



An
Bord
Pleanála

Inspector's Report ABP-320592-24

Development	Conversion of 2 commercial units into 2 apartments with all associated site works.
Location	Lower Barrack Street, The Docks, Belmullet, Co. Mayo.
Planning Authority	Mayo County Council.
Planning Authority Reg. Ref.	2360525.
Applicant(s)	Thomas Talbot.
Type of Application	Permission.
Planning Authority Decision	Grant Permission.
Type of Appeal	Third Party.
Appellant(s)	James Mangan.
Observer(s)	Conradh Na Gaeilge.
Date of Site Inspection	20 February 2025.
Inspector	Stephen Rhys Thomas.

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1.0 Site Location and Description

- 1.1. This appeal relates to a site of 0.397 hectares located along the dockside in Belmullet Co Mayo. Belmullet (Béal an Mhuirthead) is a coastal Gaeltacht town located in northwest Mayo between Broadhaven Bay and Blacksod Bay at the entrance to the Mullet peninsula. The appeal site comprises a four storey apartment building along a line of similar buildings as viewed from the harbour side. From Barrack Street to the south, the buildings that abut the appeal site, are viewed as traditional two storey houses with shopfronts that address the street. The appeal site refers to the relatively recently constructed apartment side of the building block, and specifically two vacant commercial properties at ground/harbour side level. The development overlooks the harbour and is accessed from a public road running along its frontage, a public car park and children's play area are located in the vicinity.

2.0 Proposed Development

- 2.1. The development comprises a change of use, as follows:
- convert two existing commercial units, numbers 5 and 6 at dock level into residential apartments,
 - unit 5 will contain a one bedroom studio apartment
 - unit 6 will contain a two bedroom apartment
- 2.2. Further information was submitted, but did not change any aspect of the proposed development.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. The planning authority issued a notification to grant permission subject to seven conditions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

Report 1

- Further information required with regard to bicycle storage, legal interest, apartment areas and standards, parking and service yard layout.

Report 2

- Further information received satisfactory, grant permission.

3.2.2. Other Technical Reports

- Architect's Department – further information required on a number of design and residential amenity issues.
- National Roads Office – no comments.
- Preliminary Flood Risk Assessment Report – no issues.

3.2.3. Conditions

- All conditions are of a standards and technical nature, no bespoke conditions other than a contribution condition, number 7 refers.

3.3. Prescribed Bodies

None.

3.4. Third Party Observations

- 3.4.1. Ownership and use of yard space were the primary concerns of the single observer.

4.0 Planning History

4.1. Site

P04/1192 – Permission for apartments and commercial units.

P17/45 – Permission for change of use of commercial unit to restaurant.

5.0 Policy Context

5.1. Development Plan

The Mayo County Development Plan 2022-2028 refers. Belmullet is designated as a Tier II Self Sustaining Growth Centre. The site is zoned Town Centre as set out on Map BT1 - Béal an Mhuirthead Land Use Zoning.

Table 12.3 Land Use Zoning Matrix for Tier II Towns, states that apartments and houses, are uses generally permitted.

Objective BTO 5 - To encourage development in the town of Béal an Mhuirthead in accordance with the Land Use Zoning Map.

SCP 31 To promote and protect Mayo's heritage and culture and the advancement of the Irish Language.

Objective SCO 24 seeks to support and assist the formulation and implementation of Irish Language Plans (Plean Teanga) for the Gaeltacht Service Towns of Béal an Mhuirthead, Ballinrobe and Castlebar, and to promote the development of the Gaeltacht in Mayo in a manner that protects and enhances the distinctive linguistic and cultural heritage, whilst meeting the needs and aspirations of both residents and visitors alike.

5.2. National Guidelines of relevance include:

Guidelines for Planning Authorities - Design Standards for New Apartments (July 2023)

5.3. Natural Heritage Designations

- 5.3.1. The site is close to (on the opposite side of the public road) the Broadhaven Bay SAC and Blacksod Bay/Broad Haven SPA.

6.0 EIA Screening

- 6.1. The proposed development of a change of use, 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. 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

7.1.1. The grounds of appeal can be summarised as follows:

- The land between properties is not in the ownership of the applicant. Inaccurate drawings have been used to delineate property ownership lines.
- The appellant has had continuous use of the service area between buildings, a benefit the applicant has not had.
- The applicant has no legal interest over the disputed area and permission cannot be granted.

7.1.2. The grounds of appeal are accompanied by a number of maps, plans and photographs. The appeal is also digitised and the contents of the flash drive have been made available to me.

