An Coimisiún Pleanála

Inspector's Report
PL-501830-CN-26

Development	RETENTION and permission to complete extension, complete restoration of dwelling and all associated site works. The works are being carried out to a Recorded Protected Structure RPS NO CV 0254.
Location	Darkley, Shercock, Cavan
Planning Authority	Cavan County Council
Planning Authority Reg. Ref.	2660020
Applicant(s)	Dyas Kneale
Type of Application	Retention & Permission
Planning Authority Decision	Grant with Conditions
Type of Appeal	Third Party Normal Planning Appeal
Appellant(s)	Martin Dempsey
Observer(s)	None
Date of Site Inspection	23rd September 2026
Inspector	Stephen Ward

Contents

1.0 Site Location and Description 3

2.0 Proposed Development 3

3.0 Planning Authority Decision 4

4.0 Planning History 6

5.0 Policy Context 6

6.0 EIA Screening 9

7.0 The Appeal 9

8.0 Assessment 10

9.0 AA Screening 15

10.0 Water Framework Directive 16

11.0 Recommendation 16

12.0 Reasons and Considerations 17

13.0 Conditions 17

Appendix 1: Form 1 EIA Pre-Screening 21

1.0 Site Location and Description

1.1. The site is located in the rural townland of Darkley, approximately 2km west of Shercock. The area is mainly characterised by undeveloped agricultural land and associated one-off dwellings and agricultural buildings.

1.2. The site itself has a stated area of 0.539ha. It is relatively flat apart from a steep embankment to the rear. It includes a small former dwelling which is a Protected Structure as per the CDP, described as '*Detached four-bay single-storey lobby-entry vernacular house, built c.1800, now in use as outbuilding'* and with a 'regional' rating. The former corrugated roof has been removed from the building, and a new pitched roof is partially constructed. A modern flat-roof extension has been constructed to the rear to provide a total floor area of 101.49m^2.

1.3. There are other single-storey outbuildings along the western site boundary which adjoins a neighbouring agricultural building and yard. There is a disused caravan being stored to the front of the site. The northern/eastern boundary adjoins the Local Road L3507 and includes a stone wall, vegetation, a pedestrian entrance, and a vehicular/agricultural entrance at the southeast corner of the site. The adjoining land to the south rises significantly and is undeveloped.

2.0 Proposed Development

2.1. In summary, permission is sought for:

- Retention and completion of the existing single-storey rear extension (c. 42m^2).
- Restoration and completion of the existing dwelling.
- Installation of a new wastewater treatment system.
- All associated siteworks.

2.2. Based on the applicant's response to the Planning Authority's Further Information request, the existing dwelling will be restored to retain the original front elevation openings and provide a red corrugated roof to match previous. The rear extension is of more contemporary character and will have a standing seam flat roof.

2.3. Vehicular access will be via the existing entrance at the southeast site corner. Wastewater will be disposed via the proposed wastewater treatment system, and water will be provided via the existing public mains.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. By Order dated 6th July 2026, Cavan County Council (CCC) made a decision to grant permission and retention permission subject to 12 conditions.

3.1.2. The conditions of the permission are generally of standard nature, including (in summary):

5 - All existing outbuildings shall be retained for future use ancillary to the dwelling house and farm complex.

6 - Development shall be monitored by a suitably qualified person with conservation expertise.

7 – Outlines landscaping measures.

8 – Outlines provisions relating to the proposed sewage treatment system.

9 – Outlines waste management procedures.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The CCC planning assessment is outlined in two planning reports, i.e. the original report recommending a request for further information (FI), and the subsequent report on the response to the FI request. The assessment can be collectively summarised as follows.

- The original report considered the proposed design to be unacceptable in terms of the proposed roof finish and window opes. Further information was requested to include proposals for a red corrugated roof finish to the existing structure, and the retention of the original window opes. The FI response satisfactorily addressed these concerns and was considered acceptable.

