



An
Coimisiún
Pleanála

Inspector's Report PL-501660-WX-26

Development	Permission to erect a dwelling with services and domestic garage and all associated site and ancillary works.
Location	Island Upper, Rossminoge, Co.Wexford
Planning Authority	Wexford County Council
Planning Authority Reg. Ref.	20260465W
Applicant(s)	Niamh Doyle
Type of Application	Permission
Planning Authority Decision	Grant Permission + Conditions
Type of Appeal	First Party Normal Planning Appeal
Appellant(s)	Niamh Doyle
Observer(s)	Kavanagh Crane Hire Ltd. and Others
Date of Site Inspection	10 th September 2026
Inspector	Kathy Tuck

1.0 Site Location and Description

- 1.1. The appeal site is situated in a rural area at the southern edge of Craanford village, which is located approximately halfway between Carnew and Gorey in the northwest of County Wexford. The site has a stated area of c.0.390ha and is located to the rear of an existing residential dwelling and is served with an existing vehicular access from the L1021.
- 1.2. The site is rectangular in form and relatively flat in nature. The northern boundary of the appeal site is shared with undeveloped lands; the west the boundary is shared with lands which form part of a building supplies yard and the east boundary is shared with lands in agricultural use.

2.0 Proposed Development

- 2.1. This is an application for permission for the construction of a two-storey detached dwelling with a stated floor area of c.199.2sq.m, a single storey domestic garage with a stated area of c.42.6sq.m, a wastewater treatment plant and all associated site works.
- 2.2. The proposed dwelling is finished with a hipped roof profile which has a maximum ridge height of c.8.7m and is indicated to be finished with a nap plaster on all elevations with black roof slates.
- 2.3. The garage structure has a length of c.8.3m, a width of c.6m and is finished with a pitched roof profile with a ridge level of c.5.059m.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority issued a decision to Grant Planning Permission subject to 11 no. conditions on the 5th June 2026.

Condition no. 3 of the Grant of Permission stated:

Prior to commencement of development the applicant or their heirs will enter into an agreement with the Planning Authority pursuant to this condition and pursuant to

Section 47 of the Planning and Development Act 2000 (as amended). The agreement will contain an undertaking and covenant by the applicant with the Planning Authority that the applicant or the applicants will use the property as their primary permanent residence for a period of 10 years from commencement of occupation. The Planning Authority will consent to any sale of the property by a lending institution in exercise of its power as a mortgagee and likewise, consent to any sale by any person deriving title from the lending institution. The cost of the agreement shall be borne by the applicant.

REASON: To ensure that the development in this rural area is appropriately restricted in the interests of proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The report of the Planning Officer sets out details of the proposed development, the location of the site, relevant planning history, details of the pre-planning held in respect of the proposed development, details of internal reports received, and a summary of objections received, relevant national, regional and local planning policy. The report also provides for a EIA and AA screening determination.

The assessment concludes that the proposed dwelling is considered acceptable given the location of the site within the settlement boundary and built-up area of Craanford, which is designated as a Level 4 Strategic Settlement (Large Village) within Chapter 3 of the Wexford County Development Plan 2022-2028. Permission is recommended subject to condition in line with the decision issued.

3.2.2. Other Technical Reports

- Senior Executive Scientist (Environment)
Report notes no objection subject to condition.
- Roads Department
Report notes no objection subject to condition.

3.3. Prescribed Bodies

None received.

3.4. Third Party Observations

The Planning Authority received 1 no. observation which raised the following concerns:

- The proposal is not acceptable in principle, and the site is outside the boundary of the village,
- No footpath to the village and non-sequential development concerns.
- Contrary to Development Plan in relation to backland development, infill & rural development.
- Road, access & traffic concerns.
- Loss of biodiversity.
- Visually obtrusive.
- impact on neighbouring residential amenities.
- Drainage concerns.
- Land use concerns.
- No AA screening report submitted.

4.0 Planning History

Appeal Site

PA Ref 20260036W Permission REFUSED for 3 no. dwellings with services and domestic garages and all associated site and ancillary works.

