



An  
Bord  
Pleanála

## Inspector's Report

### ABP-319036-24

#### Development

Permission to demolish a portion of a derelict outbuilding, renovate a portion of an existing outbuilding and to construct a new townhouse together with all ancillary services, within the curtilage of protected structures - reference numbers RPS 041 A & B.

#### Location

Park Street, Irishtown, Mountmellick, Co. Laois, R32 KN08

#### Planning Authority

Laois County Council

#### Planning Authority Reg. Ref.

2360117

#### Applicants

Martin and Bernadette Nolan

#### Type of Application

Permission.

#### Planning Authority Decision

Grant Permission.

#### Type of Appeal

Third Party

#### Appellant

Allistair Pim

#### Date of Site Inspection

5<sup>th</sup> July 2024 & 28<sup>th</sup> August 2024

#### Inspector

Dolores McCague

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## 1.0 Site Location and Description

- 1.1.1. The site is located at Park Street, Irishtown, Mountmellick, Co. Laois. The site, as outlined in red, includes two storey buildings fronting the street, dwellings, together with land to the rear, where derelict outbuildings are located.
- 1.1.2. The site is located at a junction on the N80. It is accessed, via a timber boarded gateway to the side of a dwelling. The access crosses a small green area where it has been widened by removing part of the green. The gateway opens to a yard to the rear of a dwelling from which a pedestrian gate accesses the rear yard of another dwelling. These yards are divided by concrete post and panel fencing. The first yard adjoins the rear of a bungalow which fronts the green, from which it is separated by a masonry wall.
- 1.1.3. At the western end of the yards there is a line of ruinous buildings and beyond them a small L shaped field (L shape rotated 180<sup>0</sup>), which is also part of the site. Immediately adjoining this field and bounded by it on two sides there is a roofed, circular, carousel structure within which a horse was walking/exercising on the date of inspection.
- 1.1.4. The site is irregularly shaped with projections of old buildings into the site and out from the main site.
- 1.1.5. The site is given as 0.288ha.

## 2.0 Proposed Development

- 2.1.1. The proposed development as described in the public notices comprises: to demolish a portion of a derelict outbuilding and for permission to renovate a portion of an existing outbuilding and to construct a new townhouse together with all ancillary services. The proposed works are within the curtilage of protected structures - reference numbers RPS 041 A & B.

## 3.0 Planning Authority Decision

### 3.1. Decision

3.1.1. The planning authority (PA) decided to grant permission subject to 13 conditions, including:

5 a) prior to the commencement of any development, details of proposed 'private space' boundary treatment shall be submitted to the PA for written approval. b) Existing stone boundary walls shall be retained and not removed save with the prior written consent of the PA.

Reason: In the interests of visual and residential amenity.

7 All surface water run-off from roofs, entrances and parking areas shall be collected and disposed of within the site to the surface water network. In particular, no such surface water run-off shall be allowed to discharge to the effluent disposal system, flow onto the public roadway or adjoining properties.

Reason: To prevent flooding of the public road, in the interests of traffic safety and in the interests of public health.

10 cowling of light.

11 consult with the ESB.

12 bat survey.

### 3.2. Planning Authority Reports

3.2.1. Planning Reports

3.2.2. There are four planning reports on the file, the first, recommending further information, which issued, includes:

Archaeological and Architectural Heritage - The site does not fall within any archaeological area. There are Protected Structure on site (RPS 041 A & B).

Zoned Residential 1 in the Mountmellick Local Area Plan 2018-2024. The objective is to protect and improve the amenity of developed residential communities. The purpose of this zone is intended primarily for established housing development. It is an objective on land zoned for Residential 1 to protect established residential

amenity and enhance the quality with associated open space, community uses and where an acceptable standard of amenity can be maintained, a limited range of other uses that support the overall residential function of the area, such as schools, crèches, small shops, doctor's surgeries, playing fields etc.

#### DM HS 7 BACKLAND DEVELOPMENT IN URBAN AREAS

There is the potential in appropriate circumstances to integrate new residential development into backland areas to produce a high quality residential environment.

