



An
Bord
Pleanála

Inspector's Report

ABP-321260-24

Development	Retention of alterations to domestic garage which was previously granted under planning register 20200326 and to change its use to a granny flat and all associated site works.
Location	Tomathone Upper (Limerick E.D.), Inch, Gorey, Co. Wexford
Planning Authority	Wexford County Council
Planning Authority Reg. Ref.	20241053
Applicant(s)	Niall Fanning.
Type of Application	Permission.
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant	Anne Thorpe.
Observer	None.
Date of Site Inspection	6 th June 2025.
Inspector	Peter Nelson

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Appendix 1 –

Form 1: EIA Pre-Screening

Form 2 - EIA Preliminary Examination

1.0 Site Location and Description

- 1.1. The site is in the townland of Tomathone Upper, Inch, County Wexford. The site is in a rural area and currently contains a detached two storey dwelling with another structure which is the subject of this appeal. These structures are below the level of the local road.
- 1.2. The site drops from the road from northwest to southeast. There are extensive views from the site across undulating countryside and on towards the Irish Sea.
- 1.3. Directly opposite the entrance to the site is a dormer dwelling. There are a number of detached dwellings on the northern side of the local road.
- 1.4. The site works including the entrance have yet to be completed. The stated site size is 0.40 hectares.

2.0 Proposed Development

- 2.1. It is proposed to retain the alterations to a domestic garage which was previously granted permission under P.A. ref. 20200326. Permission is sought to change the use of the garage to uses a self-contained residential family unit. Permission is also sought for alterations to the existing structure which includes a reduction in the height and the construction of a garage and internal link to the main dwelling.

3.0 Planning Authority Decision

3.1. Decision

On the 23rd October 2024 Wexford County Council granted permission for the proposed development subject to 10 No. conditions.

Conditions no.6 requires that the self-contained residential unit not be sold, let or otherwise disposed of, transferred or conveyed separately from the main dwelling unit save as part of a single dwelling unit and that when the family need ceases the unit shall be reverted to use as part of the main dwelling unit.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The main points of the planning report can be summarised as follows:

- The need for the family flat has been demonstrated.
- The details of the existing wastewater treatment system have been provided, and the Environment Section are satisfied that the system can accommodate the proposed development.
- The existing garage structure will be reduced in height to that permitted under P.A. Ref: 20200326.
- The proposed linked extension is not overly injurious to the surrounding area.
- No overlooking will occur as a result of the development.
- The building will sit below the level of the roads and the reduction in roof height of the existing structure will help to reduce the massing of the family flat structure.
- The proposed development complies with Section 3.4 of the Wexford County Development Plan 2022-2028.
- The access road is still under construction.
- Sightlines are adequate as per planning permission P.A. Ref: 20200326.
- The applicant has adequately addressed the refusal reason outlined in P.A. Ref: 20221196.
- The provision of a self-contained family flat on site complies with Section 3.3, Volume 2 of the Wexford County Development Plan 2022-2028.

3.2.2. Other Technical Reports

- Roads report dated 18th September 2024 recommends a grant of permission and the attachment of conditions.
- Environmental report dated the 18th September 2024 recommends a grant of permission and the attachment of conditions.

3.3. Prescribed Bodies

None

3.4. Third Party Observations

There was one third party observation that was signed by a number of people. The main points raised can be summarised as follows:

- The application description refers to alterations to a 'garage' when the garage was never built in the first place, as a separate residential unit was constructed.
- Issues relating to the siting of the structure forward of the main dwelling.
- Visual impact of the carport.
- The entrance has not been completed.
- A need for an additional dwelling has not been established.
- Potential light pollution.
- Over development of the site and impact on the visual amenity of the area.

4.0 Planning History

P.A. Ref: 20240728

Application withdrawn on the 14th August 2024 Permission was sought for retention of alterations to domestic garage which was previously granted under Planning Register No. 20221196 and for permission to change its use to a granny flat which will also consist of making alterations to unauthorised works to the structure and the construction of a carport and internal link to the main dwelling house.