The reasons for refusal were as follows:

1. Having regard to the proliferation of private wells and wastewater treatment systems in the vicinity of the site, together with the number proposed on site, it is considered that in the event of a malfunction of the wastewater treatment system the sites are

too confined to allow for the alternative positioning of the wastewater systems and consequently pose a potential public health risk. The rapid percolation throughout the site is also likely to give rise to a potential public health hazard. The proposal in its current form is therefore considered inconsistent with Objective WQ15 of the Wexford County Development Plan 2022-2028, which states that developments shall not negatively impact on water quality and quantity. It would also be prejudicial to public health and to the proper planning and sustainable development of the area.

2. The proposed access requires further consideration in relation to footpaths, reservation areas, setbacks and boundary realignments. In the absence of a suitable means of vehicular access to the site, it is considered that the development for which permission is sought would fail to satisfy the requirements of the Wexford County Development Plan 2022-2028, would interfere with the free flow of traffic, would endanger public safety by reason of traffic hazard and would, therefore, be contrary to the proper planning and sustainable development of the area.

PA Ref 20260037W Permission GRANTED to revise the location of existing bored well on site and all associated site and ancillary works

PA Ref 20241201 Permission GRANTED for a vehicular entrance to lands and all associated site and ancillary works.

PA Ref 20013532 Retention Permission GRANTED for a two-storey dwelling as a change of house design from that previously granted under planning register number 990596.

PA Ref 990596 Permission GRANTED for a two-storey dwelling with services and domestic garage.

5.0 Policy Context

5.1. Wexford County Development Plan

- 5.1.1. The site is governed by the policies and provisions contained in the Wexford County Development Plan 2022-2028 (referred to hereafter as the CDP).
- 5.1.2. Table 3-2 of the CDP sets out the settlement hierarchy for Wexford and identifies Craanford as a Level 4 'large village'. The development approach for this tier of settlement is set out in section 3.6.5 as follows:

'The spatial planning approach for these villages is to concentrate new residential growth within the exiting footprint of the village. The Council will apply the sequential approach to the development of land, focusing on the development of lands within and closest to the village centre first. 'Leap frogging' of undeveloped lands and greenfield lands will not be considered. The Council will vary the Plan to include settlement boundary maps for these settlements within three years of the adoption of the County Development Plan or within one year of the adoption of the LAPs for Wexford Town, Enniscorthy Town and New Ross Town, whichever is sooner

. . . .

In order to safeguard their continued existence into the future, it is important that growth is encouraged and facilitated in a sustainable manner. These settlements should aim to target local investment in generally small scale non intensive industry that is based on local rural resources

.....

In these settlements it is essential that growth is supported while also strictly controlled so that development is undertaken in a manner that is respectful to the character of these villages and the environmental sensitivities of these rural areas and the sensitivities of coastal settlements.'

- 5.1.3. For clarity, a settlement boundary map for Craanford has not yet been published or adopted by Wexford County Council.

5.1.4. Chapter 5 of the County Development Plan set out policies and objectives for Design and Place-making in Towns. Section 5.10 relates to Compact Growth and Regeneration and states the following:

There are significant opportunities for targeted regeneration and renewal while at the same time increasing the number of people living and working within the existing built up area of our towns and villages. These opportunities include:

- The creation of street networks, streets, buildings, blocks and places (See Section 5.9 of this chapter) which not only is an appropriate form of development in terms of permeability but is also an effective means of achieving compact growth.
- Infill, backland and brownfield development.
- Active land management including site assembly and the use of CPOs.
- Appropriate zoning of new land and matters such as density and building heights.
- Applying a more flexible approach to development management standards such as separation distances, open space provision and parking subject to performance criteria and design quality being achieved.
- Reusing or redeveloping existing sites including building more intensively
- Developing institutional lands

5.1.5. Infill Sites: Potential sites may include gap infill sites, unused or derelict land, institutional lands and backland areas, up to larger residual sites assembled from a multiplicity of ownerships. Smaller scale infill may be achieved through:

- Conversion of non-residential properties to residential use;
- Subdivision of larger residential plots to provide residential units; or
- Subdivision of larger residential properties to provide individual units within them.