- Sufficient distances would be maintained between the proposal and existing residential development to ensure that the proposal would not be over-bearing or over-dominant on existing built form. There are no windows to the first floor northern elevation that would give rise to overlooking on the neighbouring bungalow to the north. A separation distance of 22m would be provided between opposing first floor level windows between the proposal and the existing dwellings on site. The proposal would appear to be sufficiently removed from residential development to the south to mitigate any impacts. Therefore satisfied that the proposal would not have a detrimental amenity impact on existing residential development adjoining the site.
- The proposal is for a 4 bedroom 8 person dwelling over two storeys with a floor area of 220sqm which complies with the minimum requirements set down on the Quality Housing for Sustainable Communities Guidelines 2007. The accommodation is generally well laid out with access to good levels of natural light internally.

The applicant has submitted an Architectural Heritage Impact Assessment which concludes that 'the proposed development causes a slight to moderate impact on the character and significance of heritage locally to the site. Minimal impact is caused to the surrounding area or other Protected Structures or to the general public. If the requirement for the proposed multi use building is established and accepted, then the impacts, such as they are, may be considered acceptable. Consideration should be given to retaining the wall as an option if this does not excessively compromise the proposed building'.

- a number of concerns with the proposal:

- The bulk and scale of this dwelling for a backland site is considerable and fails to act in a subservient manner to the existing built form to the fore. In its current form it the proposal would have a detrimental impact on the setting and curtilage of the Protected Structure;
- The impact of the proposed dwelling on the structural integrity of existing stone boundary walls to the rear of the site.
- The design of the dwelling proposed is of an insufficient quality lacking architectural merit to justify this proposal within the curtilage of a Protected Structure; the Architectural Heritage Impact Assessment submitted makes reference to the 'bland almost featureless elevation' of the proposal facing the existing dwellings on site.
- The proposal would necessitate the demolition of an existing outbuilding on site. This would appear unjustified especially when the existing outbuilding could be converted to accommodate the proposed development. The preference would be appropriate use being made of the existing built form on-site;
- The applicant has failed to clarify the intended use of the existing building to be renovated.
- The applicant has failed to confirm that minimum garden space would be available for the proposed dwelling and for the existing dwellings on site

DM HS 6 of the Laois County Development Plan 2021-2027 - A landscaping plan has not been provided. connection to the existing public sewer and public water mains. No confirmation of feasibility is enclosed. Surface water will be disposed of to an on-site soakpit which is unacceptable.

A further information request regarding: siting, design and impact on the protected structure; access and car parking; drainage; access for site inspection; and third party submission, was followed by a request for further clarification.

- 3.2.3. Responses were received which included the omission of the proposed new building and an increase in the scale and extent to which the existing building is to be retained and modified.

### **3.3. Third Party Observations**

3.3.1. Third party observations on the file have been read and noted.

## **4.0 Planning History**

09/227: Permission to renovate and construct two no two storey extensions & 1 no. single storey extension to the rear of existing dwelling. The development is within the curtilage of a protected structure (record protected structure numbers 040A and 041).

## **5.0 Policy Context**

### **5.1. Development Plan**

5.1.1. The Laois County Development Plan 2021-2027 is the operative plan.

5.1.2. Relevant provisions include:

It includes zoning for Mountmellick: the site is zoned residential

RPS 041\_A Park Street Terrace, Park Street, Mountmellick

RPS 041\_B Park Street Terrace, Park Street, Mountmellick

DM HS 17 Backland Development in Urban Areas - There is the potential in appropriate circumstances to integrate new residential development into backland areas to produce a high quality residential environment.

### **12.3 Architectural Heritage**

Protected Structures are buildings, features and structures that are protected because they are representative of the diversity of the architectural heritage of the county which are of architectural, historical, archaeological, artistic, cultural, scientific, technical and social interest.