P.A. Ref: 20231154

Application withdrawn on the 18th October 2023. Permission was sought for retention of alterations to domestic garage which was previously granted under Planning Register No. 20221196 and for permission to change its use to a granny flat which

will also consist of making alterations to unauthorised works to the structure and the construction of a carport and internal link to the main dwelling house.

P.A. Ref: 20221196

Permission refused on the 28th October 2022 for permission for retention of alterations to domestic garage which was previously granted permission under planning reg. no. 20200326 and also for permission for its change of use to a granny flat with associated working and services. Permission was refused for the following four reasons. Reason No.1 related to the detached two storey granny flat not being in accordance with Section 3.3 of Volume 2 of the County Development Plan 2022-2028 as it was not attached to the main house. Reason No.2 stated that the scale of the combined development and the site is contrary to site size requirements as set out under section 3.1.2 standards for single dwellings in rural areas. Reason No.3 stated that the proposed development is an unacceptable intensification of the site and may give rise to a public health hazard and possible environmental pollution. Reason no.4 related to inadequate sight lines at the junction of the entrance and the public road.

P.A. Ref: 2020036

Permission granted on the 29th July 2020 to erect a two-storey dwelling with domestic garage and services, with ancillary works.

5.0 Policy Context

5.1. Development Plan

The Wexford County Development Plan 2022-2028 is the operational development plan for the area. The plan became effective on the 25th July 2022.

5.2. Policies

Objective SH34

To facilitate access for people with disabilities and older people to an appropriate range of housing and related support services delivered in an integrated and

sustainable manner that promotes equality of opportunity, individual choice and independent living.

Objective SH50

To consider the development of a self-contained residential unit attached to the main dwelling house only where it is satisfactorily demonstrated that the proposed occupant is an immediate family member who is dependent on the existing occupant(s) of the main dwelling house or needs to live in close proximity to the existing occupant(s) of the main dwelling for health or support reasons. The development must comply with the relevant development management standards set out in Volume 2 and comply with normal planning and environmental criteria.

Volume 2 - 3.3 Self-contained Residential Unit for a Family Member

The provision of a self-contained residential unit for a family member will be considered subject to compliance with the following standards:

- The applicant must demonstrate that there is a need for the unit in accordance with Section 4.9.5 in Volume 1 Chapter 4 Sustainable Housing.
- The unit must be attached to the main dwelling house and must be accessible from the main dwelling house via an internal access door.
- The unit should consist of no more than a combined kitchen/dining/living room, a WC bathroom which must be fully accessible and contain no more than two bedrooms.
- Where required, it will be necessary to demonstrate that the existing on-site wastewater treatment facilities serving the main dwelling house are adequate.

5.3. Natural Heritage Designations

The Slaney River Valley Special Area of Conservation is approximately 2.5 km from the appeal site.

5.4. EIA Screening

The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

6.0 The Appeal

6.1. Grounds of Appeal

The main points raised in the third party appeal can be summarised as follows:

- A similar proposal for the retention of a granny flat was refused permission despite two open enforcement cases dating back to 2022.
- The planners report references two pre planning meetings but provides minutes for the 2024 meeting only.
- The proposed development is in accurately described and advertised.
- The description of the development as advertised includes for the provision of a carport, however the design of the proposed structure is a garage not a carport.
- The proposed development has therefore failed to comply with Section 22 (2)F of the Planning and Development Regulations.
- The subject application should be invalidated on the basis that it is inaccurately described and advertised.
- The development is contrary to Section 3.3, Volume 2 'Self-contained residential unit for a family member' of the County Development Plan 2022 to 2028.
- The design of the proposed development is such that it is a standalone residential unit and not capable of future integration into the main dwelling.