- In-person consultation with the Heritage Officer raised concerns that any future development of the existing stone structures would have the potential to injure the existing characteristics of the site. Therefore, any permission should include a condition that all existing outbuildings shall be retained for future use ancillary to the dwelling house and farm complex.
- A site assessment report has been submitted as part of the application in accordance with the EPA Code of Practice 2021. The report outlines that the site is suitable for development. The report confirms that the subsurface percolation value and surface percolation value are within the allowable ranges permitted. It is proposed to install a septic tank system and percolation area. The findings in the report are acceptable and satisfactory subject to conditions.
- The original report noted third-party concerns about traffic hazard and site ownership and recommended that FI be requested in this regard. The FI response clarified that the applicant is the owner of the site and the proposed entrance. The site boundaries were extended eastward to reflect the site ownership, and the angle/location of the entrance was altered to achieve sightlines of 90m to the south and 50m to the north. The response was considered acceptable subject to standard conditions.
- Given the nature and scale of the proposed development and the location of the development relative to the Natura 2000 site network, the proposed development either individually or in combination with other plans or projects would not be likely to have a significant impact on the Natura 2000 site network. Therefore, a stage 2 appropriate assessment is not required.
- A Development Contribution of €1,450 shall apply.
- The report concludes that the proposed development would be in accordance with the proper planning and sustainable development of the area. It recommends a grant of permission subject to conditions, and this forms the basis of the CCC decision.

3.2.2. Other Technical Reports

- Heritage Officer - The Planner's Report states that in-person consultation was held, and concerns were raised regarding the potential to injure the protected structure characteristics and to create a negative visual impact.

3.3. Prescribed Bodies

None.

3.4. Third Party Observations

A submission was received from the appellant. The issues raised are covered in the grounds of appeal.

4.0 Planning History

There would not appear to be any valid planning history pertaining to the site.

The Planner's Report states that an enforcement case was opened in relation to the unauthorised works carried out to this Protected Structure, which are now subject to this retention application.

5.0 Policy Context

5.1 Development Plan

The Cavan County Development Plan (CDP), incorporating a Local Area Plan for Cavan Town, 2022-2028 was adopted at a Special Council Meeting on Monday, 30 May 2022. The Plan came into effect on Monday, 11 July 2022 and has been subject to one variation (NPF Revision/Implementation) adopted in July 2026. The relevant provisions of the CDP can be summarised under the following headings:

<u>Built Heritage</u>

Section 11.2 deals with the Record of Protected Structures. Relevant objectives (as summarised) include:

RPS 1 - Protect, conserve and manage the built heritage of County Cavan and to encourage sensitive and sustainable development to ensure its preservation for future generations.

RPS 3 - Positively consider proposals to improve, alter, extend or change use of Protected Structures so as to render them viable for modern use, subject to suitably qualified Conservation Architects and / or other relevant experts, suitable design materials and construction methods.

RPS 4 - Quality contemporary and innovative designs will be supported. These designs should not detract from the historic fabric of a Protected Structure.

RPS 5 - Ensure all development works on or at the sites of Protected Structures, including site works necessary are carried out using best heritage practice for the protection and preservation of those aspects or features of the structures /site that render it worthy of protection. The form and structural integrity of Protected Structures should be retained as part of any redevelopment proposal and the relationship between the Protected Structure and any complex of adjoining buildings, designed landscape features, or designed views and vistas from to the structure should be considered.

RPS 6 - Support the re-introduction of traditional features on Protected Structures where there is evidence that such features previously existed.

Rural Housing

Section 12.13 highlights the need to distinguish between different housing needs and rural area types. The appeal site is within a 'stronger rural area' and objective SRA 01 is to '*Facilitate rural generated, social or economic housing needs subject to good planning practice in matters of location, siting, design and the protection of environmentally sensitive areas and areas of high landscape value, whilst directing urban generated housing need to areas identified for housing in the adjoining towns and villages'*.

RDR 01 - Encourage the sensitive refurbishment of existing vernacular buildings unless it is clearly demonstrated to the satisfaction of the planning authority that it is not reasonably capable of being made structurally sound and adapted for modern living standards.

RDR 03 – Outlines the criteria for the assessment of applications for refurbishment and/or replacement of existing housing stock in rural areas.

Wastewater

WTR 01 - Ensure proposals involving the installation of an on site wastewater treatment system are in accordance with the requirements of the 'EPA Code of Practice Wastewater Treatment and Disposal Systems Serving Single Houses,' (2009) or any subsequent Code of Practice which supersedes it.