Total or substantial demolition of a Protected Structure or any significant element of the Protected Structure will not be acceptable in principle, save in exceptional circumstances where demolition and redevelopment would produce substantial

strategic benefits for the community which would decisively outweigh the loss resulting from demolition.

#### Policy Objectives

PS 2 Protect and conserve buildings, structures and sites contained in the Record of Protected Structures in accordance with 'Architectural Heritage Protection Guidelines for Planning Authorities' 2004 and ensure the effective promotion of the Architectural Heritage provisions of Planning and Development Act 2000 (as amended) and therefore the protection of Laois's built heritage, including Architectural Conservation Areas (ACAs) and Protected Structures.

PS 3 Any development, modification, alteration, or extension affecting a Protected Structure must be prepared by suitably qualified persons and Accompanied by appropriate documentation as outlined in the Architectural Heritage Protection Guidelines for Planning Authorities [DAHG, 2011] to enable a proper assessment of the proposed works and their impact on the structure or area and be carried out to best practice conservation standards. Its setting will be considered against the following criteria, and whether it is: a) Sensitively sited and designed; b) Compatible with the special character; c) Views of principal elevations of the protected structures are not obscured or negatively impacted; d) Of a premium quality of design and appropriate in terms of the proposed scale, mass, height, density, layout, and material so that the integrity of the structure and its curtilage is preserved and enhanced. Where appropriate, the Protected Structure status is used as a stimulus to the imaginative and considered design of new elements.

PS 4 Where the restoration or refurbishment of a Protected Structure or a key Architectural Conservation Area building that is in poor or fair condition is proposed and is for a purpose compatible with the character of the building, the relaxation of development management standards on unit sizes, amenity space or parking will be considered by the Council

PS 5 Refuse planning permission for the demolition of any protected structure unless the Council is satisfied that exceptional circumstances exist. The demolition of a protected structure with the retention of its façade will likewise not generally be permitted.

PS 6 Favourably consider the change of use of any structure included on the Record of Protected Structures provided such a change of use does not adversely impact on



its intrinsic character. In certain cases, the Planning Authority may relax site zoning restrictions / development standards in order to secure the preservation and restoration of the structure.

5.1.3. Mountmellick Local Area Plan 2018 – 2024 was adopted 8th October 2018, and thus remains in place until 8th October 2024.

5.1.4. Relevant provisions include:

Zoned residential

## **5.2. Natural Heritage Designations**

The nearest Natura site is the River Barrow and River Nore SAC (site code 002162), less than 500m straight line distance to the north.

## **6.0 The Appeal**

### **6.1. Grounds of Appeal**

6.1.1. Allistair Pim has submitted an appeal against the decision to grant permission.

The grounds include:

- The proposed development contravenes the LAP to protect and improve the amenity of developed residential communities.
- Impact on existing amenities and uses.
- Established use of Annegrove Stud, in situ for 50 years as a commercial stud farm and employer.

The impact on the stud farm has not been assessed with regard to the impact directly on the equine assets due close proximity on stables, training areas and paddock areas.

The income and commercial stability for Annegrove is solely reliant on a number of stallions on the farm. These animals are highly impacted by additional noise and activity and changes to light and shadowing or any change to their natural environment.

Residents may not want to be located next to a stud farm and its associated uses. This could restrict future development of the stud farm.

- The impact on Anthony Booth's cottage has not been adequately assessed: a vehicular access within 1m of the property, negative impact on residential amenity.

Light and shadowing has not been properly assessed.

Car parking has not been properly assessed. The car parking standards for the previous development have not been met. No parking has been provided on site.

- Development Management Standards

#### DM HS 6 Private Open Space in Housing Residential Development

The proposed development by reason of its design, built form and proximity to site boundaries, would constitute an overly visually dominant and overbearing development in its immediate vicinity, a discordant feature and at odds with the streetscape setting and would have a negative impact on the character and visual amenities of the surrounding area.

A minimum distance of 22m should be achieved between opposing first floor windows at the rear of dwellings. This is not demonstrated.