7.2. Applicant Response

7.2.1. The applicant submitted a response that can be summarised as follows:

- A reiteration and resubmission of material submitted to Mayo County Council in response to a further information request. Documentation includes drawings and land registry folios.
- Additional detail is submitted with reference to MY50770F and a geospatial survey drawing, detailing ownership and building footprint.

7.3. Planning Authority Response

None.

7.4. Observations

7.4.1. A single observation was received from Conradh Na Gaeilge and can be summarised as follows:

- Conradh Na Gaeilge identifies the relevant policies and objectives contained within the County Development Plan.
- Conditions that can be applied to a planning permission concerning the Irish Language and avoidance of compensation - Fifth Schedule, 'Conditions which may be Imposed, on the Granting of Permission to Develop Land, without Compensation' 8. *Any provision relating to the protection of the linguistic or cultural heritage of the Gaeltacht.*
- The following conditions are recommended by Conradh Na Gaeilge:
 1. That an independent language impact assessment be required for each proposed unit and all other types of proposed development in a Gaeltacht area, that the assessment be performed by a suitably qualified individual (i.e., an individual with a background or qualification in language planning or sociolinguistics), and that the assessment should prove that the development would benefit the Irish language locally.
 2. With regard to language competence for the purposes of the language impact assessment, we suggest as an acceptable necessary standard B2 or higher in spoken Irish on the Common European Framework of Reference for Languages (Council of Europe, 2001).
 3. That a specific percentage of units be reserved for Irish speakers.
 - Conradh na Gaeilge recommends that Irish be the spoken language in over 90% of homes in large developments in Gaeltacht areas in Category A and B, and in 35% of homes in Category C.
 - In this case, we recommend that at least one out of every two units be set aside for Irish speakers.
 - In the case of *Ráth Chairn Cooperation Society v. An Bord Pleanála* [2021] IEHC 703, *Ráth Chairn Cooperation Society* succeeded in a judicial review against the decision of An Bord Pleanála to approve a

housing estate containing 30 homes as well as a hotel in Ráth Chairn Gaeltacht in Co. Meath. No language conditions were attached in relation to the hotel, and the language conditions in relation to the homes could be amended and abolished through written agreement between the County Council and the developer. The High Court (Ms Justice O'Hanlon) held at paragraph 109:

[that] the language condition attached by the respondent [An Bord Pleanála] to the permission it has granted is a language condition in name only, as it does not involve a certain percentage of homes or a certain standard of Irish, instead leaving it up to the developer to agree any percentage of homes and any standard of Irish with the County Council, as long as that agreement is in writing.

4. A restriction is required on the resale of units to anyone but an Irish speaker for 15 years, along with a restriction preventing a home from being let on a long-term basis (longer than 3 months in any single year) to anyone but an Irish speaker.
5. All homes should be available for sale or long-term rental, in order to address the housing shortage in the area.
6. We do not recommend that language conditions be imposed on people in relation to units situated in their native constituency.

8.0 Assessment

8.1. The main issues in this appeal are those raised in the grounds of appeal, and I am satisfied that no other substantive issues arise. The issues can be dealt with under the following headings:

- Ownership
- Other Matters
- Conditions

8.2. Ownership

- 8.2.1. The appellant asserts that the land between properties is not in the ownership of the applicant. The appellant states that inaccurate drawings have been used to delineate property ownership lines and that over time the service area has not been accessed by the applicant. The appellant enjoys access to the narrow yard area and because the applicant has no legal interest over the disputed area, permission cannot be granted.
- 8.2.2. The planning authority took into account the third party's concerns when it came to ownership issues and required property ownership information to be clarified. The applicant duly submitted information to the planning authority, it was acknowledged and notification to grant permission issued. The same information has been submitted by the applicant in response to the grounds of appeal as well as a more detailed rendering of building footprint and ownership delineation.
- 8.2.3. At the crux of this appeal is a very narrow portion of land that sits between two buildings. The configuration of what can be best described as yard space is triangular in shape and closed off from the street at its widest end by a steel gate and the area extends to the back of the road edge. The dimensions of the triangular yard space can be seen on the drawings prepared by the applicant. The appellant references different drawings submitted with a previous planning application file number 041192 refers, these drawings exclude the contested portion of land. As a consequence, it is this narrow portion of land and who is its owner that is the primary issue to examine.