5.1.6. The following sections of Volume 1 of the County Plan are considered to be relevant:

- Section 4.4 - Sustainable Housing Strategy.
- Section 4.5 - Housing Requirements.

- Section 4.6 - Locations for Future Housing.
- Section 4.7 - Future Housing Delivery.
- Section 8.8 - Sightlines which Require Works.
- Section 9.5 - Water Supply
- Section 9.11 - Flood Risk and Surface Water Management
- Section 15.6.2 - Universal Access and Design

5.1.7. Volume 2 of the CDP comprises a Development Management Manual and the following sections are considered most relevant:

- Section 3.8 Backland Residential Development

The development of backlands will contribute to an efficient use of land and contribute to urban consolidation. These proposals should comply with the requirements relating to infill development as set out in Volume 1 Chapter 5 Design and Place-making in Towns and Villages and: Avoid piecemeal development that adversely impacts on the character of the area and the established pattern of development in the area.

Development that is in close proximity to adjoining residential properties should be cognisant of the height of adjoining dwellings and location/orientation of private open spaces, to reduce overshadowing and overlooking. Access for pedestrians and vehicles should be clearly legible and, where appropriate, promote mid-block connectivity.

- Section 6.2.6 Siting and Design of Access/Egress Points
- Section 7.4 Landscape and Biodiversity
- Section 8.2 Water
- Section 8.3 Wastewater

5.1.8. Volume 7 of the Wexford County Development Plan 2022-2028 sets out the Landscape Character Assessment for the County. The following Objective is considered to be relevant:

- Objective TV36 - To pursue a variety of methods to increase the number of people living and working in our towns and villages in terms of investment decisions, local

authority own projects and in the assessment of planning applications. Such activities and methods will include, but are not limited to:

- The creation of street networks, streets, buildings and blocks and places which is both an appropriate form of development in terms of permeability and also an effective means of achieving compact growth.
- Utilising opportunities to develop infill, backland and brownfield development.
- Active land management including site assembly and the use of CPOs.
- Appropriate zoning of new land and matters such as density and building heights in local area plans.
- Applying a more flexible approach to development management standards such as separation distances, open space provision and parking subject to performance criteria and design quality being achieved.
- Reusing or redeveloping existing sites including building more intensively.
- Developing institutional lands

5.2. Section 28 Sustainable and Compact Settlements Guidelines for Planning Authorities, 2024.

Section 3.3.5 provides for a description of Rural Towns and Villages which have a population of <1,500. These settlements are not identified for significant population growth under the NPF and should grow at a limited pace that is appropriate to the service and employment function of the settlement, and the availability and capacity of infrastructure to support further development.

It is stated that Planning authorities should look to promote and support housing that would offer an alternative, including serviced sites, to persons who might otherwise construct rural one off housing in the surrounding countryside in rural towns and villages.

The key priorities for the compact growth in Rural Towns include for:

- (a) strengthen the existing urban core through the adaptation, re-use and intensification of existing building stock,
- (b) realise opportunities for infill and backland development, and

(c) provide for sequential and sustainable housing development at the edge of the settlement at suitable locations that are closest to the urban core and are integrated into, or can be integrated into the existing built up footprint of the settlement and can be serviced by necessary supporting infrastructure.

5.3. Natural Heritage Designations

The appeal site is situated c.2.5km to the north of the Slaney River Valley SAC (site code 000781) and c.11.9m to the south of the Tomnafinnoge Wood pNHA (site code 001852).

6.0 EIA Screening

The scale of the proposed development does not exceed the thresholds set out by the Planning and Development Regulations 2000 (as amended) in Schedule 5, Part 2(10), and I do not consider that any characteristics or locational aspects (Schedule 7) apply. I conclude that the need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required. Appendix 1 and Appendix 2 of my report refers.

7.0 The Appeal

7.1. Grounds of Appeal

This is a 1st Party appeal against the inclusion of condition no. 3 of the grant of permission relating to PA Ref 20260465W issued by Wexford County Council which related to a Section 47 occupancy agreement for 10 years.

