



An
Coimisiún
Pleanála

Inspector's Report PL-501516-CN-26

Development	Demolition of existing garage and construction of dwelling and all associated works.
Location	5 Erne Hill, Belturbet, Co.Cavan
Planning Authority	Cavan County Council
Planning Authority Reg. Ref.	2560694
Applicant(s)	Thomas Coyle
Type of Application	Permission
Planning Authority Decision	Grant Permission + Conditions
Type of Appeal	Third Party Normal Planning Appeal
Appellant(s)	Claire Shannon and Graeme McGuigan
Observer(s)	None
Date of Site Inspection	13 th August 2026
Inspector	Aisling MacNamara

1.0 Site Location and Description

- 1.1. The site is located at the eastern outskirts of Belturbet in County Cavan. Access to the site is from the R197 Deanery Street, on the Cavan Belturbet road.

The site forms part of the existing curtilage of a two storey semi detached dwelling with long rear garden.

The existing dwelling is located within a row of a mix of detached and semi detached dwellings along the R197 road. The rear boundary adjoins the Corporation Lands road. The site is opposite a neighbourhood centre. This section of the R197 is served by footpaths on either side of the road, pedestrian crossing and bus stops.

2.0 Proposed Development

- 2.1. Permission is sought for:

- demolition of an existing garage attached to existing semi – detached dwelling,
- construction of a two storey semi detached dwelling,
- alterations to the existing entranceway, connection to existing services and associated work.

The area of the site is 0.054ha. The floor space of proposed works is 88sqm. The floor space of demolition works is 23sqm.

- 2.2. Revised drawings were submitted at further information stage (advertised as 'significant'). The design of the proposed dwelling was altered showing revised house of 92.80sqm, reduced height, altered roof design and alterations to the design of the elevations and finishes including revised parking and bin storage.

3.0 Planning Authority Decision

3.1. Decision

By order dated 12th May 2026, the planning authority decided to grant permission for the proposed development subject to 14 conditions.

Condition 6 states WCs, bathroom and ensuite windows shall be fitted and maintained with obscure glazing.

Condition 9 states that the boundary construction shall be in manner to ensure required visibility splays are achieved and set at sufficient distance from edge of road.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The report of the Case Planner dated 22nd January 2026 recommends further information on four items.
- The planning authority requested Further Information on 23rd January 2026 as follows:
 - (1) Submit revised design of proposed dwelling demonstrating it is visually subservient in relation to the existing dwelling on site; include enhanced finishes to proposed dwelling.
 - (2) Submit appropriate assessment screening report. The site is 187m from Natura 2000 site Lough Oughter and Associated Loughs SAC.
 - (3) Demonstrate revised site layout plan of proposed car parking to serve both existing dwelling and proposed dwelling.
 - (4) Having regard to proposed subdivision of rear garden of existing dwelling, provide revised site layout plan illustrating location of refuse storage for both the existing and proposed dwelling.
- Response to Further Information request received 7th April 2026.
- The response was considered 'significant' and new public notices were advertised.
- Case Planner's report of 27th April 2026 considers the FI response and recommends grant of permission.

3.2.2. Other Technical Reports

- Road Design Office (16/12/2025) – No objection subject to conditions relating to drainage, construction, boundary and visibility splays, permits and licencing.

3.3. Prescribed Bodies

None

3.4. Third Party Observations

Two no. third party submissions received from: (i) resident of the adjoining 4 Erne Hill at initial application and further information stage and (ii) resident of Belturbet.

Object for reasons relating to overdevelopment, out of character, adverse impact on residential amenity, note previous refusals for similar development, priority to be given to reducing vacancy and renovating existing house, concerns re provision of parking and private open space.

4.0 Planning History

- 06/246 – Thomas Coyle – Refuse – Permission to erect 2 storey type townhouse to side of existing semi-detached dwelling, connection to local authority mains and all associated ancillary works.

Reasons: (1) Having regard to existing development in the vicinity, the additional dwelling is over development of site and not in interests of residential amenity, (2) the proposed development is not in compliance with condition 1 of previous permission which states ‘ The proposed development to the side of the existing dwelling comprising of townhouse shall not be developed. Revised drawings indicating same shall be submitted to the planning authority for approval prior to commencement of work on site’.