- 8.2.4. On occasion, the ownership of lands or consent of the landowner may be disputed, as is the case in this appeal. The 2007 Development Management Guidelines note that in such circumstances, the Board can seek further information pursuant to Article 33, but that “Only where it is clear from the response that the applicant does not have sufficient legal interest should permission be refused on that basis.” A clear lack of sufficient legal interest is, therefore, the appropriate test for refusing permission on this basis. In this instance, I already have sufficient information before me that shows both sides of the respective ownership story and I am satisfied that the Board will not require any further information in this respect.
- 8.2.5. On the part of the appellant, they have included drawings from a previous planning permission (planning authority reference 041192) that show the triangular space excluded from the area for which permission was sought. The reason for the gap left is explained in terms of ease of construction and to provide a service corridor. The appellant also cites correspondence from the original developer’s agent that the area in question did not form part of the Canal Court development. For a clear picture of how things stand according to the appellant, drawing 1000-03A from the original permission and drawing 23-115PP1 from the current application show two very different land ownership boundaries. Square metre area measurements are provided to further illustrate discrepancies, previous permission 331.57 sqm and the current application 397 sqm. All of this documentation has been approved and signed off by consulting civil engineers and illustrated using Ordnance Survey mapping. Lastly, it is the opinion of the appellant, folio map MY50770F is considered to contain the error concerning the inclusion of the triangular portion of land within the applicant’s ownership.
- 8.2.6. The applicant refutes most of the points above and sets out in drawings the footprint and extent of buildings and ownership, drawings No. 1, (1) and 23-115.3 of the response to the grounds of appeal refer. The applicant reproduces copies of Tailte Éireann documentation concerning land registry details and a map showing the extent of MY50770F. The applicant does not refer to the issues of servicing and the longstanding use of the yard space and open area to the front of the building that accommodate access requirements and maintenance.
- 8.2.7. From the information available to me on the file, it is very clear that a significant disagreement exists between appellant and applicant, and each party strongly

believe the other is incorrect with reference to the ownership of the narrow portion of land between buildings. Case law advises that the Board cannot ignore issues of title or landowner consent and must engage with the submissions made to it. I have engaged with all of the material submitted by each party; I have visited the site and observed the state of affairs as they currently pertain. The scope of engagement and outcome, however, is limited because the determination of title is not a matter for the Board. As I see it, the Board is entitled to accept the evidence of title provided (e.g. folio details) and is not required to go behind the registered title and to make enquiries as to who might be the beneficial owner. Where a dispute regarding sufficient interest goes to issues that the Board is not competent to resolve, then the Board can grant planning permission, knowing that it is subject to s.34(13) of the 2000 Act. This is just such an occasion, and the matter of ownership is best resolved in different forum, I recommend that reference to section 34(13) of the 2000 Act should be provided to the parties in any cover letter enclosing the Board's decision.

8.3. Other Matters

- 8.3.1. Residential Amenity - The planning authority issued a notification to grant permission for a change of use from commercial units to apartment units. I observed that the units in question are vacant at present, whilst other business premises along the main streets of the town are operational and well maintained. It is the applicant's intention that these units will be changed to a one bedroom studio unit and a single two bedroom apartment unit.
- 8.3.2. The applicant submitted further information that concerned apartment design standards, and both units exceed the minimum floor area and other quantitative standards. In terms of communal amenity space, a first-floor roof terrace will be made available in place of private amenity space and the communal space overlooks the harbour area. The units are at ground floor level, north facing and single aspect, however, the applicant explains that the built fabric, heating and ventilation will all be upgraded. In addition, the proposed units are no different to other apartments that share the same single aspect north facing orientation. Drawing 23-115.PP.1, details the configuration of apartment units, bedrooms are lit from the gap between the building to the north and the studio bedroom is lit from living/kitchen/dining area. A communal storage and bin area remains unchanged within the body of the building.

8.3.3. Both units are broadly compliant with the Guidelines for Planning Authorities - Design Standards for New Apartments (July 2023) and in this respect I note that for building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, requirements may be relaxed in part, on a case-by-case basis, subject to overall design quality. The 2023 guidelines go on to state that planning authorities are also requested to practically and flexibly apply the general requirements of these guidelines in relation to refurbishment schemes, particularly in historic buildings, some urban townscapes and 'over the shop' type or other existing building conversion projects, where property owners must work with existing building fabric and dimensions. Ultimately, building standards provide a key reference point and planning authorities must prioritise the objective of more effective usage of existing underutilised accommodation, including empty buildings and vacant upper floors commensurate with these building standards requirements. In this instance, given the town centre location, the harbour side amenities and quality of the public realm, the conversion of two vacant commercial units to residential use is acceptable. In addition, I am satisfied that the vitality and viability of the town centre is already well supported by existing commercial premises along the main streets of the town. I am satisfied that the conversion of the vacant units as proposed is compliant with the land use zoning objectives of the town and acceptable subject to conditions.