Harmonise with the principal building and fit into the site and surrounding area in terms of scale, bulk, form and materials. The scale and bulk is at odds with the streetscape setting.

Not have an adverse impact on the amenities of adjoining properties through undue overlooking, undue overshadowing and/or an over dominant visual impact.

No 3D drawings have been submitted. No sunlight daylight projections.

It is unclear the distances to boundaries.

- DM HS 8 Overshadowing of Dwellings and Open Space
- DM HS 17 Backland Development in Urban Areas

This needs to be examined in conjunction with DM HS 15 Infill Development but it doesn't consider other land uses. The design of such proposals does not

represent an innovative architectural response to the site and has not considered established building lines and plot width.

There has not been a unified approach and there is not consensus between all property owners, particularly Mr Booth, who's property shares a right of way and owns the green area adjacent to the entrance.

Other aspects of Mountmellick LAP not complied with BH02, ED 05 Section 1.5.4 to facilitate and encourage sustainable economic growth and employment.

- Section 2.4.2 of the CDP Mountmellick is Self-Sustaining Towns with a weak employment base. The proposed development is a threat to an existing business.

There is an abundance of land zoned residential.

- Legality

Proposed development is through a deemed right of way. It would remove a common area. The red line boundary does not include this access. Any works on this green area does not form part of this application. The appellant questions how there can be permission for a vehicular access. There is no suggestion that the entrance was ever used for vehicles and if there was ever a right of way.

In the original sale of this land the owner stipulated that no further residential development could take place.

The previous development required the provision of car parking spaces; not provided. This has resulted in unauthorised parking outside Anngrove Stud and on the green common area.

- Precedent – Board cases are referenced:

304442

310548

247270

245806

300125

## **6.2. Applicant Response**

6.2.1. The applicant has responded to the grounds of appeal. The response includes:

The proposal is for the regeneration and repair of an existing structure and should not be considered as new or infill, but essential repairs to a building in need of preservation. The proposal is specifically designed to conserve, protect and enhance the built heritage of Mountmellick.

Re. the objections raised regarding privacy, overshadowing, light, boundary fencing and parking. The council's decision is well-considered and aligns with the best interests of allowing the preservation of a building within the curtilage of a protected structure.

It is essential to recognise the broader benefits the project brings. Regenerating the existing structure which otherwise may be lost. The current condition is very poor.

There are no windows or doors on the northern elevation and therefore no privacy issues. Revisions were made and the application thoroughly assessed.

The appellant's concerns regarding overshadowing and light are completely unfounded in that the existing structure is currently in place.

There are no proposals for the removal of any boundary fences.

The area is zoned residential. The appellant is operating an equine stud farm immediately adjacent to existing residential lands. No proposed change of use is included.

Adequate parking facilities are included.

It is not possible to relocate the structure and therefore its proximity to other existing structures is fixed. It is not possible to meet criteria as outlined for new developments, particularly separation distances.

Re. scale, they are confident that the process and design, which included a lengthy appraisal from a heritage and preservation expert, has addressed these concerns.

The subject site has existing access over a right of way and no changes are proposed.

## **7.0 Assessment**

- 7.1.1. I consider that the main issues which arise in relation to this appeal are appropriate assessment, impact on existing dwellings and the character of the area, impact on protected structures, impact on the adjoining studfarm, and access, parking and legal issues and the following assessment is dealt with under those headings.

### **7.2. Appropriate Assessment / AA Screening**

- 7.2.1. In accordance with obligations under the Habitats Directives and implementing legislation, to take into consideration the possible effects a project may have, either on its own or in combination with other plans and projects, on a Natura 2000 site, there is a requirement on the Board, as the competent authority in this case, to consider the possible nature conservation implications of the proposed development on the Natura 2000 network, before making a decision.
- 7.2.2. Appendix 3 to this report details my assessment under this heading.
- 7.2.3. There is no likelihood of impact on any Natura site.

