



An
Coimisiún
Pleanála

Inspector's Report PL-501656-TY-26

Development	The construction of a new residential entrance and driveway to access the existing dwelling, including associated site works.
Location	Ballymona, Ballingarry, Roscrea Co. Tipperary
Planning Authority	Tipperary County Council
Planning Authority Reg. Ref.	2660365
Applicant(s)	Graham Armitage
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party Normal Planning Appeal
Appellant(s)	John Mounsey
Observer(s)	None
Date of Site Inspection	15 th September 2026
Inspector	Emma Gosnell

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1.0 Site Location and Description

- 1.1. The appeal site, which has a stated area of site of 0.298ha, is located in the rural townland of Ballymona, c. 2.3km to the north-east of Balingarry village in Co. Tipperary. It is c. 9km to the north-east of Borrisokane and c. 14.5km to the north-west of Roscrea.
- 1.2. The north-west portion of the site, which currently forms part of an agricultural field, is adjoined by the Old Birr Road (L-1068-8) and on all other sides by agricultural fields. The section of local road bordering the site is straight, with good visibility and a speed limit of 60km/h. The existing dwelling referred to in the statutory notices is located on the immediate south-west of the site as is a long established farmyard complex (extending to c. 1500sq.m), comprising a central yard together with stables, livestock sheds and various storage buildings – all in the ownership of the applicant. This farmyard (together with the existing farmhouse) is accessed off the L-1068-8 c. 40m to the south of the proposed access. There are a further farmyard and farmhouse to the north-west on the opposite side of the Old Birr Road to the proposed entrance and there are a number of detached residential properties located to the south-west.
- 1.3. The wider area is rural in character, undulating and features a mix of agricultural buildings and farmland, forestry and one-off housing.
- 1.4. The majority of the curved appeal site forms a cut out of the agricultural field to the immediate north of the existing farmhouse, which is separated by same by way of a farm lane which connects the farmyard to a number of agricultural fields. It also incorporates the existing farmhouse and an adjoining storage building in addition to a large extent of roadside boundary along the L-1068-8 which comprises of an existing agricultural access in addition to tall, mature trees and mature hedgerows which adjoin a roadside verge.
- 1.5. There are no RPS or NIAH on site and it does not come within an Architectural Conservation Area or zone of archaeological potential. It is also not subject to any Protected Views or Scenic Routes.

2.0 Proposed Development

- 2.1. The proposal comprises of the construction of a new 16m wide splayed residential entrance (width of 4.5m between interior piers) and 4m wide gravel driveway to access an existing dwelling, provision of hardstanding parking within an internal yard and set down area, new roadside and field side boundary treatments (including c. 1.8m high wing wall and c. 1.93m high gate piers) and all associated site works to facilitate the proposal.

3.0 Planning Authority Decision

3.1. Decision

Permission granted on 11/06/2026 subject to 4 no. conditions, generally of a standard technical nature. Conditions of note were as follows:

- Condition No. 2 (a) and (b) – nature and extent of roadside boundary to be provided/ agreed where current boundary is to be removed to facilitate sightlines.
- Condition No. 3 (a) – vehicular entrance to have a maximum width of 13m at roadside boundary splay, with a maximum width of 3m at inside piers, with drainage kerb etc. setback a minimum of 3m from the roadside boundary, and (b-c) materiality of driveway and wing walls and (d) drainage channel pipe size to be provided/ agreed.

3.2. Planning Authority Reports

3.2.1. Planning Reports

1 no. planning report (09/06/2025) formed the basis of the planning authority's (PA) assessment. Key points of note raised in the report are as follows:

- **Principle of Development** – acceptable subject to detailed consideration of various other planning matters.
- **Access** – requirement for 120m sightlines measured at a setback of 2.4m is capable of being achieved where design of new entrance does not obstruct same.

- **Drainage** – proposal has no potential to impact on road drainage. Existing open drainage channel which exists along the development's frontage to be retained (drain to be piped across the entrance using a 450mm diameter pipe).
- **Potable and Foul Water** – no change to existing arrangements.
- **Flood Risk** – site located outside of all flood risk zones.
- **EIA** – proposal is not of a class. No screening determination required.
- **AA Screening** – no potential for likely significant effects. AA not required.

