



An
Bord
Pleanála

Inspector's Report

ABP-317738-23

Development	Construction of 11 no. residential units and all associated site development works.
Location	Killeagh Mills, Aghadoe, Killeagh, Co.Cork
Planning Authority	Cork County Council
Planning Authority Reg. Ref.	22/6622
Applicant(s)	B & C Horizons
Type of Application	Planning Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Richard Lynch
Observer(s)	None
Date of Site Inspection	9 th November 2023
Inspector	Gary Farrelly

1.0 Site Location and Description

- 1.1. The subject site measures 0.29 hectares and is located within the townland of Aghadoe and within the village centre of Killeagh. The site is bounded to the west by Killeagh playground, to the south by Killeagh Mill, which is a Protected Structure and Recorded Monument, and to the north and east by an access road (referred to as Aghadoe Road in the submitted Planning Statement), which leads to Killeagh playground and Glenbower Wood. Aghadoe Road also serves a number of residential dwellings and farmyards.
- 1.2. The south east corner of the site is located approximately 50 metres north of the junction of the L-3806 and approximately 80 metres north of the N-25. Opposite the south east corner there is an existing pedestrian walkway on the east side of Aghadoe Road which extends south towards the public road. This walkway is not segregated from the carriageway and is delineated by road markings.
- 1.3. The south east corner of the site is located within the Killeagh Architectural Conservation Area (ACA). A mill race which supplied water for the vertical wheel of Killeagh mill flowed from the north west corner of the site, through the centre of the site to the western side of the mill complex.
- 1.4. The River Dissour is located approximately 25 metres to the south of the site. The site is located outside Flood Zones A or B, as designated under the Cork County Development Plan 2022-2028.

2.0 Proposed Development

- 2.1. Planning permission is being sought for the construction of 11 no. residential units. The proposed units comprise of 5 no. 1-bed apartments, 5 no. 2-bed apartments and 1 no. 3-bed house. The 10 no. apartments units are to be located within a duplex type block which will have a ridge height of c. 9.5 metres. The floor area of each 1-bed apartment will measure 53sqm and these units will be located on the first floor. The floor area of each 2-bed apartment will measure 78.6-81.2sqm and these units will be located on the ground floor. The ridge height of the detached house will measure c. 7.8 metres and will have a floor area of 106.6sqm. 2 no. units are proposed to be

provided as part of Part V provision. A 3-metre wide cycling and pedestrian route is proposed along the northern section of the site.

2.2. The application is accompanied by the following documents:

- Planning Statement and Architectural Design Statement;
- Civil Engineering Report. Surface water is to be treated via SUDS and via the public storm mains along the public road L-3806 through 45m³ attenuation and hydrobrake. Waste water is to be discharged by gravity to the public mains along the L-3806.
- An Arboricultural Report and Tree Survey. It is proposed to remove all ash trees (38 no.) along the northern boundary and four dead trees along the western boundary. A Landscape Masterplan is provided showing the planting of native hedgerow and trees along the northern boundary;
- An Archaeological Assessment and a report on Archaeological test trenching;
- A traffic and transport assessment which concludes that the proposed development will have a negligible impact in terms of capacity on the junction with the public road; and
- A number of photomontages showing the visual impact on Killeagh Mills.

3.0 Planning Authority Decision

3.1. Decision

Cork County Council (The Planning Authority) granted permission by order dated 10th July 2023 subject to 47 conditions.

- Condition 3 relates to relocation of proposed bicycle store;
- Condition 14 relates to the developer retaining wayleaves over areas where services traverse private property in the event the Planning Authority decides to take in charge;
- Condition 43 relates to archaeological awareness in the form of a demarcation of the mill race;

- Condition of 44 relates to the retention of ivy on tress to protect biodiversity.