### **7.3. Impact on Existing Dwellings and the Character of the Area**

- 7.3.1. The grounds of appeal includes that the proposed development contravenes the Mountmellick Local Area Plan objective to protect and improve the amenity of developed residential communities. The impact on Anthony Booth's cottage has not been adequately assessed: a vehicular access within 1m of the property, negative impact on residential amenity, light and shadowing have not been properly assessed.
- 7.3.2. It also states that the proposed development would constitute an overly visually dominant and overbearing development, a minimum distance of 22m should be achieved between opposing first floor windows at the rear of dwellings, this is not demonstrated. It has not been shown that it would not have an adverse impact on the amenities of adjoining properties through undue overlooking, undue overshadowing and/or an over dominant visual impact. No 3D drawings have been submitted. No sunlight daylight projections. It is unclear the distances to boundaries. It does not represent an innovative architectural response to the site and has not

considered established building lines and plot width. There has not been a unified approach and there is not consensus between all property owners, particularly Mr Booth.

- 7.3.3. The applicant response includes - regarding the objections raised concerning privacy, overshadowing, light, boundary fencing and parking. The council's decision is well-considered and aligns with the best interests of allowing the preservation of a building within the curtilage of a protected structure. There are no windows or doors on the northern elevation and therefore no privacy issues. Revisions were made and the application thoroughly assessed. The appellant's concerns regarding overshadowing and light are completely unfounded in that the existing structure is currently in place. There are no proposals for the removal of any boundary fences. It is not possible to relocate the structure and therefore its proximity to other existing structures is fixed. It is not possible to meet criteria as outlined for new developments, particularly separation distances.
- 7.3.4. The proposed development is to the rear of existing residential development: the bungalow to the north, dwellings within the site to the east, and other dwellings east and south. The proposed access runs to the rear of existing dwellings and the proposed dwelling unit faces the rear of existing dwellings in close proximity.
- 7.3.5. In my opinion this backland development, does not 'complement the character of the area' and does not 'achieve a coherent and legible form'. The proposed development represents haphazard backland development, out of character with its surroundings, and this is a reason to refuse permission.

#### **7.4. Impact on Protected Structures**

- 7.4.1. The grounds of appeal includes that the proposed development does not harmonise with the principal building or fit into the site and surrounding area in terms of scale, bulk, form and materials. The scale and bulk is at odds with the streetscape setting.
- 7.4.2. The applicant response to the appeal states that the proposed development should not be considered as new or infill, but essential repairs to a building in need of preservation. The proposal is specifically designed to conserve, protect and enhance the built heritage of Mountmellick. Regarding scale, they are confident that the

process and design, which included a lengthy appraisal from a heritage and preservation expert has addressed these concerns

- 7.4.3. The proposed development is within the curtilage of two protected structures. It involves the demolition of parts of structures and alteration to structures in the curtilage of two protected structures, which structures are therefore themselves protected.
- 7.4.4. An Architectural Heritage Impact Assessment has been provided. It's focus is on the main structures and another protected structure, Ann Grove House. The proposed development is considered with reference to the visual impact as viewed from these buildings. The functional relationship between the impacted structures and the main buildings is not considered. In my opinion impacts on protected structures has not been adequately addressed. The proposed development re-uses existing structures but could not be described as conserving, protecting or enhancing built heritage.
- 7.4.5. In my opinion the proposed development would not produce substantial strategic benefits for the community such as to justify the removal of structures and significant alteration to structures.
- 7.4.6. Impact on protected structures is a reason to refuse permission.

## **7.5. Impact on the Adjoining Studfarm**

- 7.5.1. The grounds of appeal includes that the established use of Ann Grove Stud, in situ for 50 years as a commercial stud farm and employer, has not been adequately considered; the impact on the stud farm has not been assessed with regard to the impact directly on the equine assets due close proximity to stables, training areas and paddock areas. The income and commercial stability for Ann Grove is solely reliant on a number of stallions on the farm. These animals are highly impacted by additional noise and activity and changes to light and shadowing or any change to their natural environment. Residents may not want to be located next to a stud farm and its associated uses. This could restrict future development of the stud farm. It does not comply with BH02, ED 05 Section 1.5.4 of Mountmellick Local Area Plan 2018– 2024 to facilitate and encourage sustainable economic growth and employment.