- The proposal has not been assessed in accordance with the development plan requirement for a site size of 1ha with 50% biodiversity planting.
- The size of the proposed car port, link and family unit is almost doubling the footprint of the existing dwelling.
- The location of the garage and granny flat, which is forward of the building line, represents an obtrusive development which has an over dominant visual impact on the area.
- The location of the granny flat on the opposite side of the garage is disjointed and separated from the main dwelling and will not integrate into the main dwelling in the future.
- The proposed development is on a site which does not comply with Table 3.3 'Site size dwelling floor area ratio and biodiversity requirements' as contained in the development plan.
- The applicant intentionally and knowingly undertook unauthorized development.
- The retention application should be considered on the same criteria as a normal application and against the policies in force at the time of making the application.
- The garage structure should be reduced in size to that originally permitted and used as a garage. A self-contained unit should be attached to the main dwelling and the proposed large too-bay garage proposal removed.
- The proposed development constitutes over development of the site and is not in accordance with Section 4.9.5 as it is not attached to the main dwelling and cannot be integrated in the main dwelling in the future.

6.2. Applicant Response

The main points of the applicant response can be summarised as follows:

- Questions over the validity of the appeal.

- The claim in the submission on the planning application that the appellant's wall was damaged during construction of the applicant's house is untrue as the crack is visible on Google Street View from before the construction of the dwelling.
- The proposed security lighting is normal domestic lighting and not floodlighting as claimed.
- The appellants claims that the proposed granny flat obscures their view of the Irish Sea. Google Street View shows there no view before the breaking of the entrance by the applicant.
- There is no evidence in the appeal to counter the decision made by Wexford County Council.
- The site is capable of accommodating the proposed development.
- The proposed development does not cause any adverse impacts to the surrounding countryside.
- There is a genuine need for a granny flat.

6.3. Planning Authority Response

- None

6.4. Observations

- None

6.5. Further Responses

The main points of the appellant's further response can be summarised as follows:

- Clarification of the identity of the appellant.
- The appellant has offered a response to the issues raised regarding the crack in the wall but notes this was not a point of appeal.
- The council have issued two conflicting decisions to essential the same application.

- The proposed development does not comply with section 3.1.2 “Standards for single dwellings in rural areas’ and therefore constitutes overdevelopment of the site.
- The proposed development does not comply with Section 4.9.5 “Self-contained residential units for a family member’ as it is not attached to the main dwelling and cannot be integrated into the main dwelling in the future.
- The proposed development is not a reasonable scale or form.

7.0 **Assessment**

7.1. Having examined the application details and all other documentation on file, including all the submissions received in relation to the appeal, the report/s of the local authority, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Validity of the Appeal
- Application Description
- Principle of Development
- Scale and Design
- Other Matters

7.2. **Validity of the Appeal**

7.2.1. In the applicant’s response to the appeal, concerns are raised regarding the validity of the appeal as it stated that the appellant has used alias and different names when lodging objections on planning applications. The appellant in this appeal is Ann Thorpe with address at Tomcoyne House, Upper Tomathone, Ballyfad, Co. Wexford. The submission on the original file was from Ann Thorpe, again, with address at Tomcoyne House, Upper Tomathone, Ballyfad, Co. Wexford. In the further response the appellant has submitted a birth cert and explained the reason for using different version of her name.

- 7.2.2. For the purposed of this appeal, I am satisfied that the permission making the appeal can be clearly identified and therefore I do not consider that that the appeal should be dismissed.

7.3. Application Description

- 7.3.1. The appellant claims that the description of the proposed development is incorrect as the proposal is for an enclosed garage and not a car port as described on the public notices.
- 7.3.2. I note that Wexford County Council accepted the description of the proposed development and considered the application to be valid.
- 7.3.3. Article 18 (d) of Part 4 of the Planning and Development Regulations 2001-2025 requires an applicant to provide a brief description of the nature and extent of the development in the newspaper notice. While I note that the proposed development includes a structure which is in effect a garage, I consider that for the purposes of the public notices that the overall development is adequately described and, in this regard, the original application was valid.