8.4. Conditions

8.4.1. The planning authority issued a notification to grant permission subject to seven conditions, all are standard and technical in nature and include a development contribution. Given the documentation on file, I see no reason to amend or adjust any conditions. The units are not described as either duplex or house, so a condition limiting the first occupation by individual purchasers i.e. those not being a corporate entity may not be appropriate in this instance. Despite both apartments being considered to be own door units and could qualify under this requirement. The number of units proposed is below the threshold for Part V requirements. In this regard I note that an exemption certificate for the construction of 4 or fewer units, or any number of units on land of 0.1 hectares or less has not been issued by the planning authority. With regard to residential amenities during construction, I recommend that the times of construction activity be restricted as per the

requirements of the planning authority, condition 7 of my report refers. If the Board are minded to grant permission in accordance with my recommendation, the suggested standard conditions set out in section 12.0 of my report are considered reasonable.

- 8.4.2. Irish Language - I note an observation on the appeal file from Conradh na Gaeilge, an organisation set up to revive the Irish language as the common language in Ireland. Conradh na Gaeilge is not a prescribed body for the purposes of the Planning and Development Regulations 2001 as amended. The current county development plan sets out its aims with respect to the Mayo Islands and Gaeltacht Mhaigh Eo, section 8.4.8.2 of the plan refers. The development plan seeks to promote and support the use of the Irish language. Specifically, policy SCP 31 To promote and protect Mayo's heritage and culture and the advancement of the Irish Language, and objective SCO 24 seeks to support and assist the formulation and implementation of Irish Language Plans (Plean Teanga) for the Gaeltacht Service Towns of Béal an Mhuirthead, Ballinrobe and Castlebar, and to promote the development of the Gaeltacht in Mayo in a manner that protects and enhances the distinctive linguistic and cultural heritage, whilst meeting the needs and aspirations of both residents and visitors alike.
- 8.4.3. Conradh na Gaeilge recommend the attachment of six conditions to do with the preservation and furtherance of the Irish Language in Belmullet (Béal an Mhuirthead) identified in the development plan as a coastal Gaeltacht town. The Mayo Development Plan supports the use of the Irish Language and objective SCO 24 is most relevant here. The development plan does not however, recommend the attachment of conditions to planning permissions requiring language plans or restricting occupation of units to Irish speakers. I also note that a Language Plan was not submitted with the planning application and the planning authority did not seek one as part of any further information request.
- 8.4.4. Conradh na Gaeilge have pointed to a legal case that was critical of the Board's application of its obligations regarding the Irish Language, *Ráth Chairn Cooperation Society v. An Bord Pleanála* [2021] IEHC 703 refers. The proposed development is for the change of use from commercial units into residential units. Conradh na Gaeilge recommend that at least one out of every two units be set aside for Irish speakers amongst other things.

8.4.5. I find the submission made by Conradh na Gaeilge to be informative and understandable given the location of the site within a Gaeltacht town designated in the County Development Plan. I am, however, conscience of the small scale of the development (two units) and the planning authority's approach to the Irish Language in the assessment of the planning application. No Irish Language assessment was sought and no specific conditions were attached to the notification to grant permission that would restrict occupation of any of the units to Irish Speakers. To attach all of the conditions sought by Conradh na Gaeilge that would not allow for agreements to be made, would in my view be a new issue to which no other parties have been privy. However, as the planning authority is best placed to assess the status of the Irish Language in Béal an Mhuirthead, it would be appropriate to attach a suitably worded Irish Language condition that seeks agreement prior to the commencement of development. I acknowledge the legal precedence advanced by Conradh na Gaeilge, however, the circumstances of this appeal are entirely different in terms of scale and a more flexible approach is more appropriate in this instance.

9.0 Appropriate Assessment (AA) Screening

- 9.1. I have considered the change of use development in light of the requirements S177U of the Planning and Development Act 2000 as amended.
- 9.2. The subject site is located at Lower Barrack Street, The Docks, Belmullet, Co. Mayo, close to (on the opposite side of the public road) the Broadhaven Bay SAC and Blacksod Bay/Broad Haven SPA. The proposed development comprises the conversion of 2 commercial units into 2 apartments.
- 9.3. No nature conservation concerns were raised in the planning appeal.
- 9.4. 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:
- The limited small scale and nature of the development, and
 - Taking into account screening report/determination by local planning authority.