- 04/1283 – Thomas Coyle – Grant – permission to erect single storey extension to rear of existing dwelling and also to erect two-storey type townhouse to side of existing semi-detached dwelling and all associated ancillary works

Condition 1 The proposed development to the side of the existing dwelling comprising of a townhouse shall not be developed. Revised drawings indicating same shall be submitted to the Planning Authority for approval prior to the commencement of work on site. Reason – In the interests of residential amenities, traffic safety and proper planning and sustainable development.

Note the planners report indicates that proposed new townhouse would result in overdevelopment of the site and is not in the interest of residential amenities of the area.

- 03/1938 – Thomas Coyle – grant – permission to convert existing domestic garage and erect first floor extension to side of existing dwelling.

Note the permitted development is for a two storey independent unit attached to the side elevation of the existing dwelling with ground floor kitchen / living, first floor one bedroom and bathroom, internal stairs and external access via the side.

5.0 Policy Context

5.1 Cavan County Development Plan 2022-2028 (incorporating Variation no.1 – adopted 13th July 2026)

Site is located within the settlement boundary of Belturbet. Under the CDP Core Strategy and Settlement Hierarchy, Belturbet is designated a tier 4 Medium Town to target population growth from 1574 in 2022 to 1778 in 2031.

Medium Towns: Towns with a varied employment base and can be reliant on other areas for employment and/or services but which play an important role in supporting the social, economic and cultural life within rural communities.

Site is located on lands zoned 'Existing Residential'.

14.5.1 Objective: Protect and enhance the amenity of developed residential areas.

14.5.2 Vision: Ensure that any new development does not adversely impact upon the amenity of existing residential properties. New housing and infill developments should be in keeping within the character of the area. Seek to enhance associated

open space and community uses and improve the quality of existing residential areas.

14.5.3 Permitted in Principle: Residential

Located c.50m to the east: Record of Protected structure RPS CV0194 Erne Hill Lodge – an elegant former gate lodge in the form of an Italianate villa built c 1840.

Chapter 1 Core Strategy

Medium Towns Development Objectives

MTD 01 Promote consolidation coupled with targeted housing and investment in Medium Towns where required to improve local employment, services and sustainable transport options and to become more self-sustaining.

Chapter 2 Settlement Strategy

Belturbet Sustainable Communities Development Objectives

BTC 03 Encourage the appropriate redevelopment of brownfield and infill sites for residential uses within the footprint of the existing built-up areas.

Chapter 7 Transportation and Infrastructure

General Road Development Objectives

GR 05 Promote road safety and implement traffic safety measures in conjunction with Government Departments, the Road Safety Authority and other agencies.

Regional and Local Roads Development Objectives

RLR 02 Safeguard the carrying capacity and safety of the Council's regional and local road network.

RLR 05 Implement the recommendations of the Design Manual for Urban Roads and Streets (DMURS 2019) in relation to urban streets and roads within the 50/60 kmph zone.

Car Parking Development Objectives

CP 01 Require development proposals to provide adequate car parking provision and associated servicing arrangements. The specific amount of car parking will be determined according to the characteristics of the development and its location having regard to the standards set out in Table 7.4.

Bicycle Parking Development Objectives

BPD 01 Ensure the provision of appropriate Bicycle parking facilities as per Table 7.4 below as part of any new applications in urban areas to assist with supporting modal shift away from private cars to more sustainable modes of transport i.e. cycling, walking, public transport.

Table 7.4: Parking Standards

Maximum Car Parking Requirement - Residential 2 spaces per unit Smaller bedroom units to be examined on a case by case basis.

Bicycle standard – To be agreed.

- Car Parking Standards are expressed in Maximum Standards
- In exceptional circumstances, the Council may at their discretion accept a reduced/increased parking requirement, where the applicant has clearly demonstrated that this would not impact on road safety or traffic flow, and where it is considered to be required for the operations of the business/use concerned and is in the interests of the proper planning and sustainable development of the area.