The appellant submits that the Planning Authority have incorrectly applied this condition for the following reasons:

- The appeal site is situated in an urban settlement.
- No occupancy agreement is applicable to planning permissions within an urban Settlement.

- No documentation supporting local need criteria to demonstrate applicant links to the area etc was submitted – applicant did not sign any consent for Section 47 (as would be the case/policy on the Part B application forms for rural housing only).
- Site is within the settlement boundary / built up area of Craanford as per the Planner's Report Conclusion.
- Request that Condition 3 pertaining to Section 47 be removed from the planning permission.

7.2. Planning Authority Response

None received.

7.3. Observations

The Commission received 1 no. Observation on the 21st July 2026 from Kavanagh Crane Hire Ltd and others. Concerns raised can be summarised as follows:

1. The Occupancy Condition is appropriate and necessary.

- Even when a site is technically within or continuous to a village envelope – local authorities/An Coimisiún Pleanála routinely apply Section 47 occupancy conditions.
- Ensures housing serves local need as opposed to speculative non-local purchasers.
- Consistent with Core Strategy – Section 3.6.5 of County Plan.
- Planning Officers report acknowledges the backland/greenfield character of the site and applied the condition for this context.
- Removing would undermine Development Plan settlement strategy and create precedent for open market speculative housing without demonstrating local ties.
- Applicant provided no local need justification – dwelling clearly intended for open market sale.
- Condition is proportionate and long-established mechanism.

- Retention of this condition is essential for compliance with the proper planning and sustainable development of the area – deletion would render the development inconsistent with Wexford County Development Plan 2022-2028.

2. De novo refusal remains warranted (piecemeal and cynical approach).

- Current application is a transparent attempt to circumvent the recent refusal under PA REF 20260036W.
- Refusal cited serious public health risks from proliferation of private wells and wastewater treatment plants and inadequate access.
- Proposal does not overcome the previous constraints and represents piecemeal development.
- Key grounds as highlighted in objection lodged to the Planning Authority:-
 - Public Health
 - Access ground safety – access relies on previous permitted agricultural vehicular entrance (PA Ref 02041201) never intended for rural use.
 - Backland/non-sequential development.
 - Incompatibility with adjoining land use.
 - Creates a precedent for speculative development.
 - Contrary to the Core Strategy.

8.0 **Assessment**

8.1. **Introduction**

8.1.1. Having examined the application details and all other documentation on file, including the appeal, and having inspected the site and having regard to the relevant local policy guidance, I consider the main issues in relation to this appeal are as follows:

- Condition no. 3 - Section 47 occupancy agreement.

8.1.2. In the interest of clarity, I note that this 1st Party Appeal has been made against condition no. 3 of the grant of permission issued by Wexford County Council. In line

with Section 139 of the Planning and Development Act I intend to limit my consideration to the matters raised in relation to the terms of the condition.

- 8.1.3. From assessment of the Plans and Particulars submitted together with the Planning Officers report, I am satisfied that the proposed development is otherwise in accordance with the proper planning and sustainable development of the area and as such a de novo assessment is not warranted.

8.2. Condition no. 3 - Section 47 occupancy agreement

- 8.2.1. The appeal site is located in Island Upper, Rossminoge which the Planning Authority, within their assessment of the proposed development, have identified as being within the settlement boundary of Craanford. Craanford is identified as a Level 4- Large Village within the Core Strategy of the Wexford County Development Plan 2022-2028 (WCDP). The County Plan states *'The Council will vary the Plan to include settlement boundary maps for these settlements within three years of the adoption of the County Development Plan (section 3.6.5)'*. I note that there has been no variation to the plan which includes for a settlement boundary for Craanford.
- 8.2.2. The Planning Officer makes reference to section 3.6.5 of the County Plan which refers to the role, function and development approach to development within these designations. Overall, the County Plan recognises that Level 4 Large Villages have the potential to support additional growth.
- 8.2.3. Section 3.6.5 of the County Plan states in these settlements it is essential that growth is supported while also strictly controlled so that development is undertaken in a manner that is respectful to the character of these villages and the environmental sensitivities of these rural areas and the sensitivities of coastal settlements.
- 8.2.4. The Central Statistic Office (CSO) has not provided any population figures for the settlement of Craanford. However, from a review of Table 3-3 of the WCDP other Level 4 – Large Villages have populations ranging from 200 to 500 persons. Therefore, Large Villages are identified as being Rural Towns and Villages within the Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities. Section 3.3.5 of the Compact Guidelines identifies that Rural Towns and Villages should be utilised to promote and support housing that would offer an

