



An
Coimisiún
Pleanála

Direction
CD-022015-26
ACP-323889-25

The submissions on this file and the Inspector's report were considered at a meeting held on 13/03/2026.

The Commission decided **NOT TO DIRECT** the local authority to prepare an Environmental Impact Assessment Report in respect of the said proposed development based on the reasons and considerations set out below.

REASONS AND CONSIDERATIONS

Having regard to the provisions of Section 176 of the Planning and Development Act 2000, as amended, and Article 93 and Schedule 5 (Part 2) of the Planning and Development Regulations 2001, as amended, and following an examination of the nature and description of the development, the Commission concluded that the proposed development does not fall within any class of development specified in Schedule 5, specifically part 2 of this Schedule, of the Regulations and accordingly, a requirement for Environmental Impact Assessment screening under Section 176 of the Act does not arise. The Commission was satisfied that the submission of Schedule 7A information does not alter this conclusion.

Note:

The Commission noted that notwithstanding information received from the persons who requested the screening determination from the Commission in the early stage of the application, no reference to any class of development in Schedule 5 of the Planning and Development Regulations 2001, as amended, was set out within which

the proposed development was considered to fall. Accordingly, this requirement of Article 120(3)(c) of the Regulations in respect of the application was not met.

In the course of its examination of the application, the Local Authority was requested by the Commission to submit information in accordance with Schedule 7A of the Planning and Development Regulations 2001, as amended, and the Local Authority subsequently submitted the information requested. In its deliberations on the application, the Commission noted the Schedule 7A information on file, however, in considering the application as a whole and having regard to the relevant legislative provisions and to the conclusion reached as set out above, specifically that it was not a class within Part 2 of Schedule 5 of the Regulations, the Commission was satisfied that the submission of such information was not required in this instance. The Commission had regard to the fact that the furnishing of such Schedule 7A information does not, of itself, give rise to a requirement to undertake Environmental Impact Assessment screening. In accordance with Section 176 of the Planning and Development Act 2000, as amended, and Article 93 of the Regulations, Environmental Impact Assessment or EIA screening only arises where, in the first instance, a proposed development is of a class prescribed in Schedule 5 of the Regulations.

In arriving at its decision, the Commission agreed with the inspector's finding set out in Section 8.2.2 of the inspector's report that the project type does not fall within Part 1 or Part 2 of Schedule 5 of the Regulations including Class 10 infrastructure, (b)(iv) relating to urban development and (k) relating to coastal works to combat erosion and maritime works capable of altering the coast. As the project type is not a class within Part 2 of Schedule 5 of the Regulations, the Commission was satisfied that the question of sub-threshold Environmental Impact Assessment or consequently EIA screening does not arise.

The inspector nevertheless proceeded to undertake an assessment of the proposed development having regard to the criteria set out in Schedule 7 of the Regulations in order to determine whether sub-threshold EIA would arise. However, the

Commission did not consider the provisions relating to sub-threshold Environmental Impact Assessment arose in this instance for reasons outlined above.

Planning

Commissioner:

Patricia Calleary
Patricia Calleary

Date: 13/03/2026