The report concluded that permission be granted as outlined in Section 3.1.

3.2.2. Other Technical Reports

Nenagh Municipal District Engineer (29/05/2026) – no objections subject to conditions regarding achievement of sightlines and provision for roadside drainage.

3.3. Prescribed Bodies

No submissions received.

3.4. Third Party Observations

1 no. third party submission received at application stage from neighbouring resident (John Mounsey - the appellant). This raised concerns regarding the following:

- Siting of proposed entrance opposite observer's existing entrance.
- Impact on traffic movements to/ from the observer's property.
- General traffic safety on local road.
- Intensification of an existing entrance.
- Use of proposed access by farm machinery.
- Surface water flooding/ impact on road drainage.

4.0 Planning History

4.1. Appeal Site (South Portion)

P.A. Ref. 26/60067 – application by Armitage Farms Ltd. for the erection of a feed storage shed, extension to farmyard area and the provision of a **new agricultural entrance** including associated site works all on a site of c. 1ha, granted permission on 23/04/2026 subject to 6 no. conditions. A new vehicular access to the south-west of the applicant's farmyard complex was permitted to replace the existing farmyard access to the north-west of the complex (and to the south-west of the appeal site) in order to give rise to an improved and safer access arrangement to the farmyard.

This development appeared to be under construction at the time of my site inspection.

P.A. Ref. 23/60113 – application by Armitage Farms Ltd. for the erection of a slatted livestock shed (c. 450sq.m), a handling area, a walled silage base and a walled dungstед, including associated site works, granted permission on 05/07/2023 subject to 4 no. relatively standard conditions.

P.A. Ref. 09/510563 – application by Aelfryn Bailey for slatted cattle house, granted permission on 21/12/2009 subject to 11 no. conditions.

Older/ Historic Permissions:

P.A. Ref. 02510098 - Permission granted for concrete yard.

P.A. Ref. 5120622 - Permission granted for slatted cattle house.

P.A. Ref. 5122806 - Permission granted to reroof existing loose cattle house.

4.2. Neighbouring Sites

P.A. Ref. 03/510515 - application by John Mounsey for an agricultural machinery/ general purpose shed and also sheep shed, granted permission on 13/08/2003 subject to 11 no. conditions.

5.0 Policy Context

5.1 Development Plan

Tipperary County Development Plan 2022-2028 applies.

The site is unzoned and located in an area designated as being 'open countryside'.

Volume 1 – Written Statement

Section 11.2 (Biodiversity): Trees and hedgerows are important components of the local landscape/ townscape. The protection and support of existing trees and hedgerows will be a consideration in the assessment of development proposals by the planning authority. Where trees or hedgerows are of particular local value, the Council may seek their retention, or where retention is not feasible, their replacement and will seek a proactive focus on new tree-planting as part of new development.

Policy 11-4 (a) Conserve, protect and enhance areas of local biodiversity value, habitats, ecosystems and ecological corridors, in both urban and rural areas, including rivers, lakes, streams and ponds, peatland and other wetland habitats, woodlands, hedgerows, tree lines, veteran trees, natural and semi-natural grasslands in accordance with the objectives of the National Biodiversity Plan (DCHG 2017) and any review thereof...(d) Where trees or hedgerows are of particular local value, the Council may seek their retention, or where retention is not feasible, their replacement and will seek a proactive focus on new tree-planting as part of new development.

Policy 11-17 (c) Existing landscape features, including trees, hedgerows and distinctive boundary treatment shall be protected and integrated into the design proposal.

Figure 3.2 (Generalised Landscape Character Areas) – site is in ‘The Plains’.

Figure 3.8 (Map of Landscape Character Areas of Tipperary from existing LCA processes) – site is within the ‘Borrisokane Lowlands’.

Table 6.1 (Land-Use Compatibility between LCAs and Land-Use Types) – sensitivity class 2 with objective to continue to facilitate development which continues patterns of use and settlement.

Volume 3 – Development Management

Appendix 6 - Development Management Standards.