- 7.5.2. The applicant response to the appeal states that - it is essential to recognise the broader benefits the project brings of regenerating the existing structure which otherwise may be lost as the current condition is very poor. The area is zoned residential. The appellant is operating an equine stud farm immediately adjacent to existing residential lands. No proposed change of use is included.
- 7.5.3. The application documents describe Anngrove as a famous stud farm. In the field adjoining the site, and bounded by it on two sides, there is a roofed, circular, carousel structure in which horses walk/exercise and which appears to be an important part of the operation of the studfarm.
- 7.5.4. Apart from stating that the site is zoned residential, the application / appeal has not addressed the concerns regarding the impact on the studfarm.
- 7.5.5. The appellant states that Annegrove is solely reliant on a number of stallions. In the absence of evidence to the contrary, there is no reason not to accept the argument that the stallions on which the enterprise relies would be highly impacted by additional noise and activity, changes to light and shadowing or any change to their natural environment.
- 7.5.6. The impact on the adjoining studfarm is a reason to refuse permission.

## **7.6. Access, Parking and Legal Issues**

- 7.6.1. The grounds of appeal includes that car parking has not been properly assessed; the car parking standards for the previous development have not been met; no parking has been provided on site.
- 7.6.2. The grounds of appeal includes that the proposed development is through a deemed right of way; it would remove a common area; the red line boundary does not include this access. Any works on this green area does not form part of this application. The appellant questions how there can be permission for a vehicular access. There is no suggestion that the entrance was ever used for vehicles, if there was ever a right of way. The previous development required the provision of car parking spaces; not provided. This has resulted in unauthorised parking outside Anngrove Stud and on the green common area.



- 7.6.3. The grounds of appeal includes that in the original sale of this land the owner stipulated that no further residential development could take place.
- 7.6.4. The applicant response to the appeal states that the subject site has existing access over a right of way and no changes are proposed.
- 7.6.5. The existing access is via a narrow gateway. The Architectural Heritage Impact Assessment refers to the accesses through the buildings being cart entrances. I consider that the description could be used for the site entrance also.
- 7.6.6. From the differences in surface dressing, the access way outside the entrance looks to have been recently widened by extending into the green area. It nevertheless appears that the entrance has limited capacity to provide access to a large parking area as proposed. Although the revised layout submitted on the 6<sup>th</sup> September 2023 is unduly dominated by an access route and parking area, I do not consider access or parking to be reasons to refuse or modify the proposed development in an existing settlement.
- 7.6.7. The issue of right of way and any arrangements which may have been entered into regarding future use/development when the property was sold, are legal matters and are outside the remit of the Board.

## **8.0 Recommendation**

- 8.1. In accordance with the foregoing I recommend that planning permission be refused for the following reasons and considerations.

## **9.0 Reasons and Considerations**

- 1 Having regard to the existing character and the prevailing pattern of development in the area, and the site location to the rear of existing residential properties, it is considered that the proposed development, by reason of its location and layout, would represent haphazard backland development, which would be out of character with its surroundings, and would be contrary to the proper planning and sustainable development of the area.

- 2 Having regard to the location of the proposed development within the curtilage of Protected Structures listed in the current Development Plan, and involving the demolition of parts of structures and alteration to structures in the curtilage of protected structures, the Board is not satisfied that the impact on protected structures has been adequately addressed or that the re-use of existing structures in the manner proposed conserves, protects or enhances the built heritage. The proposed development would accordingly be contrary to the proper planning and sustainable development of the area.
- 3 Taking account of the proximity of the proposed residential accommodation to the facilities within Anngrove stud, and of the importance of the bloodstock industry to Ireland's economy, it is considered that the potential impact on this adjoining enterprise has not been adequately considered in the application and appeal, and the Board is not satisfied, on the basis of the information available, that the proposed development would not adversely impact on the operation of the stud farm. The proposed development would accordingly be contrary to the proper planning and sustainable development of the area.