Chapter 13 Development Management

Urban Design Development Objectives

UD 01 Require all developments to adequately address the Key Indicators of Quality Urban Design and Placemaking as indicated in the Sustainable Residential

Development and Compact Settlements Guidelines for Planning Authorities (2024), and accompanying Appendix D: Design Checklist - Key Indicators of Quality Urban Design and Placemaking, or any update thereof.

UD 02 All developments should include the following

- o Building design which minimises resource consumption, reduces waste, water and energy use shall be incorporated where possible, in all new and renovated developments
- o Building design shall maximise natural ventilation, solar gain and daylight, where possible, all new and renovated developments
- o SuDS measures are required to form part of the design of all developments
- o The Planning Authority will seek to encourage the implementation of best practice standards with regard to access in both indoor and outdoor environments

Residential Density Development Objectives

RD 02 In rural towns, Villages and Community Nodes any development shall take cognisance of the prevailing scale, form and character of the settlement and the capacity of services and infrastructure.

RD 03 Ensure densities of proposed developments reflect the key attributes and character of the surrounding/adjoining area.

Building Height Development Objectives

BHDO 03 The appropriate maximum or minimum height of any building will be determined by

- o The prevailing building height in the surrounding area
- o The proximity of existing housing
- o The formation of a cohesive streetscape pattern, including height and scale of the proposed development relative to width of street or area of open space.

- o The impact of any Protected Structures, Architectural Conservation Areas (ACAs) and/or sensitive sites.
- o Design shall take into account overlooking and privacy
- o Proposal should not interfere with scale, amenities and visual quality of existing development.

Site Coverage Development Objectives

SCDO 01 Individual development proposals will be assessed on performance-based criteria dependent on location and individual site characteristics in accordance with the provisions of national policy NPF NPO 13.

Plot Ratio Development Objectives

PR 01 Individual development proposals will be assessed on performance-based criteria dependent on location and individual site characteristics in accordance with the provisions of national policy NPF NPO 13.

Private Open Space Development Objectives

POS 01 Require that new development has regard to the character of the area in which they are located in terms of requirements for private open space.

POS 02 Require the following minimum open space requirements for new dwelling houses - One/Two bedroom, 48sqm- 55sqm and 3/4/5 bedroom unit, 60 sqm-75sqm. One bedroom - 20sqm, 2 bedroom - 30sqm, 3 bedroom - 40sqm, 4 bedroom+ - 50sqm.

Overlooking and Overshadowing Development Objectives

OO 01 Maintain at least 16 metres separation distance between opposing habitable room windows at the rear and/or side of houses, duplex units and apartment units, above ground floor level.

OO 02 Separation distances below 16 metres may be considered acceptable in circumstances where there are no opposing windows serving habitable rooms and where suitable privacy measures have been designed into the scheme to prevent undue overlooking of habitable rooms and private amenity spaces.

OO 03 Reductions in this value may be considered for single storey residential units or innovative schemes where it can be demonstrated that adequate levels of privacy, natural lighting and sunlight can be achieved.

OO 04 Any window proposed at ground floor level should not be less than 1 metre from the boundary it faces.

OO 06 Require daylight and shadow projection diagrams to be submitted in all proposals where buildings of a significant height are involved or where new buildings are located very close to adjoining buildings. This will provide an element of control in situations where overlooking occurs.

OO 07 Daylight and sunlight levels should generally be in accordance with the recommendations 'A New European Standard for Daylighting in Buildings en17037:2018 UK National Annex BS EN17037:2019, and the associated BRE Guide 209 2022 Edition (June 2022)', and any updates thereof

OO 08 New residential development should be designed to maximise the use of natural daylight and sunlight. Innovative building design and layout that demonstrates a high level of energy conservation, energy efficiency and use of renewable energy sources will be encouraged.

13.5 Other Residential Developments

Infill Sites in Urban Areas Development Objectives

ISUA 01 Proposals for infill development shall accord with the Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities (2024) or any updates thereof; and the Design Manual for Urban Roads and Streets, 2013, DoECLG or any updates thereof.

ISUA 02 Infill development shall take account of the character of the area and where possible retain existing features such as building line, height, railings, trees, gateways.