7.4. Principle of Development

- 7.4.1. The proposed development is for alterations to the garage as built which will result in the reduction of its height and the construction. Permission is sought for the change of use of this amended structure for use as self-contained residential unit for a family member. The self-contained residential unit is to be attached to the main dwelling with a glazed link at the rear of a proposed two door garage.
- 7.4.2. The appellant does not contest the need for self-contained residential unit but contends that the proposed development is contrary to Section 3.3, Volume 2 "Self-Contained Residential Unit for a Family Member" of the Wexford County Development Plan for several reasons.
- 7.4.3. The appellant contends that the proposed development is a stand-alone residential unit incapable of future integration into the main dwelling.

- 7.4.4. Objective SH50 of the County Development Plan requires that self-contained residential unit for a family member must comply with the relevant development management standards set out in Volume 2 and comply with normal planning and environmental criteria. Section 3.3, Volume 2 “Self-Contained Residential Unit for a Family Member” states that *‘the unit must be attached to the main dwelling house and must be accessible from the main dwelling house via an internal access door.’*
- 7.4.5. By the provision of the glazed link to the rear of proposed garage the self-contained residential unit is physically linked to the main house. I note that the permission proposal which was refused permission under P.A. Ref: 20221196 was not physically linked to the main house. I therefore consider that in this regard the proposed development complies with the development plan.
- 7.4.6. Section 3.3 of Volume 2 also requires that a condition will be applied restricting the sale or letting of the unit separate to the main dwelling house, and when use of the unit is no longer required it must be integrated into the main dwelling house. Due to the structure being linked to the main dwelling I consider that when the unit is no longer required as a self-contained residential unit it can be integrated back into the Main dwelling.
- 7.4.7. If the Board is minded to grant permission, I recommend that a condition be attached restricting the sale or letting of the unit separate to the main dwelling house, and when use of the unit is no longer required it must be integrated into the main dwelling house.

7.5. Scale and Design

- 7.5.1. The appellant contends that proposed development has not been adequately assessed by the Planning Authority as it has not overcome the second reason for refusal on the previous planning application P.A. Ref: 20221196. Reason No.2 stated that the proposed development did not comply with Table 3-3; “Site Size, Dwelling Floor Area Ratio and Biodiversity Requirements” Volume 2 of the Development Plan.

- 7.5.2. Table 3-3 relates to single dwellings in rural areas and requires that for dwellings with floor areas in excess of 300sq.m the site should be at least 1.0 hectare and 50% of the site given over to tree planting and biodiversity.
- 7.5.3. I note that the site size is 0.4 hectares. The existing dwelling house has a floor area of 271 sqm. and the self-contained residential unit with the link and garage would add an additional 134.1 sqm for floor space. I note that at the time of granting permission the dwelling and site size complied with Table No.38 of the, then current, Wexford County Development Plan 2013-2019.
- 7.5.4. I consider that Table 3-3 of the Wexford County Development Plan 2022-2028 relates to the development of new single dwelling in a rural area and is not applicable to extension to previously approved dwellings. I therefore consider that compliance with Table 3-3 not applicable in this case.
- 7.5.5. Section 3.3 *Self-contained Residential Unit for a Family Member* of the current development plans states that the design criteria for extensions to dwelling houses will be applied to these units. I will therefore assess both the self-contained unit and the garage/link extension with regard to Section 3.4 Extensions to Dwelling Houses.
- 7.5.6. Section 3.4 states that ‘the proposed extension must be of a scale and position on the site which would not be unduly incongruous with its context’. While I accept that the size of the garage extension is extensive, the dwelling and proposed extension are at a lower level than the road and given that the proposed development is single story I do not consider that it will be incongruous with the existing two-story dwelling or with the surrounding area. Given the two-story scale of the existing dwelling I do not consider that the long views to the rear of the property will be significantly impacted. Notwithstanding this, I consider that additional screen planting to the rear of the site will help to reduce any impact the additional structure will have on the visual amenity of the area. If the Board is minded to grant permission, I recommend a condition to be attached requiring additional indigenous screening to the rear of the glazed link and the self-contained residential unit.
- 7.5.7. I consider that the proposed development will not have an adverse impact on the amenities of adjoining properties through undue overlooking, undue overshadowing and, for the reason stated above in Section 7.5.6, an over dominant visual impact.