Section 6.1 (Road Design & Visibility at a Direct Access).

Tables 6.1 (X-Distance Requirements) and 6.2 (Design Speeds and associated Y-Distances) – x-distance of 2.4m (Local Roads: All junctions and accesses, Stop control) and sightlines of 120m apply to a rural non-national road with a mandatory 60km/h speed limit.

6.0 Natural Heritage Designations

The site is not located within a European Site.

The following European sites are located in general proximity to the site:

European Site	Site Code	Distance
Liskeenan Fen SAC	001683	c. 3.5km
Sharavogue Bog SAC	000585	c. 4km
Scohaboy (Sopwell) Bog SAC	002206	c. 5km
Ballyduff/Clonfinane Bog	000641	c. 5.5km
Arragh More (Derrybreen) Bog SAC	002207	c. 5.5km
Kilcarren-Firville Bog SAC	000647	c. 5.5km
Dovegrove Callows SPA	004137	c. 10km
River Little Brosna Callows	004086	c. 11km
Lough Derg (Shannon) SPA	004058	c. 12km
Middle Shannon Callows SPA	004096	c. 15km
Slieve Bloom Mountains SPA	004160	c. 15km

The following Natural Heritage Areas and proposed Natural Heritage Areas are also located in proximity to site include:

- Sharavogue Bog pNHA (Site Code 000585)
- Lough Nahinch (Tipperary) pNHA (Site Code 000936)
- Cangort Bog NHA (Site Code 000890)
- Arragh More Bog NHA (Site Code 000640).

7.0 EIA Screening

The development subject of this referral has been subject to preliminary examination for environmental impact assessment (refer to Form 1 & Form 2 in Appendix 1 of this report). Having regard to the characteristics and location of the proposal and the types and characteristics of potential impacts, it is considered that there is no real likelihood

of significant effects on the environment. The proposal, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

8.0 Water Framework Directive

I have concluded, 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 (refer to form in Appendix 3 for details).

9.0 The Appeal

9.1. Grounds of Appeal

A third-party appeal submission was received on 02/07/2026 from John Mounsey. The grounds of appeal (GOA) are as follows:

Access

- Concerns regarding duplication and intensification of an existing entrance.
- Access should not be sited directly opposite an existing access.
- Traffic safety concerns arising from entrance location.
- Impact on operation of appellant's existing vehicular access.
- Concerns raised about use of proposed entrance by farm vehicles.

Impact on Public Road

- Issue of water flowing, and debris being dragged, onto the public road.

9.2. Applicant Response

The applicant, in their response to the appeal received 09/07/2026, states the following:

- ***Principle***

- Rationale is to provide a residential entrance independent of the farmyard entrance for public/ traffic safety reasons.
- Proposal is acceptable to planning authority, accords with the development plan and constitutes sustainable development.

- ***Access Issues***

- proposal is a new entrance and does not constitute the intensification of an existing entrance.
- design of proposed entrance is policy compliant and will not therefore give rise to traffic hazard.
- the proposed entrance is not located opposite the appellant's entrance and is sited c. 25m south of same.
- relocation of the proposed entrance will give rise to traffic safety, drainage and environmental/ ecological issues (on account of sightlines no longer being achieved, a greater level of boundary vegetation removal etc. and interference with natural topographical drainage patterns) and also a longer driveway and more inefficient land use.
- agricultural traffic will not use this entrance which is for residential traffic only.
- the use of the existing farm entrance (which is unsafe/ has poor sightlines) will be phased out [being replaced by the new agricultural entrance to the south of the farm complex recently permitted under P.A. Ref. 26/60067].

- ***Impact on Public Road***

- entrance has been designed so as not to impede roadside drainage arrangements. This design is acceptable to the planning authority.
- entrance and driveway will be hard surfaced and will not give rise to debris.

- ***Procedural*** – applicant seeks that the appeal is dismissed.

The response to the appeal is accompanied by copies of the following drawings submitted with the application: site layout plans, entrance detail, site location map and by the decision document issued by the planning authority.

9.3. **Planning Authority Response**

No response to appeal received.

9.4. **Observations**

None received.