Corner/Side Garden Sites Development Objectives

CGS 01 Require corner site/side garden development proposals to have regard to the following criteria:

- o Size, design, layout, building line and the relationships with existing dwellings and immediately adjacent properties
- o External finishes
- o Floor areas and the accommodation standards for the occupants
- o Car parking for the existing and proposed developments
- o Private open space for existing and proposed development. Side/gable and rear access/maintenance space, where possible, and refuse storage areas.

5.2 National Guidance

Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, 2024

5.3 Natural Heritage Designations

The site is c 141m from Lough Oughter And Associated Loughs pNHA and Lough Oughter and Associated Loughs SAC.

6.0 EIA Screening

The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

7.0 The Appeal

7.1. Grounds of Appeal

A third party appeal is received from the owner / occupiers of no. 4 Erne Hill, Belturbet. The grounds of appeal are summarised as follows:

- Note previous planning history (64/1024, 04/1283, 06/246)
- Proposed development would detract from the existing character of the area and existing streetscape, sets undesirable precedent for similar unsuitable development.
- Overdevelopment of the site in terms of plot size, density, parking, access, private open space, building on existing sewer lines, bin storage. Regard to be paid to refusal under 06/246 on grounds of overdevelopment. There are existing unused vacant houses that could be brought back into use including existing house at no. 4. There is no need to squeeze additional house on unsuitable site in area where it is not needed.
- Traffic / pedestrian safety – congestion in area, lack of parking and cars parking on footpaths, blocking of residents at Erne Hill – issues exacerbated at funeral times. Problems will be exacerbated by additional house. Unsuitable location on busy road, near bus stop and pedestrian crossing.
- Impact on residential amenities – overlooking private open space blocking light / daylight, overshadowing, overbearing / imposing impact of large concrete block wall close to boundary.
- Impacts during construction phase – noise, dust, air pollution, traffic disruptions.
- Development is not suitable. It is contrary to policy 14.5.2 to protect and enhance the amenity of developed residential communities.

7.2. Applicant Response

The applicant has submitted a response to the grounds of appeal. The key issues raised are summarised as follows:

- Regard to be paid to planners reports – concludes development is consistent with proper planning and sustainable development. The planning authority had regard to planning history, residential amenity, traffic and access and all submissions. Permission was granted.
- Appeal grounds raise same matters already considered by planning authority and do not warrant overturning of decision.
- Site is in established settlement of Belturbet and served by existing infrastructure and services. Is an acceptable form of infill development that accords with national and local planning policy promoting compact growth and efficient use of serviced land within settlements.
- Significant reliance is placed on condition 1 of 04/1283. However that condition related specifically to the development proposal under consideration at that time and cannot reasonably be interpreted as permanently sterilising the site from future development. Each planning application must be assessed on its merits having regard to current planning policy and site circumstances.
- The planning authority was aware of planning history.
- The proposal is brought forward under current policy which supports compact growth in settlements.
- Concerns regarding overdevelopment, visual impact, residential amenity, traffic safety and access were considered by the planning authority which concluded that the development would not result in unacceptable impacts on neighbouring properties or the character of the area. No objective technical evidence is submitted to demonstrate otherwise.
- The proposed dwelling is modest in scale located within an established residential area and will not adversely affect the proper planning and sustainable development of the area. The development makes efficient use of serviced land and is consistent with current planning policy objectives.
- It is submitted that the appeal should be dismissed and that the decision of Cavan County Council to grant permission should be upheld.

7.3. Planning Authority Response

The planning authority has submitted a response to the appeal, summarised as follows:

- Note the contents of the appeal and consider the matters were addressed under the original planning application planners reports.
- Request ACP uphold the decision of the planning authority to grant permission for the proposed development.

8.0 Assessment

8.1. Having examined the application details and all other documentation on file, including all submissions received in relation to the appeal and inspected the site and having regard to relevant policies and guidance, I consider that the main issues in the appeal are as follows:

- Principle of development
- Design, impact on character of area and visual amenity
- Residential amenity
- Parking and traffic considerations
- Other issues

8.2. Principle of development

- 8.2.1. The proposed development is located on lands located within the settlement boundary of Belturbet, designated a Tier 4 Medium Town under the current Cavan County Development Plan (CDP). As per objective MTD01 of the CDP, it is an objective for these towns to promote the consolidation of development including housing in order to become more self sustaining.
- 8.2.2. Under the CDP, the site is zoned Existing Residential where the objective is to protect and enhance the amenity of developed residential areas. Objective BTC03 is to encourage brownfield and infill type developments within the existing built up footprint in Belturbet.