alternative, including serviced sites, to persons who might otherwise construct rural one-off housing in the surrounding countryside in rural towns and villages.

- 8.2.5. The question therefore arises in the absence of a settlement boundary, what can be considered as being the settlement area of Craanford. From undertaken a site visit, I found that the village of Craanford appears to comprise of a takeaway restaurant, a communications shop, St Patricks Church and associated graveyard, an indoor sports complex, a GAA club, and a car dealership. All of the amenities appear to be located at the junction of the R725 and the L1021 which is situated approximately c.800m to the east of the appeal site. In addition, the appeal site is also surrounded by a number of residential dwellings and also a building supplies yard. The amenities within the village have developed in a linear manner addressing the L1021.
- 8.2.6. The Planning Officer within their report also makes reference to the proximity of the appeal site to the amenities and residential estates to justify the boundary of Craanford. I would accept this conclusion and consider that in the absence of a settlement boundary I would accept that the appeal site is situated within the settlement boundary of Craanford.
- 8.2.7. Section 47 of the Planning and Development Act relates to agreements regulating development or use of land. It is a mechanism typically utilised by the consenting authorities to restrict the sale of dwellings which were permitted in rural areas where there was a requirement to comply with the rural housing policy.
- 8.2.8. Having reviewed the rural housing strategy of Wexford County Development Plan 2022-2028 I note that there is no requirement for the applicant to demonstrate that they have a local or functional economic need to live within a Level 4 - Large Village. In this instance the applicant did not provide any documentation to demonstrate their local need to live at the appeal site and the Planning Authority did not seek this information either.
- 8.2.9. I note that an observer to this appeal has argued that the inclusion of condition no. 3 is required to demonstrate compliance with Section 3.6.5 of the County Plan. However, I note that no reference is made to requirement of a section 47 agreement for single dwelling developments under this section of the Plan. Furthermore, I consider other issues raised within the observation have been adequately addressed within the assessment of the Planning Authority.

- 8.2.10. Overall, I am of the opinion having regard to the location of the appeal site being within the settlement boundary of Cranford which is identified as a Level 4 – Large Village and Section 3.3.5 of the Sustainable and Compact Settlements Guidelines for Planning Authority which identifies that Rural Villages should promote and support housing that would offer an alternative to persons who might otherwise construct rural one off housing in the surrounding countryside in rural towns and villages, that the Planning Authority were incorrect to include Condition no. 3 which required a Section 47 Occupancy Agreement.
- 8.2.11. As such I recommend that the Planning Authority be instructed to remove Condition no. 3 from the grant of permission issued under PA Ref 20260465W.

9.0 AA Screening

- 9.1. 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 Slaney River Valley SAC (site code 000781) or any other European site, in view of the Conservation Objectives of those sites and Appropriate Assessment (and submission of a NIS) is not therefore required.
- 9.2. This determination is based on:
- The relatively minor scale of the development and lack of impact mechanisms that could significantly affect a European Site.
 - Distance from and weak indirect connections to the European sites.
 - Taking into account screening determination by Planning Authority.
- 9.3. See Appendix 3 of this report for Appropriate Assessment Screening Determination. No mitigation measures aimed at avoiding or reducing impacts on European sites were required to be considered in reaching this conclusion.