3.2. Planning Authority Reports

Planning Reports

- There are a total of 3 no. Area Planner's reports which assess the development in terms of the principle, design and layout, density, housing mix, internal standards, archaeological and architectural heritage, access, site servicing and part V provision. Net density of 44 uph is considered acceptable. National Roads Design Office originally recommended refusal, however, discussions were undertaken with TII who have no objection. Clarification of ownership of the road requested and information submitted considered acceptable. Area Planner's reports endorsed by Senior Executive Planner and Senior Planner and permission granted subject to 47 conditions.

Other Technical Reports

- Area Engineer's Report (dated 25/01/23 & 11/07/23) – No objection.
- Cork National Roads Office (Dated 26/01/23 & 07/07/23) – Refusal Recommendation.
- Water Services (Dated 12/12/22) – No objection subject to conditions.
- Public Lighting (Dated 13/12/22, 24/04/23 & 10/05/23) – No objection subject to conditions.
- Housing Officer (Dated 12/12/22) – No objection.
- Estates (dated 26/01/23 & 25/04/23) – No objection subject to conditions.
- Archaeology (dated 12/01/23 & 04/07/23) – No objection subject to condition.
- Trees (Email dated 09/11/23) – No objection.

3.3. Prescribed Bodies

- Irish Water – No objection subject to conditions.
- Transport Infrastructure Ireland – No observations.

3.4. **Third Party Observations**

3 no. third party submissions were received from Ian Lynch, James and Kathleen Rohan and Richard and Noreen Lynch. A number of issues were raised including concerns in relation to traffic safety, loss of parking, impact on built heritage, impact on the amenity of Glenbower Wood, street lighting, impact on trees and questions raised regarding ownership.

4.0 **Relevant Planning History**

Cork County Council Ref. 20/5030

CS Developments sought permission for the construction of 10. no. two storey dwelling houses consisting of 2 blocks of 3 terrace units and 1 block of 4 terrace units – application was declared withdrawn.

5.0 **Policy Context**

5.1. **Development Plan**

Cork County Development Plan 2022-2028

The site is located within the settlement boundary of Killeagh on lands zoned ‘Town Centre/Neighbourhood Centres’. Residential considered an appropriate use within this land use zoning. Killeagh identified as a Key Village within the East Cork Municipal District.

Section 3.9 Vision and Context

The vision for Killeagh is to realise the potential and value of its heritage and amenities, to promote regeneration and expansion of the village core and to encourage a more moderate rate of residential development in keeping with its role as a key village located on the Atlantic Corridor.

Objective DB-01

Within the development boundary of Killeagh encourage the development of up to 96 houses during the plan period.

The road adjoining the site is identified as a walking/cycling route within the Settlement Map. Lands to the west of the site are zoned as Green Infrastructure

Objective U-01

Maintain amenity walk through Glenbower Wood.

Objective GR-01

Protect the special character and amenity value of Glenbower Wood.

5.2. National Policy

- Project Ireland 2040 – National Planning Framework and National Development Plan 2021-2030
- Climate Action Plan 2023

5.3. Regional Policy

- Regional Spatial and Economic Strategy for the Southern Region

5.4. National Guidance

- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009).
- Best Practice Urban Design Manual (2009).
- Design Manual for Urban Roads and Streets (2019).

5.5. Natural Heritage Designations

The subject site is not located within any designated site. The subject site is located approximately 5km northwest of the Ballymacoda Bay Special Protection Area (SPA) (Site Code 004023) and 5.5km northwest of the Ballymacoda (Clonpriest and Pillmore) Special Area of Conservation (SAC) (Site Code 000077). This is also designated as a proposed Natural Heritage Area (pNHA).

5.6. Environmental Impact Assessment (EIA) Screening

Having regard to the nature, size and location of the proposed development, comprising the construction of eleven residential dwellings in an urban area, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environment impact assessment can, therefore, be

excluded at preliminary examination and a screening determination is not required. Refer to Appendix 1 regarding this preliminary examination.