7.6. Other Matters

Wastewater Treatment System

- 7.6.1. It is proposed to use the existing wastewater treatment system for the one-bedroom self-contained residential unit. I note that Site Characterisation assessment submitted with the application of the original dwelling allowed for a maximum of 10 residents. The main dwelling has four double bedrooms and the proposed self-contained unit has an additional double bedroom. I am satisfied that the wastewater treatment system can accommodate the additional loading from the self-contained residential unit. I note that the report dated 18th September 2024 from the Senior Executive Scientist on the application noted that during the site visit, no visible signs of malfunction of the system were observed.

Entrance

- 7.6.2. The entrance to the site has not been completed. The submitted site layout plan shows the entrance with 65m sightlines. This is same entrance as that granted for the original dwelling under planning permission P.A. Ref: 20200326. The Planning Authority Roads Report dated the 18th September 2024 notes that these sightlines can be achieved. From my site visit I also consider that this is the case. I recommend that if the Board is minded to grant permission, a condition be attached requiring the entrance and required sightlines to be completed before the occupation of the self-contained residential unit.

8.0 AA Screening

- 8.1. I have considered the self-contained unit and garage in light of the requirements S177U of the Planning and Development Act 2000 as amended.
- 8.2. The subject site is located in a rural area approximately 2.5km from the Slaney River Valley Special Area of Conservation.
- 8.3. The proposed development comprises of the retention of the alterations to a domestic garage and its change the use to use as a self-contained residential family unit. The development also includes alterations to the existing structure which includes a reduction in the height and the construction of a garage and internal link to the main dwelling.

- 8.4. No nature conservation concerns were raised in the planning appeal.
- 8.5. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.

The reason for this conclusion is as follows:

- Nature of works e.g. small scale and nature of the development
 - Location-distance from nearest European site and lack of connections.
 - Taking into account screening report/determination by the Planning Authority.
- 8.6. I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.
- 8.7. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

9.0 Water Framework Directive

- 9.1. The subject site is located c.0.46km from the Inch River Waterbody IE_SE_11I010130 and in the catchment of the Inch Groundwater IE_SE_G_075.
- 9.2. The proposed development comprises of the retention of the alterations to a domestic garage and its change the use of the garage to uses a self-contained residential family unit. The development also includes alterations to the existing structure which includes a reduction in the height and the construction of a garage and internal link to the main dwelling.
- 9.3. No water deterioration concerns were raised in the planning appeal.
- 9.4. I have assessed the ancillary family accommodation and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. 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 surface and/or groundwater water bodies either qualitatively or quantitatively.

9.5. The reason for this conclusion is as follows:

- The small scale and nature of the development.
- The limited additional loading on the existing wastewater treatment plant
- The distance from nearest Water bodies.

10.0 Recommendation

I recommend that permission be granted for the following reasons and considerations and subject to the conditions below.

11.0 Reasons and Considerations

Having regard to the provisions of the Wexford County Development Plan 2022-2028, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in compliance with the self-contained residential units for family members requirements contained in Objective SH50 of the Development Plan and would not seriously injure the residential or amenities of the area. 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 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. Apart from any departures specifically authorised by this permission, the development shall comply with the conditions of the previous permission, Register Reference 20200326 unless the conditions set out hereunder specify otherwise.

Reason: In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission.