9.5. **Further Responses**

None received.

10.0 **Assessment**

Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the local authority, 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:

- Principle of Development
- Access
- Sightlines – New Issue
- Drainage
- Procedural Issue

10.1. **Principle of Development**

10.1.1. Permission is sought for the construction of a new residential vehicular entrance and driveway in order to access (the front and side of) an existing rural dwelling which is presently accessed (only to the rear) via a working farmyard and through a longstanding vehicular entrance c. 50m to the south along the Old Birr Road.

10.1.2. The proposal, which seeks to improve access arrangements to an existing rural farmhouse, is located in the open countryside and on unzoned lands. The proposal is also sited in a predominantly lowland area of Tipperary which is not considered to be

particularly visually sensitive and where the objective is facilitate development which continues existing patterns of use and settlement.

- 10.1.3. Having regard to my site inspection, I note that the existing access arrangements serving the house are less than ideal in that they rely on a narrow, mixed use (agricultural and residential) vehicular access which has substandard sightlines (on account of the siting of existing farm buildings to either side) and also necessitate crossing a busy farmyard complex (passing livestock and storage sheds and various farm machinery) in order to gain access via the rear of the house. At present, there is no way to get vehicular access to the front of the house which faces east and towards a bank of agricultural lands.
- 10.1.4. I draw the Commission's attention to the nature and extent of the driveway proposal as outlined on the proposed site layout plan, which arcs from (an existing agricultural access) the Old Birr Road (to the west) southwards toward the existing store and farmhouse. Whilst this arrangement creates a layout that appears to give rise to the fragmentation/ severance of the adjoining agricultural land, I acknowledge that the proposed curvature is necessary on account of the siting of the existing access (which is to be repurposed) and also due to the necessity to achieve minimum sightline requirements. For these reasons I accept that it is not possible to re-site the proposed entrance any further southwards and I note that, notwithstanding the proposed arrangement, the land to the south of the driveway will still be capable of being used for agricultural purposes e.g. as an equine enclosure etc.
- 10.1.5. The applicant has recently been granted planning permission under P.A. Ref. 26/60067 for development on the south side of their farm complex including the provision of a new (replacement) agricultural entrance to the south of the farm complex (opposite an existing third-party residential entrance) and c. 180m from the existing farm entrance described above. This development was observed to be under construction at the time of my site inspection.
- 10.1.6. It is stated in the applicant's response to appeal that it is intended that, where permission for the proposal subject of this appeal is forthcoming (in addition to the new agricultural entrance granted under P.A. Ref. 26/60067), it is intended that the use of the existing farm entrance will be phased out on account of it no longer being necessary.

10.1.7. In principle, having regard to the foregoing, and particularly the existing sub-optimal residential access arrangements and site conditions, I consider the proposal for the segregation of the applicant's agricultural and residential-related traffic via the provision of separation vehicular entrances to be acceptable subject to the further planning and environmental considerations detailed below.

10.2. Access

10.2.1. The siting of the proposed residential entrance generally accords with the location of an existing gated agricultural access to the lands off the Old Birr Road.

10.2.2. The appellant has raised a number of concerns with regard to the proposed vehicular access. I address these matters below.

Intensification/ Duplication

10.2.3. The appellant considers the proposal will give rise to a duplication of existing access arrangements. As discussed in Section 10.1 of this report, I am satisfied that this will not be the case and I also consider that the proposal is capable of giving rise to an improvement in road safety terms when compared to the existing entrance to the dwelling on site.

10.2.4. There is no information on file regarding the use of this existing agricultural entrance i.e. with regard to the nature or level of vehicular movements generated etc. However, given its function, I consider it likely that it currently facilitates agricultural machinery/ HGVs etc. to enter the fields beyond as required.

10.2.5. The proposal seeks to serve a single rural house which is the residence of the applicant. The fact that the applicant lives on site does away with an element of resident commuting and, on this basis, I consider it likely the use would be a low trip generator i.e. new (redistributed) turning movements arising from visitors, deliveries and general servicing of the dwelling.