- 8.2.3. It is proposed to construct a new infill dwelling within the curtilage of an existing house. This form of development is an acceptable form of development on residential zoned land and will contribute to the consolidation of the urban built up area. The proposal is acceptable in principle and is in accordance with the zoning objective, MTD01 and BTC03 of the CDP.
- 8.2.4. The appellants raise that the planning authority has refused permission in the past (06/246 and 04/1283) for the construction of a new house attached to the side of the existing house and that there is an established precedent to refuse permission for reasons relating to overdevelopment and impact on residential amenity. In this regard, each planning proposal is considered on its individual merits. It is also some time since the 2004 and 2006 applications, with change in higher order planning strategy and adoption of new development plan. It is current planning policy, as set out in the CDP and higher order strategies such as the Compact Settlement Guidelines to promote infill development within existing built up areas in order to consolidate the built form. Normal design and layout considerations are considered below.

8.3. Design, impact on character of area and visual amenity

- 8.3.1. The site is located within an existing residential area with a mix of semi detached and detached housing of varying types and designs, however is immediately within a row of two storey suburban type semi detached housing all of similar design and layout.
- 8.3.2. The Existing Residential zoning vision is to ensure that infill developments are in keeping with the character of the area. Objective ISUA02 states that infill development is to take account of the character of the area. Objectives RD02 and RD03 states that development in rural towns should take cognisance of prevailing scale, form and character and capacity of infrastructure and services and that densities reflect the character of surrounding areas. Objective BHDO03 states that appropriate building heights will be determined by prevailing heights, proximity to existing housing, impact on built heritage and the formation of a cohesive streetscape pattern. Objective CGS01 of the CDP sets out criteria to be considered for residential development in corner / garden sites.

- 8.3.3. The design and layout of the proposed development was altered at further information stage. The submitted drawings show the proposed 93sqm two storey house attached to the side of the existing house. The existing semi detached house has ground to ridge height of 8.3m, finished in render and brick and pitched roof. The proposed house has ground to ridge height of 7.5m, finished in render, with black standing seam aluminium roof and buff brick and timber detailing, with hipped roof. The front building line of the ground floor protrudes beyond the line of the existing house by c 1.1m however the first floor front building line matches that of the existing house. The rear ground and first floor building line of the proposed house extends by c 0.9m beyond the ground floor extension of the existing house.
- 8.3.4. Whilst the proposed house is not an exact match to the existing house, I am satisfied that it broadly is in keeping with the size, scale, height, building line, architectural treatment and form of the existing house. Whilst the proposal ultimately results in the 'terracing' of the existing semi detached dwellings, the proposed house is subordinate in size, height and scale to the existing house. Many of the existing semi detached houses in the row have been altered with varying porch additions, change in finishes, extensions, boundary treatments etc and in this context the proposed new infill house is not visually incongruous and does not significantly disrupt the appearance and pattern of development along the street. The general layout of the site with parking to the front and private open space to the rear is in keeping with the existing pattern. Small sections of new boundary walls are proposed along the roadside boundary. This is in keeping with the existing boundary treatment in the surrounding area. I am satisfied that the proposed house can integrate into the streetscape.
- 8.3.5. The proposed house contains ground floor kitchen / living and two first floor bedrooms with bathroom. The house contains ground floor and first floor storage space. There is front door access and rear access from kitchen to garden. The house is provided with a side access from the front to the rear outdoor area. Both the proposed and existing house will be provided with large rear gardens well in excess of the CDP requirements set out in POS02 and is in accordance with the SPRR2 of the Sustainable and Compact Settlement Guidelines. The gardens are to be separated by a new 1.8m fence which will protect privacy. The existing house is to be provided with new proposed refuse area, screened by walls. I am satisfied that

the existing and proposed houses will be provided with a satisfactory level of residential accommodation.