6.0 The Appeal

6.1. Grounds of Appeal

A Third-Party Appeal was lodged to the Board on 8th August 2023 opposing the Planning Authority's (PA) decision. The grounds of appeal can be summarised as follows:

- Questions are raised regarding the ownership of the road to serve the development and the ownership of the two car parking spaces to be removed, claiming adverse possession; and
- It is suggested that access should be located on the eastern side of the site to avoid any conflict with the car parking spaces and land ownership situation.

6.2. Applicant Response

None

6.3. Planning Authority Response

None

6.4. Observations

None

7.0 Assessment

7.1. Having examined the application details and all other documentation on file, after an inspection of the site, and having regard to relevant local, regional and national policies and guidance, I consider that the main issues on this appeal are as follows:

- Legal Interest
- Location of Proposed Access

- Appropriate Assessment (AA) Screening

7.2. I note the design and layout of the scheme and consider the development to be in compliance with the objectives set out in the Cork County Development Plan 2022-2028 (CDP). I consider that the development will not have any adverse impact on adjoining residential amenity or visual amenity and therefore I have no objection in principle to the proposed development.

Legal Interest

7.3. The Appellant's primary ground of appeal is in relation to a question of ownership of the road and car parking spaces where access is proposed to be taken from. I note that the Planning Authority (PA) sought further information in this regard and the Applicant provided maps and a letter from Orbitus Law LLP outlining that the road in question (i.e. Aghadoe Road as referred to in the submitted Planning Statement) is a private road maintained by the Department of Forestry in which the public have a right of way. I note that the PA considered this to be an adequate response.

7.4. The Appellant should note that the planning system is not designed as a mechanism for resolving disputes about title to land or premises or rights over land. I am satisfied that the applicant has provided sufficient evidence of their legal interest for the purposes of the planning application and decision. Any further consents that may have to be obtained are essentially a subsequent matter, and are outside the scope of the planning appeal. In any case, this is a matter to be resolved between the relevant parties, having regard to the provisions of Section 34(13) of the Planning and Development Act 2000, as amended.

Location of Proposed Access

7.5. The Appellant's other ground of appeal is in relation to the location of the proposed access off Aghadoe Road. It is suggested locating the access on the eastern side of the site to avoid any conflict with the public parking spaces. I presume the Appellant means the south west corner which is highlighted by a blue arrow in his original submission on the application.

7.6. I note that Aghadoe Road is used as a pedestrian and vehicular route serving farmyards, a number of residential dwellings, a playground and Glenbower Wood. The road is designated as a walking route within the Killeagh settlement map of the CDP.

The PA's Area Engineer raised the issue of the potential conflict between vehicles and pedestrians, however, after a revised design which incorporated a raised and extended shared surface, had no objection to the development. Furthermore, the PA raised no objection to the loss of the 2 no. parking spaces.

- 7.7. I note that the proposed development will include a 3 metre wide pedestrian and cycle route segregated from the carriageway along the northern section of the site to link up with Killeagh playground. I consider that this will be a significant improvement to the safety of vulnerable road users. I note that the use of a raised shared surface at the junction with Aghadoe Road is in accordance with the principles, approaches and standards set out in DMURS.
- 7.8. Having regard to the above, I am satisfied with the location of the proposed access in terms of traffic safety. Furthermore, I have no major concerns with the loss of the 2 parking spaces to facilitate the access as I noted on the date of the site inspection that there are a number of parking facilities available, both at Killeagh Mill and at Killeagh playground.