10.2.6. In light of the foregoing, I consider that the replacement of the existing agricultural entrance with a residential entrance (serving a single house only) is not likely to give rise to a material intensification in its use or in the level of traffic generated.

Siting and Conflict with Appellant's Access

10.2.7. The appellant has raised concerns regarding the siting of the entrance relative to their existing farm entrance on the opposite side of the local road.

- 10.2.8. Based on my observations on site, I note that the proposed entrance is not located directly opposite the appellant's farm entrance and is instead located c. 10-15m to its south-east and therefore, I am satisfied that there is no potential for the proposal to adversely impact on traffic movements to/ from the observer's property or on the safe operation of their existing vehicular access on the west side of the road.
- 10.2.9. I also note that the proposed change in the function (i.e. from agricultural to residential) of the existing access is likely to improve traffic safety on this section of the Old Birr Road by removing existing traffic movements and/ or any existing conflicts associated with large farm machinery etc.

Future Use of Proposed Entrance

- 10.2.10. As detailed in the paragraphs above, the applicant is proposing to repurpose an existing agricultural entrance for exclusive use as a residential entrance.
- 10.2.11. The grounds of appeal contend that farm machinery will also use the proposed access. The applicant, in their response to the appeal, seeks to clarify that this is not the case.
- 10.2.12. Having considered the recent grant of permission under P.A. Ref. 26/60067 which is in the process of being implemented by the applicant and which will provide optimal and direct access to the core of their farmyard complex to the south, I do not consider it likely that the proposed residential entrance will also be used for agricultural purposes. In this respect, I note that the southern field (i.e. between the driveway and the existing, linear stable & store building) will remain accessible via the in-situ farm lane (which the driveway will traverse) which leads from the farmyard, with the field to the north and east of the driveway being accessible to the southeast via both the farm lane and a further internal farm haul road which runs along the east of the farm complex.
- 10.2.13. Notwithstanding, I do note that the planning authority sought to attach a planning condition restricting the width of the proposed splayed exterior residential entrance (from 16m as proposed to a maximum of 13m) and the interior residential entrance between the piers (from 4.5m as proposed to a maximum of 3m). Given that the proposal is to serve a rural house (only), I consider the design revisions proposed to be reasonable, and I recommend to the Commission that where they are minded to grant permission they be addressed by condition.

10.2.14. The appellant raises a concern with the proposal regarding the dragging of muck and dirt onto the public road. In light of the foregoing assessment, I am satisfied that there is no risk of same and I also note that, as highlighted by the applicant in their response to the appeal, the proposed entrance and driveway will be hard surfaced and therefore do not have the potential to give rise to debris.

10.3. **Sightlines – New Issue**

- 10.3.1. I note that the public road at this location is particularly straight and that a roadside verge lined with mature trees (which appear to be poplars) exists.
- 10.3.2. The applicant contends that, as the design of proposed entrance is policy compliant, it will not therefore give rise to a traffic hazard.
- 10.3.3. I acknowledge that the proposal would be a significant improvement on the existing combined agricultural and residential access arrangement as discussed in Section 10.1 of this report. I also note that the planning authority's Municipal Engineer was satisfied that the required sightlines were capable of being achieved where design of new entrance does not obstruct same and that this matter could be addressed by condition.
- 10.3.4. Tables 6.1 and 6.2 of Section 6.1 (Road Design & Visibility at a Direct Access) of the development plan state that sightlines of 120m (in each direction) measured at a setback of 2.4m are required in the case of roads with a design speed of 60km/h. The submitted site layout plan drawing seeks to illustrate that the required sightlines are capable of being achieved on both sides of the proposed entrance.
- 10.3.5. I also note that design and height of the proposed wing walls and piers are likely to obstruct driver visibility on existing the property and I consider that this design matter would need to be addressed by condition where the Commission are minded to grant permission.
- 10.3.6. Notwithstanding the foregoing, I am not satisfied that the details submitted reflect the reality of the site conditions which apply at the proposed entrance off the Old Birr Road and I am concerned about the extent of tree removal and/ or roadside boundary interference that would be required to facilitate the proposal – a matter which I am not satisfied has been addressed by the information on file.