- 8.3.6. Objectives PR01 and SCDO01 relate to plot ratio and site coverage and state that development proposals will be assessed on performance based criteria dependent on individual site characteristics. Having regard to the size and scale of floor area relative to open space on the site, I am satisfied that the intensity and extent of building footprint on the site is acceptable and in keeping with the area.
- 8.3.7. There is a protected structure further east however due to the distance, there will be no impacts on this structure.
- 8.3.8. In summary, I am satisfied that the layout and design of the proposed house is acceptable and that it is in keeping with the pattern of development in the area and will not adversely impact on visual amenities and will not result in overdevelopment of the site and is in accordance with the zoning vision and objective ISUA 02 of the CDP.

8.4. Residential amenity

- 8.4.1. The proposed house is attached to the side of the existing house. There are no windows on the side elevation of the proposed house. The rear elevation of the proposed house is c 41.9m from the rear site boundary. I am satisfied that the proposed house will not result in any overlooking of adjoining properties.
- 8.4.2. In terms of separation distances, the proposal complies with the required separation distances set out in objectives OO01 and OO04 of the CDP. Furthermore, the proposal is in accordance with the requirements of SPPR1 for separation distances of the Sustainable and Compact Settlements Guidelines.
- 8.4.3. Having regard to the height and design of the proposed house including building line, hipping of roof and the pattern of development in the area including the large size of adjoining rear garden space, I am satisfied that the proposed house will not result in significant overbearing or overshadowing impacts.
- 8.4.4. In summary, I am satisfied that the proposal will not significantly compromise the residential amenity of adjoining properties.

8.5. Parking and traffic considerations

- 8.5.1. The appellant raises concerns in relation to the impact of the development on the roads in the area, traffic safety and parking provision.
- 8.5.2. In terms of parking, both the proposed house and the existing house are to be provided with one on site parking space. Objective CP01 states that developments shall be provided with adequate car parking provision and that the specific amount will be determined according to the characteristics of the development and its location having regard to standards in Table 7.4. Table 7.4 states that the maximum car parking requirement for residential units is 2 spaces per unit and smaller bedroom units to be examined on a case by case basis. The notes states that car parking standards are maximum standards and in exceptional circumstances reduced standards can be accepted where the applicant has shown that this would not impact on road safety or traffic flow and is in the interests of proper planning and sustainable development.
- 8.5.3. SPPR3 of the Sustainable and Compact Settlements Guidelines relates to parking. The site is within a 'peripheral' location as per the accessibility criteria of Table 3.8 where the maximum rate of parking is 2 spaces subject to justification. This site is located within the settlement of a town, served by footpaths, opposite a neighbourhood centre and within easy 10 to 15 minutes walk to the town centre, schools, shops and facilities. The R197 road at the site is also served by local bus. In light of the location and accessibility to services and facilities and having regard to Table 3.8 and SPPR3 which state standards are maximum standards, I am satisfied that the provision of one space for both houses is acceptable in principle.
- 8.5.4. The existing entrance is to be widened to accommodate the revised parking arrangements. The Council's Road Design Office submitted a report stating no objection to the proposed development relating to boundary and visibility splays. I am satisfied that sightlines to the public road are acceptable. Furthermore, I am satisfied that the entrance can be accommodated without impacting on the safety of the pedestrian crossing.
- 8.5.5. Having regard to the design and structural condition of the R197, I am satisfied that the existing road network can accommodate the traffic movements associated with

the construction of an additional house and that the proposal would not undermine the operational capacity or safety of the road network.

8.5.6. In summary, I consider that the proposed development can be accommodated without compromising traffic safety or obstruction of road users and that the parking proposals are acceptable.

8.5.7. Issues raised in relation to unregulated parking on the roads at certain times, is a roads control and enforcement matter for the relevant authorities.

8.6. Other issues

8.6.1. Construction related impacts

8.6.2. The appellants raise concerns regarding the impacts of construction on residential amenity. Having regard to the size and scale of the proposed development, I am satisfied that there would be no adverse impacts on adjoining properties or traffic, subject to standard condition relating to construction times and standard good construction management.