- 9.5. 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.
- 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 Recommendation

- 10.1. Having regard to the above assessment, and based on the following reasons and considerations, it is recommended that permission be granted subject to conditions.

11.0 Reasons and Considerations

Having regard to the pattern and character of existing development in the area, the design and scale of the development proposed, and the provisions of the Mayo County Development Plan 2022-2028, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in accordance with the zoning objective for the site, would not detract from the visual amenity of the area, and would not seriously injure the residential amenity of surrounding properties and would not endanger public safety or convenience by reason of traffic generation or otherwise. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

12.0 Conditions

1. 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 received by the planning authority on the 16th day of July 2024, 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. (a) A minimum of 50% of the residential units hereby permitted shall be restricted to use by those who can demonstrate the ability to preserve and protect the language and culture of the Gaeltacht, for a period of 15 years.

(b) Prior to occupation of the development, the developer shall enter into a Section 47 agreement with the planning authority, to restrict the sale of units of the agreed portion of the residential elements of the development hereby permitted for the use of occupants who have an appropriate competence/fluency in Irish, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to the written satisfaction of the planning authority that it has not been possible to transact each specified housing unit for use by occupants with the required competence/fluency in Irish.

(c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning authority of satisfactory documentary evidence from the developer regarding the sales and marketing of the specified housing units, in which case the planning authority shall confirm in writing to the developer or any person with an interest in the land, that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit.

The appropriate competence / fluency in Irish required to demonstrate compliance with this occupancy clause shall be akin to that required to at a minimum pass level B2 Meánleibhéal 2 in the Teastas Eorpach na Gaeilge examinations and a future occupier of each residential unit subject of this occupancy clause shall provide proof to the developer and planning authority, by way of a compliance submission, that a nominated adult residing in the respective household has completed such an examination, or similar level of examination in the Irish language, within a reasonable timeframe of purchasing / occupying the respective residential unit.

This condition shall not affect the sale of the dwelling by a mortgagee in possession or the occupation of the dwelling by any person deriving title from such a sale.

Reason: To ensure that the proposed apartment unit(s) are used to meet policy SCP 31 of the Mayo County Development Plan and that development in this area is appropriately restricted to preserve and protect the language and culture of the Gaeltacht in the interest of the proper planning and sustainable development of the area.

3. The developer shall enter into water and wastewater connection agreements with Uisce Éireann, prior to commencement of development.

Reason: In the interests of clarity and public health.

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

Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.

5. Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and surface water management.

6. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:

- (a) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
- (b) Alternative arrangements to be put in place for pedestrians and vehicles in the

case of the closure of any public road or footpath during the course of site development works;

- (c) Provision of parking for existing properties during the construction period;
- (d) Details of on-site car parking facilities for site workers during the course of construction;
- (e) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- (f) Off-site disposal of construction/demolition waste;
- (g) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.
- (h) A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be available for inspection by the planning authority;

Reason: In the interest of amenities, public health and safety and environmental protection

7. Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Saturdays inclusive, 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.

Reason: In order to safeguard the residential amenities of property in the vicinity.

8. The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company. A management scheme providing adequate measures for the future maintenance of public open spaces, roads and communal areas shall be submitted to, and agreed in writing with, the planning authority prior to occupation of the development.

Reason: To provide for the satisfactory future maintenance of this development in the interest of residential amenity.

9. 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 Bord 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, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Stephen Rhys Thomas
Senior Planning Inspector

27 February 2025

Form 1

EIA Pre-Screening

An Bord Pleanála Case Reference	ABP-320592-24		
Proposed Development Summary	<p>The development comprises a change of use, as follows:</p> <ul style="list-style-type: none"> • convert two existing commercial units, numbers 5 and 6 at dock level into residential apartments, • unit 5 will contain a one bedroom studio apartment • unit 6 will contain a two bedroom apartment 		
Development Address	Lower Barrack Street, The Docks, Belmullet, Co. Mayo.		
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	✓
		No	
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes		N/A	Proceed to Q3.
No	✓	Development relates to a change of use, this is not a class.	✓ No further action required
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes	Tick/or leave blank	N/A	EIA Mandatory EIAR required

No	Tick/or leave blank	N/A	Proceed to Q4
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	Tick/or leave blank	N/A	Preliminary examination required (Form 2)

5. Has Schedule 7A information been submitted?		
No	N/A	Pre-screening determination conclusion remains as above (Q1 to Q4)
Yes	N/A	Screening Determination required

Inspector: _____ **Date:** _____