b) (i) >500 dwellings.
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 ☐	Screening Determination required (Complete Form 3)
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

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Inspector: _____ **Date:** _____

Appendix 2: Form 2 - EIA Preliminary Examination

Case Reference	PL-501474-OY-26
Proposed Development Summary	Construction of one two storey dwelling and one garage and all associated site works.
Development Address	Annagharvey, Tullamore, Co. Offaly
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 proposed development would provide a new dwelling. It would generally be consistent with the scale and appearance of other dwellings in the area. No demolition works would be required. Construction materials and activities would be typical for a residential development of this nature and scale. The use of fuels and materials would be typical for construction sites. Construction impacts would be local and temporary in nature, could be suitably managed through a Construction Environmental Management Plan. In terms of accidents, no significant risk is anticipated having regard to the nature and scale of the development. Any risk arising from demolition and construction will be localised and temporary in nature. No existing or permitted developments have been identified in the immediate vicinity that would give rise to significant cumulative environmental effects with the subject project.

Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	The site is not located within, or immediately adjoining, any protected areas. The development would not have the potential to significantly impact on any ecologically sensitive site or location. The proposal would not give rise to significant impact on nearby water courses (whether linked to any European site or other sensitive receptors). The site is not considered to be an environmentally sensitive site. It is considered that no Appropriate Assessment issues arise, and it is not considered that the proposed development would be likely to have a significant effect, individually, or in combination with other plans or projects, on any European Site. The proposed development would not give rise to waste, pollution or nuisances that differ significantly from that arising from other small scale residential developments for single dwellings. Given the nature of the development and the site/surroundings, it would not have the potential to significantly affect other significant environmental sensitivities in the area.
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).	All development has the potential for a degree of disturbance/nuisance during the construction phase such as noise, vibration, dust, air quality and traffic. However, these impacts would be short term and temporary and can be appropriately managed and mitigated by way of conditions.
Conclusion	

Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.

Inspector: _____ Date: _____

DP/ADP: _____ Date: _____

(only where Schedule 7A information or EIAR required)