8.6.3. Public sewer

8.6.4. The appellant raises concerns regarding the impact of the development on public sewers. The site layout drawing shows private connection from the proposed house to the existing foul line and surface water line in the public road to the front of the house. There is no evidence submitted to show that the development interferes with any public or private drainage pipes. The developer is required to enter into connection agreement with Uisce Eireann prior to development.

8.6.5. Surface water

8.6.6. The applicant has proposed drainage of surface water to the surface water network. Objective UD02 requires sustainable drainage measures be incorporated into all developments. Should permission be granted, it is recommended that a condition be attached for the incorporation of sustainable drainage measures subject to the agreement of the planning authority.

9.0 AA Screening

- 9.1. I have considered the proposed development in light of the requirements of section 177U of the Planning & Development Act, 2000 (as amended). A screening assessment is set out in the attached appendix.
- 9.2. The site is c 140m from Lough Oughter and Associated Loughs SAC. In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on the Lough Oughter and Associated Loughs SAC or any other European site in view of the conservation objectives of those sites and Appropriate Assessment (and submission of NIS) is not required.
- 9.3. This determination is based on:
- scientific information provided in the screening report,
 - the domestic nature and scale of development on fully serviced lands,
 - absence of hydrological or ecological pathway connections to European sites,
 - distance to the European site network,
 - possible impacts identified would not be significant in terms of site specific conservation objectives and would not undermine qualifying features,
 - no mitigation measures aimed at avoiding or reducing impacts are required.

10.0 Water Framework Directive

- 10.1. An assessment of the proposed development has been carried out in accordance with Article 4 of the Water Framework Directive and relevant EPA guidance, including best practice in sustainable drainage design.
- 10.2. The development is to be connected to public foul sewer and public water supply. It is recommended that a condition be attached to require final surface water drainage to be agreed prior to development to incorporate sustainable drainage systems

which will be designed to replicate greenfield runoff rates and provide treatment of surface water prior to discharge.

- 10.3. These measures ensure that there will be no increase in pollutant loading, no alteration of the receiving waterbody's hydrological regime, and no risk of deterioration in water quality or ecological status. Any residual risks are capable of being addressed through standard mitigation measures and best practice construction management.
- 10.4. The proposed development will not impact on the achievement of environmental objectives for any water body and is therefore considered compliant with the requirements of Article 4.

11.0 Recommendation

I recommend that permission be granted.

12.0 Reasons and Considerations

Having regard to the location of the site within an established residential area, the prevailing pattern and character of development in the area, the nature, size and scale of the proposal, the objectives of the Cavan County Development Plan 2022-2028 and the Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities 2024, it is considered that, subject to compliance with the conditions set out below, the proposal would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would not lead to the creation of traffic hazard or obstruction of road users and would not be prejudicial to public health. The proposal 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 7 th April 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.	Prior to the commencement of development the developer shall enter into a Connection Agreement (s) with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply and/or wastewater collection network. Reason: In the interest of public health and to ensure adequate water/wastewater facilities.
3.	Prior to commencement of development, proposals shall be submitted for the written agreement of the planning authority showing revised surface water disposal measures which incorporate Sustainable Urban Drainage measures for the attenuation and disposal of surface water in compliance with the requirements of the relevant Section of the Council for such works and services. Reason: In the interest of public health and sustainable surface water management.
4.	Front boundary walls shall be maximum 1.2 metres in height and shall be suitably capped and finished in a material that matches the external finish of the dwellings. Reason: In the interest of residential and visual amenity
5.	Site development and building works shall be carried out between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority. Reason: To safeguard the amenity of property in the vicinity.

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 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 me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.

Aisling Mac Namara
Planning Inspector

7th September 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	501516
Proposed Development Summary	Demolition of existing garage and construction of dwelling and all associated works.
Development Address	5 Erne Hill, Belturbet, Co.Cavan
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.	State the Class here
☒ 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)	Schedule 5, Part 2, 10 (b) (i) Construction of more than 500 dwelling units
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)

Inspector: _____

Date: _____

Appendix 2: Form 2 - EIA Preliminary Examination

Case Reference	501516
Proposed Development Summary	Demolition of existing garage and construction of dwelling and all associated works.
Development Address	5 Erne Hill, Belturbet, Co.Cavan
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, a standalone project, does not require significant 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 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 development is situated within an established urban area. The development is separated from sensitive natural habitats and designated sites. No built heritage at or adjoining the site.