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

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Planning Inspector

30<sup>th</sup> August 2024

Appendix 1 EIA screening

Appendix 2 AA screening

Appendix 3 Photographs

Appendix 4 Laois Development Plan 2021 – 2027 extracts.

## Appendix 1 - Form 1

### EIA Pre-Screening

[EIAR not submitted]

<b>An Bord Pleanála Case Reference</b>	319036		
<b>Proposed Development Summary</b>	Demolish a portion of a derelict outbuilding and for permission to renovate a portion of an existing outbuilding and to construct a new townhouse together with all ancillary services. The proposed works are within the curtilage of protected structures - reference numbers RPS 041 A & B.		
<b>Development Address</b>	Park Street, Irishtown, Mountmellick, Co. Laois		
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b> <small>(that is involving construction works, demolition, or interventions in the natural surroundings)</small>		<b>Yes</b>	/
		<b>No</b>	No further action required
<b>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?</b>			
<b>Yes</b>		Class.....	EIA Mandatory EIAR required
<b>No</b>	/		Proceed to Q.3
<b>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]?</b>			
		<b>Threshold</b>	<b>Comment (if relevant)</b>
		N/A	<b>Conclusion</b>
<b>No</b>			No EIAR or Preliminary Examination required

Yes	/	10 (b)(i) Construction of more than 500 dwelling units.		Proceed to Q.4
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<b>4. Has Schedule 7A information been submitted?</b>				
No	/		<b>Preliminary Examination required</b>	
Yes			<b>Screening Determination required</b>	

## Form 2

### EIA Preliminary Examination

<b>Bord Pleanála Case</b>	319036		
<b>Development Summary</b>	Demolish a portion of a derelict outbuilding and for permission to renovate a portion of an existing outbuilding and to construct a new townhouse together with all ancillary services. The proposed works are within the curtilage of protected structures - reference numbers RPS 041 A & B.		
<b>Examination</b>			
			<b>Yes / No / Uncertain</b>
<b>1.</b>	Is the size or nature of the proposed development exceptional in the context of the existing environment?		No
<b>2.</b>	Will the development result in the production of any significant waste, or result in significant emissions or pollutants?		No
<b>3.</b>	Is the proposed development located on, in, adjoining or have the potential to impact on an ecologically sensitive site or location*?		No
<b>4.</b>	Does the proposed development have the potential to affect other significant environmental sensitivities in the area?		No
<b>Conclusion</b>			
<b>Based on a preliminary examination of the nature, size or location of the development, is there a real likelihood of significant effects on the environment?</b>			
There is no real likelihood of significant effects on the environment		EIAR not required	Yes
There is significant and realistic doubt in regard to the likelihood of significant effects on the environment		Screening Determination required	No

	Sch 7A info submitted?		No
There is a real likelihood of significant effects on the environment	EIAR is required	No	

**Inspector:** \_\_\_\_\_

**Date:** \_\_\_\_\_

## Appendix 2

### Template 2: Screening the need for Appropriate Assessment Screening Determination

I have considered the project: demolish a portion of a derelict outbuilding and for permission to renovate a portion of an existing outbuilding and to construct a new townhouse together with all ancillary services. The proposed works are within the curtilage of protected structures - reference numbers RPS 041 A & B, in light of the requirements S177U of the Planning and Development Act 2000 as amended.

The subject site is located at Park Street, Irishtown, Mountmellick, Co. Laois.

The proposed development comprises demolition of a derelict outbuilding and for permission to renovate a portion of an existing outbuilding and to construct a new townhouse together with all associated services connections and site works, on zoned serviced land near the centre of the town.

No nature conservation concerns were raised in the planning appeal.

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 European Site. The reason for this conclusion is as follows:

- Nature of works: small scale and nature of the development,
- The serviced nature of the brownfield site,
- Taking into account screening report and determination by PA.

I conclude that 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.

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