WTR 03 - Proposals for significant extensions will be required to ensure that existing effluent treatment systems are adequate to cater for any additional loading that may result from the extension.

Access and Sightlines

Section 12.13.2.6 deals with 'Access and Sightlines for Rural Applications'.

AS 01 - Existing roadside hedgerows and trees shall be retained as much as possible. The entrance shall be carefully considered to achieve the required sight distance with the removal of a minimum extent of existing hedgerow.

AS 02 - New access points onto the public road network shall generally be subject to sight line visibility standards as set out in Cavan County Councils document Sightline Visibility Requirements for Junctions and Direct Accesses, contained in Appendix 4 of this Plan.

Development Management

Section 13.5.5 outlines that extensions to dwellings is an acceptable form of development which is viewed positively by the Planning Authority.

EXD 01 – This objective outlines the criteria that extensions to residential dwellings shall accord with.

5.2 National Guidance

Guidelines for Planning Authorities on Architectural Heritage Protection (2011).

Code of Practice - Wastewater Treatment and Disposal Systems Serving Single Houses (PE. ≤10) (EPA 2021).

5.4 Natural Heritage Designations

The nearest designated sites are the Loughbawn House Loughs pNHA and the Black and Derrygoony Loughs pNHA, both located c. 4.5km north of the site. There are no Natura 2000 sites within 20km of the site.

6.0 EIA Screening

The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended (or Part V of the 1994 Roads Regulations).

No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of report.

7.0 The Appeal

7.1. Grounds of Appeal

The decision of CCC to grant permission has been appealed by Martin Dempsey. The grounds of appeal can be summarised as follows:

- Notwithstanding the information submitted with the application, the area where the entrance is proposed is in the appellant's ownership, not the applicant's. The appellant has not consented to the use of his lands for access.
- Notwithstanding the above, the proposed access is on a bend in the road where adequate sight visibility splays are not possible. The proposal will therefore create a serious traffic hazard and will endanger public safety.
- The proposal would be contrary to the proper planning and sustainable development of the area and CDP policies relating to road access standards.
- The applicant has not shown any evidence of housing need at this location based on local or land-based need to justify the accommodation of rural generated housing.

7.2. Planning Authority Response

The response refers to the original reports and requests that the CCC decision is upheld.

8.0 Assessment

8.1. Introduction

Having regard to the documentation submitted in connection with the application and the appeal, including all submissions received, and having inspected the site, I consider that the main issues for assessment are as follows:

- The Principle of the Development
- Design & Built Heritage
- Access & Traffic
- Wastewater

8.2. The Principle of the Development

8.2.1. The appeal contends that a local housing need has not been established to justify the proposed development.

8.2.2. In this regard I note that the site is within a 'Stronger Rural Area' where CDP Objective SRA 01 seeks to facilitate rural generated housing needs, whilst directing urban generated housing need to adjoining towns and villages.

8.2.3. However, I would highlight that this policy relates to the construction of new rural dwellings. The proposed development involves the refurbishment and alterations of an existing building (protected structure), and I consider that the principle of such development is supported by the CDP. In particular, proposals for the refurbishment of protected structures and vernacular buildings are supported by CDP Objectives RPS 3 and RDR 01 respectively.

8.2.4. Accordingly, irrespective or rural/urban housing needs, I consider that the proposal to refurbish this underutilised protected structure to provide a modern dwelling is acceptable in principle.

8.3. **Design & Built Heritage**

8.3.1. The appeal has not raised concerns about the design of the development or any built heritage impacts. Furthermore, I have outlined in my report how the planning authority addressed concerns about the original design through a further information request and that it was ultimately satisfied with the revised proposals.

8.3.2. Having reviewed the revised proposals (as permitted), I am satisfied that the design uses appropriate scale, form, and materials to provide a suitably sensitive solution in accordance with CDP objectives for Protected Structures (RPS 1, 3, 4, 5, & 6). And in accordance with Objective RDR 03, I am satisfied that the scale and architectural treatment of the proposed works are both subservient and sympathetic to the character of the original structure and do not detract from the setting of the surrounding area, including adjoining or nearby development.