- 10.3.7. In this respect, I draw the Commission's attention to the existence of a row of tall, mature trees that currently line both sides of the local road at this location – being setback behind the roadside verge and forming part of the applicant's field boundary. These trees, which I consider to be a defining characteristic of this stretch of the L-1068-8 on account of the sense of natural enclosure they provide, are not shown on any of the submitted plans (the proposed entrance elevation does show trees but these are indicative/ for illustrative purposes only and do not reflect the nature or extent of the existing trees presently at this location).
- 10.3.8. Having regard to the policy guidance in this respect set out under of the development plan, I note that Section 11.2 (Biodiversity) and Policy 11-4 (a) identify trees as being important components of the local landscape value which should be protected and retained in the context of development proposals (Council may seek their retention), whilst Policy 11-17 (c) states that existing landscape features, including trees and distinctive boundary treatments shall be protected and integrated into the design proposal.
- 10.3.9. Based on the information on file and my observations on site, I have serious concerns regarding the impact of the proposed entrance design on the existing mature trees which line the east side of the Old Birr Road at this location and for this reason, I am not satisfied that it has been demonstrated that the proposal is compliant with Policy 11-17 (c) of the development plan which states that *"Existing landscape features, including trees, hedgerows and distinctive boundary treatment shall be protected and integrated into the design proposal"*. I also specifically draw the Commission's attention to the spatial extent and configuration of the red line at either side of the proposed access along the Old Birr Road in this regard. Therefore, whilst I support the principle of the proposal, I am not satisfied that this matter can be reasonably addressed by condition, and I recommend to the Commission that permission is refused on this specific basis.

10.4. **Drainage**

- 10.4.1. The grounds of appeal raise the issue of the proposal giving rise to water flowing onto the public road. There is an existing open drain along behind the road verge at this location and it is therefore likely that this is the basis for this surface water management concern.

10.4.2. The planning authority's Municipal Engineer sought that the open drain be retained and piped (via a 450mm diameter pipe across the entrance), and the applicant seeks to draw the Commission's attention to how their proposed entrance has been designed so as not to impede existing roadside drainage arrangements. In this respect, their submitted entrance plan illustrates that a dished drainage collection channel (that will discharge to the drain) is proposed to the front of their vehicular entrance.

10.4.3. On the basis of the foregoing drainage design details, I am satisfied that the proposal would not be likely to give rise to flooding of the adjoining public road and I am satisfied that the matter of the specific detail of the proposal's drainage design is capable of being addressed by pre-commencement condition.

10.5. Procedural Issue

10.5.1. The applicant seeks that the appeal is dismissed on the basis that it is vexatious. Having considered the grounds of appeal I consider that the matters raised constitute reasonable planning issues that require due consideration.

11.0 Recommendation

I recommend that permission be REFUSED for the reasons and considerations set out below.

12.0 Reasons and Considerations

1. The location of the proposed access is directly onto the Old Birr Road (L-1068-8) at a location where a speed limit of 60 kmph applies. Inadequate information has been provided in respect to the proposed extent of works to, and removal of, the existing line of mature trees which form part of the site's eastern roadside boundary and, as such, the impact of the provision of 120m sightlines measured at a setback of 2.4m from the carriageway required in compliance with Tables 6.1 (X-Distance Requirements) and 6.2 (Design Speeds and associated Y-Distances) of Section 6.1 (Road Design & Visibility at a Direct Access) cannot be properly assessed with regard to compliance with Policy 11-17 (c) of the Tipperary County Development Plan 2022-2028. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

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

Emma Gosnell
Planning Inspector

30th September 2026

Appendix 1

Form 1 - EIA Pre-Screening

Case Reference	PL-501656-TY-26
Proposed Development Summary	The construction of a new residential entrance and driveway to access the existing dwelling, including associated site works.
Development Address	Ballymona, Ballingarry, Roscrea Co. Tipperary
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	☒ Yes, it is a 'Project'. Proceed to Q2. ☐ No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ 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. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	Class 10(dd) – private roads exceeding 2000m in length.