Appropriate Assessment (AA) Screening

- 7.9. I note that the subject site is not located within any European Site. The nearest European Site is the Ballymacoda Bay Special Protection Area (SPA) (Site Code 004023), which is located approximately 5km southeast of the subject site and the Ballymacoda (Clonpriest and Pillmore) Special Area of Conservation (SAC) (Site Code 000077) which is located approximately 5.5km southeast of the subject site (*distance measured on National Parks and Wildlife Services GIS Map*).
- 7.10. The subject site is located approximately 25 metres northeast of the River Dissour. Having viewed the Environmental Protection Agency's AA Mapping tool, I note that the River Dissour is hydrologically connected to SPA 004023 and SAC 000077 via the Finisk and Womanagh Rivers. However, I note that the subject site is not hydrologically connected to the River Dissour.
- 7.11. The Qualifying Interests (QI) of SPA 004023 are Wigeon (*Anas penelope*) [A050], Teal (*Anas crecca*) [A052], Ringed Plover (*Charadrius hiaticula*) [A137], Golden Plover (*Pluvialis apricaria*) [A140], Grey Plover (*Pluvialis squatarola*) [A141], Lapwing (*Vanellus vanellus*) [A142], Sanderling (*Calidris alba*) [A144], Dunlin (*Calidris alpina*) [A149], Black-tailed Godwit (*Limosa limosa*) [A156], Bar-tailed Godwit (*Limosa*

lapponica) [A157], Curlew (*Numenius arquata*) [A160], Redshank (*Tringa totanus*) [A162], Turnstone (*Arenaria interpres*) [A169], Black-headed Gull (*Chroicocephalus ridibundus*) [A179], Common Gull (*Larus canus*) [A182], Lesser Black-backed Gull (*Larus fuscus*) [A183] and Wetland and Waterbirds [A999]. The Conservation Objectives for this SPA are to maintain the favourable conservation condition of the QI species.

7.12. The Qualifying Interests (QI) of SAC 000077 are; Estuaries [1130], Mudflats and sandflats not covered by seawater at low tide [1140], *Salicornia* and other annuals colonising mud and sand [1310], Atlantic salt meadows (*Glauco-Puccinellietalia maritima*) [1330] and Mediterranean salt meadows (*Juncetalia maritimi*) [1410]. The Conservation Objectives of this SAC are to restore the favourable conservation condition of the QI habitats.

7.13. The proposed development will discharge wastewater via the public mains and surface water via SUDs and via attenuation and a hydrobrake to the public mains. I note that there is capacity within the public wastewater treatment plant. Having regard to this, to the distance to any potential hydrological connection or any other potential pathway, I consider that the proposed development, individually or in-combination with other plans or projects, would not be likely to have a significant effect on the Natura 2000 network, in view of the said sites' conservation objectives. An appropriate assessment is not, therefore, required.

8.0 Recommendation

8.1. I recommend that planning permission should be granted, subject to conditions, for the reasons and considerations as set out below.

9.0 Reasons and Considerations

9.1. Having regard to the location of the proposed development within the village centre of Killeagh, to the established pattern of development within the vicinity of the site and to the design and layout of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity and would be acceptable in terms of public health and traffic safety and

convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 14th day of April 2023 and 12th day of June 2023, 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.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>(a) Details of any required wayleave agreements for the provision of drainage and water supply services shall be agreed in writing with the planning authority prior to commencement of the development.</p> <p>(b) Upon completion of the services works, all road surfaces shall be reinstated to the satisfaction and written agreement of the Planning Authority.</p> <p>Reason: To ensure adequate access to services and in the interest of traffic safety.</p>
3.	<p>Details of the materials, colours and textures of all the external finishes to the proposed dwellings shall be as submitted with the application, unless otherwise agreed in writing with the planning authority prior to commencement of the development.</p> <p>Reason: In the interest of visual amenity.</p>

4.	<p>The location of the proposed bicycle store shall be agreed in writing with the planning authority prior to commencement of the development.</p> <p>Reason: In the interest of residential amenity.</p>
5.	<p>Proposals for an estate/street name, house numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate and street signs, and house numbers, shall be provided in accordance with the agreed scheme. No advertisements/marketing signage relating to the name of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name.</p> <p>Reason: In the interest of urban legibility.</p>
6.	<p>The areas of public open space shown on the submitted plans shall be reserved for such use. These areas shall be levelled, contoured, soiled, seeded, and landscaped in accordance with the detailed requirements of the planning authority. This work shall be completed before any of the dwellings are made available for occupation and shall be maintained as public open space by the developer until taken in charge by the local authority.</p> <p>Reason: In order to ensure the satisfactory development of the public open space areas and their continued use for this purpose.</p>
7.	<p>(a) All landscaping works shall be completed, within the first planting season following commencement of development, in accordance with the Landscape Masterplan and Arboricultural Report and Tree Survey submitted to the planning authority.</p> <p>(b) Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.</p>