8.3.3. CDP Objective EXD 01 also outlines criteria for the assessment of extensions to residential dwellings. Regarding the extension to be retained and completed, I am satisfied that the criteria will be suitably addressed given that:

- It will be subordinate in terms of scale, will complement the local area, and will not have a negative impact on the visual or residential amenities of neighbouring dwellers of the area.
- The flat roof extension, including contemporary features, is acceptable on its merits and will provide an appropriate distinction from the original building.
- The extension shall not overlook the private area of an adjacent residence.
- The extension shall not overshadow adjacent dwellings to the degree that there is significant decrease in daylight or sunlight entering the house.
- There is no side extension or otherwise that would restrict access.
- Adequate car parking space will be retained within the curtilage of the dwelling.
- There is no requirement for the diversion of Uisce Eireann assets.

8.3.4. Having regard to the foregoing, I am satisfied that the proposed design is acceptable and will not adversely detract from the protected structures or the visual / residential amenities of the area.

8.4. Access & Traffic

8.4.1. In the first instance the appellant contends that the area where the entrance is proposed is in the appellant's ownership and that the applicant does not have consent for the use of his lands for access. The appeal is accompanied by a Property Registration Authority map which delineates the alleged "contentious area in blue and marked 'B' there-on" (stated to be 0.053ha). I note that this area overlaps with the southeastern corner of the appeal site (as revised in the FI response) and the location of the existing/proposed entrance.

8.4.2. On the other hand, the applicant's FI response included a solicitor's letter confirming that the applicant is a registered owner of the appeal site and a folio map and associated details were enclosed with the response. The planning authority was satisfied with the information submitted.

8.4.3. Notwithstanding these clearly disputed positions, I would highlight that as outlined in Section 5.13 of the Development Management Guidelines for Planning Authorities (DoEHLG, 2007), the planning system is not designed as a mechanism for resolving disputes about title to land or premises or rights over land. These are matters to be resolved between the relevant parties, having regard to the provisions of s.34(13) of the Planning and Development Act 2000 (as amended), which outlines that a person shall not be entitled solely by reason of a grant of permission to carry out any development. Accordingly, I am satisfied that the applicant has provided sufficient evidence of legal interest for the purposes of the application and the determination of this appeal case.

8.4.4. In addition to the ownership issues, the appeal also contends that adequate sightlines are not achievable from the proposed entrance and that the proposed development would create a traffic hazard which would endanger public safety.

8.4.5. In terms of sightline standards, CDP objective AS 02 outlines that 'new access points' onto the public road network shall generally be subject to sight line visibility standards as set out in Cavan County Councils document 'Sightline Visibility Requirements for Junctions and Direct Accesses', contained in Appendix 4 of the Plan. I note that this objective refers to 'new access points' whereas the proposed development proposes to use an existing entrance.

8.4.6. Appendix 4 of the CDP outlines that 'new access points' onto rural roads (>60kph) shall generally be subject to sight line visibility standards as set out in TII Publications standard DN-GEO-03060. Again however, I note that this relates to 'new access points' and roads where the speed limit is >60kph, which does not apply in this case (i.e. an existing access where the applicable speed limit is 60kph). Any specified sight distances for <60kph are limited to urban areas, which does not apply to this case.

8.4.7. Appendix 4 also outlines other factors affecting sight distance requirements, including cases where requirements may be increased or reduced depending on the 85th percentile speed of vehicles. In this regard, the planning authority may require speed measurements from Automated Traffic Counters, but it is not stated to be a mandatory requirement.

8.4.8. Having regard to the foregoing, particularly the proposal to use an existing site access point and the 60kph speed limit that applies to this rural location, I do not consider that the CDP includes a specified sight distance standard to apply in this case. Furthermore, I am satisfied that the CDP allows for discretion on sight distances depending on road conditions and vehicle speeds. Having inspected the site and existing road conditions at this location, I consider that traffic volumes are low and that vehicle speeds are limited by the width and horizontal alignment of the adjoining road.

8.4.9. I note that the applicant has demonstrated sightlines of 90m to the south and 50m to the north. I note that the measurements to the north are to the far side edge of the road, but I would acknowledge that 'near-side' measurement is not as relevant for southbound traffic using the opposite side of the road. I am also conscious that the existing stone wall roadside boundary and piers make a contribution to the built heritage value of the protected structure and I consider that it would be inappropriate to remove this boundary to maximise visibility. In any case, I am satisfied that the sightline proposals will achieve acceptable visibility from the entrance.