3. The entrance to the site shall be completed before the occupation of the self-contained residential unit. The sightlines shall be retained thereafter in perpetuity. Nothing shall be constructed or allowed to grow within the sightlines envelope which would obstruct sightlines.

Reason: To ensure the provision of the required sightlines in the interest of traffic safety.

4. The external finishes of the proposed extension including roof tiles/slates shall harmonise with those of the existing dwelling in respect of colour and texture.

Reason: In the interest of visual amenity.

5. The independent family unit for a family member shall not be sold, let or otherwise conveyed as an independent living unit and shall revert to use as part of the main dwelling on the cessation of such use. The existing garden and curtilage of the overall residential property on this site shall not be subdivided.

Reason: In order to comply with the objective SH50 of the Wexford County Development Plan 2022-2028.

6. (a) The landscaping shown on the site layout plan drawing number NFKD-PI01.01 shall be carried out within the first planting season following substantial completion of external construction works.

(b) The proposed indigenous screening to the rear of the dwellings shall be extended to the rear of the glazed link and the self-contained residential unit.

Reason: In the interest of residential and visual amenity.

7. The proposed garage shall not be used for habitation or for commercial purposes or for any other purposes other than for purposes incidental to the enjoyment of the house.

Reason: In the interest of residential amenity and the proper planning and development of the area.

8. All surface water generated within the boundaries of the site shall be collected and disposed of within the curtilage of the site.

Reason: In the interest of public health.

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.

Peter Nelson
Planning Inspector

7th June 2025

Form 1 - EIA Pre-Screening

Case Reference	ABP 321260-24
Proposed Development Summary	Retention of alterations to domestic garage and change of its use to a granny flat. Permission for alterations to the structure and for a car port and link to main dwelling.
Development Address	Tomathone Upper, Inch, Gorey, Co. Wexford
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2. <input type="checkbox"/> No, no further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	

<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
<input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	Class/Threshold: Part 2 Class 10 (b) Construction of more than 500 dwelling units. The proposal is for the construction of a 1 no. bedroom 'granny flat'.

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4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes <input type="checkbox"/>	
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ **Date:** _____

Form 2 - EIA Preliminary Examination

Case Reference	ABP 321260-24
Proposed Development Summary	Retention of alterations to domestic garage and change of its use to a granny flat. Permission for alterations to the structure and for a car port and link to main dwelling.
Development Address	Tomathone Upper, Inch, Gorey, Co. Wexford
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	Briefly comment on the key characteristics of the development, having regard to the criteria listed. The project due to its size and nature would not give rise to significant production of waste during both the construction and operation phases or give rise to significant risk of pollution and nuisance. The project characteristics pose no significant risks to human health. The proposed development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	Briefly comment on the location of the development, having regard to the criteria listed The appeal site is approximately 2.5km from the Slaney River Valley Special Area of Conservation Noting the threshold that would trigger an AA is different to that of EIA I am of the opinion that the proposed development is not likely to have potential to significantly effect on other significant environmental sensitives in the area. It is considered that, having regard to the limited nature and scale of the development, there is no real likelihood of significant effect on other significant environmental sensitivities in the area.
Types and characteristics of potential impacts (Likely significant effects on environmental parameters,	Having regard to the characteristics of the development and the sensitivity of its location, consider the potential for SIGNIFICANT effects, not just effects.

<p>magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).</p>	<p>The size of the proposed development is notably below the mandatory thresholds in respect of a Class 10 Infrastructure Projects of the Planning and Development Regulations 2001 as amended. There is no real likelihood of significant effects on the environmental parameters or significant effects arising from cumulative considerations having regard to other existing and/or permitted projects in the adjoining area.</p>
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
<p>There is no real likelihood of significant effects on the environment.</p>	<p>EIA is not required.</p>

Inspector: _____ **Date:** _____

DP/ADP: _____ **Date:** _____

(only where Schedule 7A information or EIAR required)