	<p>(c) Ivy shall be retained on the trees identified on the submitted tree survey as nos. 2703, 2708, 2718 and 2719.</p> <p>Reason: In the interest of biodiversity and the visual and residential amenity of the area.</p>
8.	<p>Public lighting shall be provided in accordance with a scheme, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Such lighting shall be provided prior to the making available for occupation of any unit.</p> <p>Reason: In the interests of amenity and public safety.</p>
9.	<p>The internal road network serving the proposed development, including turning bays, junctions, parking areas, footpaths and kerbs shall comply with the detailed standards of the planning authority for such road works, and shall comply, in all respects, with the standards set out in the Design Manual for Urban Roads and Streets (DMURS) issued by the Department of the Environment, Community and Local Government in March 2019, as amended.</p> <p>Reason: In the interest of amenity and of traffic and pedestrian safety.</p>
10.	<p>Prior to the commencement of development, a Resource Waste Management Plan (RWMP), as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021), shall be prepared and submitted to the planning authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.</p>

	Reason: In the interest of proper planning and sustainable development.
11.	<p>A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, waste shall be managed in accordance with the agreed plan.</p> <p>Reason: To provide for the appropriate management of waste in the interest of protecting the environment.</p>
12.	<p>Prior to the commencement of any works associated with the development hereby permitted, the developer shall submit a detailed Construction Environmental Management Plan (CEMP) for the written agreement of the planning authority. The CEMP shall include details for the collection and disposal of construction waste, surface water run-off from the site, on-site road construction, and environmental management measures during construction including working hours, noise control, dust and vibration control and monitoring of such measures. A record of daily checks that the construction works are being undertaken in accordance with the CEMP shall be kept at the construction site office for inspection by the planning authority. The agreed CEMP shall be implemented in full in the carrying out of the development.</p> <p>Reason: In the interests of public health and safety and residential amenity.</p>
13.	<p>Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p>

	<p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
14.	<p>Prior to the commencement of any works associated with the development hereby permitted, the developer shall submit a Traffic Management Plan (TMP) for the construction phase of the development for the written agreement of the planning authority. The agreed TMP shall be implemented in full during the course of construction of the development.</p> <p>Reason: In the interest of sustainable transport and safety.</p>
15.	<p>Drainage arrangements, including the attenuation and disposal of surface water and the implementation of Sustainable Urban Drainage measures, shall comply with the requirements of the planning authority for such works and services.</p> <p>Reason: In the interest of public health.</p>
16.	<p>Prior to commencement of development, the developer shall enter into water and wastewater connection agreements with Uisce Eireann.</p> <p>Reason: In the interest of public health.</p>
17.	<p>All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.</p> <p>Reason: In the interests of visual and residential amenity.</p>
18.	<p>The development hereby permitted shall be carried out and completed at least to the construction standards set out in the Recommendations for Site Development Works in Housing Areas issued by the Department of Environment and Local Government in November 1998. Following</p>

	<p>completion, the development shall be maintained by the developer in compliance with these standards until taken in charge by the Planning Authority.</p> <p>Reason: To ensure that the development is carried out and completed to an acceptable standard of construction.</p>
19.	<p>The line of the trough / leat uncovered during archaeological testing shall be demarcated on the surface of the site in accordance with the recommendations of the submitted archaeological assessment report and landscape masterplan drawing.</p> <p>Reason: To raise archaeological awareness.</p>
20.	<p>Prior to the commencement of any house or duplex unit in the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house or duplex unit), pursuant to Section 47 of the Planning and Development Act 2000, as amended, that restricts all houses and duplex units permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.</p> <p>Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.</p>
21.	<p>Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as</p>