10.0 Water Framework Directive

- 10.1. The subject site is situated at Island Upper, Rossminoge, Co. Wexford. The application is seeking permission to construct 1 no. two storey dwelling houses together with all associated and ancillary site works.
- 10.2. The Lask River is situated c.420m to the north of the site which has a moderate status. The site is also situated within the Ballyglass groundwater catchment which has a good status.
- 10.3. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seeks to protect and, where necessary, restore surface & ground water bodies 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.
- 10.4. The reason for this conclusion is as follows:
- Nature of works regard the scale;
 - Location-distance from nearest Water bodies and/or lack of hydrological connections.
- 10.5. 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

I recommend that the Planning Authority be directed to REMOVE condition no. 3 of Planning Authority Ref 20260465W for the reasons and considerations set out below.

12.0 Reasons and Considerations

Having regard to the location of the appeal within the boundary of Craanford which is identified as being a Level 4 – Large Village within the Core Strategy of the Wexford County Development Plan 2022-2028, where the applicant was not required to demonstrate that they have a rural need, Section 3.3.5 of the Sustainable and Compact Settlements Guidelines for Planning Authority which identifies that Rural Villages should promote and support housing that would offer an alternative to persons who might otherwise construct rural one off housing in the surrounding countryside in rural towns and villages and to the pattern of development in the area, it is considered that The planning authority's Condition 3 requiring a Section 47 Occupancy Restriction is, therefore, not warranted.

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."

Kathy Tuck
Planning Inspector

24th September 2026

Appendix 1

Form 1 EIA Pre-Screening

Case Reference	PL-501660-WX-26
Proposed Development Summary	Permission to erect a dwelling with services and domestic garage and all associated site and ancillary works.
Development Address	Island Upper, Rossminoge, Co.Wexford
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.
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)	S. 5 P.2 10(b)(ii) 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	PL-501660-WX-26
Proposed Development Summary	Permission to erect a dwelling with services and domestic garage and all associated site and ancillary works.
Development Address	Island Upper, Rossminoge, Co.Wexford
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).	Permission is sought for the provision of a dwelling on a site situated at Island Upper, Rossminoge, Co.Wexford. It is proposed to provide for a new treatment system and water supply is proposed to be provided via a private well. The development has a modest footprint, comes forward as a standalone project, does not require demolition works, does not require the use of substantial natural resources, or give rise to significant risk of pollution or nuisance. The development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change. It presents no risks to human health.
Location of development (The environmental sensitivity of geographical areas likely to be	There are no significant sensitivities in the immediate area.

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).	There is no direction connection from the subject site to any Natura 2000 sites. The proposed development would not give rise to waste, pollution or nuisances that differ significantly from that arising from other rural developments. There are no other locally sensitive environmental sensitivities in the vicinity of relevance.
Types and characteristics of potential impacts	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.
There is no real likelihood of significant effects on the environment.	EIA is not required.

Inspector: _____ **Date:** _____

Appendix 3

AA Screening Determination

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

I have considered the proposed development in light of the requirements of S177U of the Planning and Development Act 2000 as amended.

The proposed development comprises the construction 1 no. two storey dwelling houses together, a garage, wastewater treatment plant and all associated and ancillary site works.

The Planning Authority, within their assessment, undertook a screening determination of the proposed development and found that significant effects are not likely to arise, either alone or in combination with other plans and projects that will result in significant effects to any Natura 2000 area. It was concluded that a full Appropriate Assessment of this project is therefore not required.

European Sites

The proposed development site is not located within or immediately adjacent to any site designated as a European Site, comprising a Special Area of Conservation or Special Protection Area (SPA).

The boundary of the nearest European Site is within 15 km or 1 no. of European sites are located within a potential zone of influence of the proposed development. These are:

- the Slaney River Valley SAC (site code 000781).

There are no direct natural hydrological connections from the subject site to any Natura 2000 Sites.

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 projects would not be likely to give rise to significant effects on the Slaney River Valley SAC (site code 000781) or any other European site, in view of the Conservation Objectives of those sites and Appropriate Assessment (and submission of a NIS) is not therefore required.

This determination is based on:

- The relatively minor scale of the development and lack of impact mechanisms that could significantly affect a European Site.
- Distance from and weak indirect connections to the European sites.
- Taking into account screening determination by Planning Authority.

No mitigation measures aimed at avoiding or reducing impacts on European sites were required to be considered in reaching this conclusion.