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: _____

Form 2 - EIA Preliminary Examination

Case Reference	PL-501656-TY-26
Proposed Development Summary	The construction of a new residential entrance and driveway to access the existing dwelling, including associated site works.

Development Address	Ballymona, Ballingarry, Roscrea Co. Tipperary
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).	New residential entrance and driveway on lands of 0.298ha. Site clearance and enabling works required to facilitate construction. The works would not generate significant levels of waste, emissions or pollutants and all construction activities are capable of being managed in accordance with standard, best practice construction management measures. The development is significantly below the class thresholds of Class 10(dd) – private roads exceeding 2000m. The nature of the development is small scale and localised and it is not exceptional within its existing rural context. The project due to its size and nature does not give rise to significant use of natural resources or production of waste during its construction and operation. The development, by virtue of its type, does not pose a risk of major accident and/or disaster, and is not vulnerable to climate change.
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 located in Ballymona, Ballingarry, a rural townland in county Tipperary (as detailed in Section 1.0 of the Inspector's report) and comprises of greenfield and unzoned lands which form part of an established farm complex. It forms part of a substantial bank of agricultural land at this location. There are no watercourses on site, with the exception of a drainage ditch which runs along the north-west side of the site and adjacent to the local Old Birr Road. Tributaries of the Little Brosna River are located c. 2km to its north-west and c. 2.2km to its east. This river flows in a general northerly and then easterly direction away from the site and toward the Sharavogue Bog SAC. The site is underlain by the Shinrone groundwater body. There is no other nationally designated site, scenic route or protected view on or in the immediate vicinity of the appeal site. The site is also not within a designated ACA and there are no Protected Structures

	or other Cultural Heritage sites on or immediately 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).	Due to the nature and scale of the development, the site enabling and construction stages are not significant in terms of duration or complexity. The main operational impacts are limited to sightlines and traffic safety which are assessed as part of the Inspector's Report without potential for significant environmental effects that would require EIA. In considering the potential for significant cumulative effects with other plans and projects, such as those described in the planning history section of this report, I am satisfied that their location, nature and scale are such that they could not give rise to a cumulative impact.
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 2 - Appropriate Assessment Screening Determination

Screening the need for Appropriate Assessment: Screening Determination (Stage 1, Article 6(3) of Habitats Directive)

I have considered the proposal for the construction of a new residential entrance and driveway to access the existing dwelling, including associated site works.

Ballymona, Ballingarry, Roscrea Co. Tipperary in light of the requirements S177U of the Planning and Development Act 2000 as amended.

The subject site is located relative to:

European Site	Site Code	Distance
Liskeenan Fen SAC	001683	c. 3.5km
Sharavogue Bog SAC	000585	c. 4km
Scohaboy (Sopwell) Bog SAC	002206	c. 5km
Ballyduff/Clonfinane Bog	000641	c. 5.5km
Arragh More (Derrybreen) Bog SAC	002207	c. 5.5km
Kilcarren-Firville Bog SAC	000647	c. 5.5km
Dovegrove Callows SPA	004137	c. 10km
River Little Brosna Callows	004086	c. 11km
Lough Derg (Shannon) SPA	004058	c. 12km
Middle Shannon Callows SPA	004096	c. 15km
Slieve Bloom Mountains SPA	004160	c. 15km

No nature conservation concerns were raised in the planning appeal.

Having considered the nature, scale and location of the project in a rural location, 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 scale of the proposed development.
- The location of the development as part of an existing serviced agricultural complex, its distance from European Sites and the nature of intervening habitats and the absence of ecological pathways to any European Site.
- Taking into account screening determination by PA.

I conclude, on the basis of objective information, that the proposed development to be retained 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.

Appendix 3: Screening for Water Framework Directive Assessment Determination

Screening the need for Water Framework Directive Assessment Determination.

The subject site is located in Ballymona, Ballingarry, Roscrea Co. Tipperary and 2km from the nearest watercourse which is the Little Brosna River.

The proposed development comprises the construction of a new residential entrance and driveway to access the existing dwelling, including associated site works.

No water deterioration concerns were raised in the planning appeal.

I have assessed the project 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. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

The reason for this conclusion is as follows:

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

Conclusion

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