	<p>amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Bord Pleanála for determination.</p> <p>Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area.</p>
22.	<p>Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security, to secure the provision and satisfactory completion and maintenance, until taken in charge by the local authority, of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, and for the satisfactory reinstatement of roads that may be damaged during construction, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.</p> <p>Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.</p>
23.	<p>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 should be paid prior</p>

	<p>to commencement of the 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. The application of any indexation required by this condition shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine.</p> <p>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.</p>
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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, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Gary Farrelly
Planning Inspector

28th November 2023

Appendix 1

Form 1 - EIA Pre-Screening [EIAR not submitted]

An Bord Pleanála Case Reference	317738		
Proposed Development Summary	Construction of 11 no. residential units with connection to public sewers and services		
Development Address	Killeagh Mills, Aghadoe, Killeagh, Co.Cork		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)	Yes	<input checked="" type="checkbox"/>	
	No	No further action required	
2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?			
Yes			EIA Mandatory EIAR required
No	<input checked="" type="checkbox"/>		Proceed to Q.3
3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?			
		Threshold	Comment (if relevant)
No		N/A	
Yes	<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> Class 10(b)(i) Construction of more than 500 dwelling units. Class 10(b)(iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere. 	Development is for 11 dwelling units. Subject site measures 0.29ha and therefore is well below the 10ha threshold for urban development in other parts of a built up area.
			Conclusion
			No EIAR or Preliminary Examination required
			Proceed to Q.4

4. Has Schedule 7A information been submitted?		
No	<input checked="" type="checkbox"/>	Preliminary Examination required
Yes	<input type="checkbox"/>	Screening Determination required

Form 2 - EIA Preliminary Examination

An Bord Pleanála Case Reference	317738	
Proposed Development Summary	Construction of 11 no. residential units with connection to public sewers and services	
Development Address	Killeagh Mills, Aghadoe, Killeagh, Co.Cork	
The Board carries out a preliminary examination [Ref. Art. 109(2)(a), Planning and Development Regulations 2001 (as amended)] of, at least, the nature, size or location of the proposed development having regard to the criteria set out in Schedule 7 of the Regulations.		
	Examination	Yes/No/ Uncertain
Nature of the Development Is the nature of the proposed development exceptional in the context of the existing environment? Will the development result in the production of any significant waste, emissions or pollutants?	The development is for eleven dwellinghouses within an established urban area. Removal of topsoil typical to that of housing construction. Typical construction related activities and works. Development to be undertaken in accordance with a construction management plan.	No
Size of the Development Is the size of the proposed development exceptional in the context of the existing environment? Are there significant cumulative considerations having regard to other existing and/or permitted projects?	The development site measures 0.29 hectares. The size of the development is not exceptional in the context of the existing urban environment. There is no real likelihood of significant cumulative effects with existing and permitted projects in the area. All developments in the area, existing and proposed, are similarly served by public drainage and wastewater systems. The traffic and transport assessment concludes that the proposed development will have a negligible impact in terms of capacity on the junction with the public road.	No

<p>Location of the Development</p> <p>Is the proposed development located on, in, adjoining or does it have the potential to significantly impact on an ecologically sensitive site or location?</p> <p>Does the proposed development have the potential to significantly affect other significant environmental sensitivities in the area?</p>	<p>The site is not located within any ecologically sensitive site and is approximately 25 metres north of the River Dissour which hydrologically connects to European Sites c. 5km from the site.</p> <p>Surface water and waste water are proposed to be disposed of via the public sewer.</p> <p>The site is located outside Flood Zones A and B.</p>	<p>No</p>
<p>Conclusion</p>		
<p>There is no real likelihood of significant effects on the environment.</p> <p>EIA not required.</p>	<p>There is significant and realistic doubt regarding the likelihood of significant effects on the environment.</p> <p>Schedule 7A Information required to enable a Screening Determination to be carried out.</p>	<p>There is a real likelihood of significant effects on the environment.</p> <p>EIAR required.</p>

Inspector: _____

Date: _____