8.4.10. In conclusion, having regard to the proposal to use an existing access point; the appropriate retention of the existing roadside boundary wall; the existing road conditions and limited vehicular volumes/speeds at the location; the limited scale of the development and likely associated traffic volumes; and the sightlines available

from the proposed entrance; I am satisfied that any additional traffic movements associated with the proposed development are acceptable in terms of traffic safety and convenience.

8.5. **Wastewater**

8.5.1. It is proposed to install a new on-site wastewater treatment system and percolation area. This matter was not raised in the appeal, and proposals were considered acceptable by the planning authority.

8.5.2. In this regard I note that the application is supported by a 'Site Characterisation Form' including Trial Hole & Percolation Test Results in accordance with the EPA Code of Practice (CoP) for Wastewater Treatment and Disposal Systems Serving Single Houses (2021).

8.5.3. The Characterisation Form correctly identifies that the Aquifer Category is 'Poor' (Pl) and that groundwater vulnerability is 'High' at the site. The trial hole encountered the water table at c. 1.4m depth, but no bedrock was encountered. The soil conditions generally consist of clay and silt/clay.

8.5.4. Based on Table E1 of the Code of Practice (CoP), the Site Assessment indicates that the Groundwater Protection Response Matrix (R2[1]) confirms that wastewater treatment is acceptable subject to normal good practice. I consider that the response should actually be R1, which is nonetheless similarly acceptable subject to normal good practice.

8.5.5. The Site Assessment outlines that three percolation test holes were used in the subsurface percolation test for subsoil, which resulted in a percolation value of 26.17 min/25mm. A surface (soil) percolation test was also carried out, which resulted in a percolation value of 9.58 min/25mm. I am satisfied that the tests were carried out in accordance with the CoP and that the test conditions and results are consistent with the site conditions observed on my site inspection.

8.5.6. The Site Assessment concludes that the site is 'suitable for development' and recommends discharge via a packaged wastewater treatment system (P6 BAF System) onto percolation area made of raised mound from topsoil stripped from site to ensure a level area. I note that the recommendations are consistent with the interpretation of the percolation values as outlined in Table 6.4 of the CoP. I am

satisfied that the proposed wastewater treatment system would comply with the minimum separation distances as outlined in Table 6.2 of the CoP. Furthermore, I am satisfied that the proposal complies with the recommendations for packaged wastewater treatment systems receiving raw wastewater and polishing filters as outlined in sections 9 and 10.1 of the CoP.

8.5.7. Having regard to the foregoing, I am satisfied that the wastewater proposals for the proposed dwelling would be in accordance with the requirements of the CoP, which would be acceptable in accordance with the relevant provisions of the CDP including Objective WTR 01.

9.0 AA Screening

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

9.2. The proposed development is located within a rural area and comprises the restoration and extension of an existing building to provide a dwelling together with the installation of a wastewater treatment system and all associated siteworks. There are no Natura 2000 sites within 20km of the appeal site, the nearest being Killyconny Bog (Cloghbally) SAC at c. 22km to the south of the site. Furthermore, there are no significant ecological connections to the Natura 2000 network.

9.3. Having considered the nature, scale and location of the proposed development I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.

9.4. The reason for this conclusion is as follows:

- The limited scale, duration, and complexity of the proposed development and associated works.
- The significant distance from the nearest European sites and the lack of significant ecological connectivity.

9.5. I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.

9.6. Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

10.0 Water Framework Directive

10.1. An assessment of the proposed development has been undertaken with regard to the objectives set out in Article 4 of the EU Water Framework Directive, together with relevant guidance published by the Environmental Protection Agency (Ireland), including applicable codes of practice for the protection of water quality.

10.2. Having considered the nature, scale, and location of the proposed development, it is concluded that the proposal will not result in any risk of deterioration in the status of any water body, including surface waters (rivers and lakes), groundwater, transitional waters, or coastal waters. This applies to both qualitative and quantitative status, and in respect of temporary and permanent effects.

10.3. The proposed development has been designed in accordance with EPA codes of practice and best practice guidance, ensuring that appropriate measures are incorporated to prevent pollution, control runoff, and protect both surface water and groundwater receptors.