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 modest nature of the proposed development, its location removed from sensitive habitats/features, likely limited magnitude and spatial extent of effects, and absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.
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)

Appendix 3: AA Screening Determination Template Test for likely significant effects

Screening for Appropriate Assessment Test for likely significant effects	
Step 1: Description of the project and local site characteristics	
Brief description of project	Demolition of existing garage and construction of dwelling and all associated works.
Brief description of development site characteristics and potential impact mechanisms	Site is side garden of an existing semi detached house. Construction proposed.
Screening report	Yes ‘Statement of Screening for Appropriate Assessment of a proposed Development at 5 Erne Hill, Belturbet, Co. Cavan’ prepared by Noreen McLoughlin, MSc Environmental Consultant Whitehill Environmental, March 2026 <i>“It is of the opinion of the author that an AA of the proposed development is not required as it can be excluded, on the basis of objective information provided in this report, that the proposed development, individually or in combination with other plans or projects, will not have a significant effect on any European sites.”</i>
Natura Impact Statement	No
Relevant submissions	-
Planning authority	Planning authority satisfied with conclusion of submitted AA screening report excluding need for stage 2 NIS.

Step 2. Identification of relevant European sites within zone of influence using the Source-pathway-receptor model

European Site (code)	Qualifying interests ¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections ²	Consider further in screening ³ Y/N
Lough Oughter and Associated Loughs SAC 000007	Natural eutrophic lakes with Magnopotamion or Hydrocharition - type vegetation [3150] Bog woodland [91D0] Lutra lutra (Otter) [1355]	140m	Indirect	yes
Lough Oughter Complex SPA 004049	Great Crested Grebe (Podiceps cristatus) [A005] Whooper Swan (Cygnus cygnus) [A038] Wigeon (Mareca penelope) [A855] Wetland and Waterbirds [A999]	3.2km	Indirect	No – lack of hydrological or ecological connectivity and distance

Step 3 Describe the likely effects of the project (if any, alone or in combination) on European sites

AA Screening matrix

Site name	Qualifying interests and conservation objectives	Possibility of significant effects (alone) in view of the conservation objectives of the site

Lough Oughter and Associated Loughs SAC 000007	As above	Construction: Emissions (dust, construction run off), Noise. Removal of vegetation. Operational: Emissions to surface water. Foul discharge – to public mains. Visual and noise disturbance.	No direct impact on QI habitats or species. There are no watercourses on the application site. There are no direct surface water hydrological links between the area of development and the SAC. There will be no impacts on any riparian habitat or watercourse which is the habitat of otter. Due to distance and small domestic nature of the development, there will be no impacts from emissions such as noise or dust and there will be no risk of pollution to ground by run off etc. Due to distance and small domestic scale, at operational phase there will be no adverse impacts on the SAC.
		Likelihood of significant effects from proposed development (alone): no	
		Is there likelihood of significant effects occurring in combination with other plans or projects: no In combination impacts considered in the AA screening report.	

¹ Summary description / cross reference to NPWS website is acceptable at this stage in the report

² Based on source-pathway-receptor: Direct/ indirect/ tentative/ none, via surface water/ ground water/ air/ use of habitats by mobile species

³if no connections: N

Conclusion:

I conclude that the proposed development alone or in combination with other plans and projects would not result in likely significant effects on European sites. No further assessment is required for the project. No mitigation measures are required to come to this conclusion.

Screening Determination**Finding of no likely significant effects**

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or project would not be likely to give rise to significant effects on the Lough Oughter and Associated Loughs SAC or any other European site in view of the conservation objectives of those sites and Appropriate Assessment (and submission of NIS) is not required.

This determination is based on:

- scientific information provided in the screening report,
- the domestic nature and scale of development on fully serviced lands,
- absence of hydrological or ecological pathway connections to European sites,
- distance to the European site network
- possible impacts identified would not be significant in terms of site specific conservation objectives and would not undermine qualifying features
- no mitigation measures aimed at avoiding or reducing impacts are required.