10.4. Furthermore, the development will not adversely affect the achievement of established environmental objectives, including the maintenance or attainment of Good Ecological Status/Potential and Good Chemical Status, as required under the Directive.

10.5. Accordingly, the proposed development is considered to be compliant with the requirements of Article 4.

11.0 Recommendation

I recommend that permission be GRANTED for the proposed development, subject to conditions, and for the reasons and considerations set out below.

12.0 Reasons and Considerations

Having regard to the provisions of the Cavan County Development Plan 2022-2028, the pattern and character of development in the area, the nature of the proposed development involving the restoration of a Protected Structure and the use of an existing site access point, and the design, scale and servicing proposals associated with the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not detract from the built heritage value of the Protected Structure, the visual amenities of the area, or the residential amenities of properties in the vicinity of the site, would be acceptable in terms of traffic safety and convenience, and would not be prejudicial to public health or the protection of water quality. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

13.0 Conditions

1. The development shall be retained, 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 the 29th day of May 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 on the Protected Structure the applicant/developer shall submit for the written agreement of the planning authority confirmation that:

   (a) the development will be monitored by a suitably qualified architect with conservation expertise and accreditation.

   (b) competent site supervision, project management and crafts personnel will be engaged, suitably qualified and experienced in conservation works.

(c) the existing outbuildings on site shall be retained for future use ancillary to the dwelling house.

Reason: In the interest of the protection of architectural heritage (in accordance with the provisions of the Architectural Heritage Protection Guidelines for Planning Authorities).

3. Details of the materials, colours and textures of all the external finishes to the proposed buildings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

   Reason: In the interest of visual amenity.

4. (a) All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas, or otherwise shall discharge ono the public road or adjoining properties.

   (b) The access driveway to the proposed development shall be provided with adequately sized pipes or ducts to ensure that no interference will be caused to existing roadside drainage.

   Reason: In the interest of traffic safety and to prevent flooding or pollution.

5. (a) The proposed wastewater treatment system hereby permitted shall be installed in accordance with the recommendations included within the site characterisation report submitted with this application on 22nd of January 2026 and shall be in accordance with the standards set out in the document entitled "Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10) " – Environmental Protection Agency, 2021.

   (b) Treated effluent from the wastewater treatment system shall be discharged to a polishing filter which shall be provided in accordance with the standards set out in the document entitled "Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)" – Environmental Protection Agency, 2021.

   (c) Within three months of the first occupation of the dwelling, the developer shall submit a report to the planning authority from a suitably qualified person (with professional indemnity insurance) certifying that the wastewater treatment

system and associated works is constructed and operating in accordance with the standards set out in the Environmental Protection Agency document referred to above.

Reason: In the interest of public health and to prevent water pollution.

6. Prior to the commencement of development, the developer shall enter into Connection Agreements with Uisce Éireann (Irish Water) to provide for service connections to the public water supply network.

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

7. Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including hours of working, traffic, noise and dust management measures, and off-site disposal of construction/demolition waste.

   Reason: In the interest of public safety and amenity.

8. A comprehensive boundary treatment and landscaping scheme shall be submitted to and agreed in writing with the planning authority, prior to commencement of development. Details shall include proposals for the retention of the existing roadside boundary wall and piers, retention of existing vegetation, and replacement planting in lieu of vegetation to be removed to achieve the proposed entrance visibility splays.

   Reason: In the interest of visual amenity.

9. The vehicular access, including visibility splays and roadside drainage, shall comply fully with the requirements of the planning authority for such works and services. Details in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

   Reason: In the interest of traffic safety and to prevent flooding and pollution.

10. 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 prior to commencement of development or 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.

Stephen Ward
Senior Planning Inspector

3rd November 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-501830-CN-26
Proposed Development Summary	RETENTION and permission to complete extension, complete restoration of dwelling and all associated site works. The works are being carried out to a Recorded Protected Structure RPS NO CV 0254.
Development Address	Darkley, Shercock, 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'.
	☐ 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.	
☒ No, it is not a Class specified in Part 1.	
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.	
☐ Yes, the proposed development is of a Class but is sub-threshold.	

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☐	
No ☒	**Pre-screening determination conclusion remains as above (Q1 to Q3)**

Inspector: _____ **Date:** _____