



An  
Coimisiún  
Pleanála

## Inspector's Report ABP-321520-24

<b>Development</b>	Outline permission for construction of 4 no. houses
<b>Location</b>	Dungory West, Kinvara, Co. Galway
<b>Planning Authority</b>	Galway County Council
<b>Planning Authority Reg. Ref.</b>	2461294
<b>Applicant(s)</b>	Alice, Claire, Patrick & Seamus Higgins
<b>Type of Application</b>	Outline Permission
<b>Planning Authority Decision</b>	Grant permission with conditions.
<b>Type of Appeal</b>	First Party
<b>Appellant(s)</b>	Michael Burke
<b>Date of Site Inspection</b>	13 <sup>th</sup> June 2025
<b>Inspector</b>	Sarah O'Mahony

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## **1.0 Site Location and Description**

- 1.1. The 0.5ha greenfield site is situated 300m east of Kinvara town centre, to the south of Cúan an Óir housing estate. The N67 is situated 100m to the north and the L4509 90m to the south. All adjacent land is in residential use.
- 1.2. The Cuan an Óir access road is designed and laid out to provide access to the site. The road surface and footpaths all terminate and lead into the site, as if forming a future junction. There is no vehicular access currently provided from this location to the site however as there is timber post and rail fencing forming a boundary to the site alongside the Cúan an Óir access road. Vehicular access to the site is via a tertiary cul-de-sac, the L88531 to the southeast which serves some residential properties. This cul-de-sac connects to the L4509 further south.
- 1.3. Other boundaries include a dense hedgerow and treelines to the east, west and south. The boundary between the site and the rear and side open spaces of numbers 8, 9 and 10 Cúan an Óir were inaccessible during the site inspection and therefore are unclear due to the presence of tall scrub vegetation.
- 1.4. The site rises to the south with a level difference ranging from 15mOD in the north and 19mOD in the south. The site is largely inaccessible due to the presence of colonising scrub.

## **2.0 Proposed Development**

- 2.1. Outline permission is sought for the following development:
  - construction of 4 no. detached dwelling houses. Floorplan and elevation drawings were not submitted however the application form states a total gross floorspace of 1004m<sup>2</sup> is proposed. A schedule of areas is provided on the site layout drawing which states 317m<sup>2</sup> public open space will also be provided equating to 6%.
  - Vehicular access from the existing arm of the Cúan an Óir access road leading towards the site at the northwest.
  - Pedestrian access along the eastern boundary connecting to the L88531 at the southeast of the site.

- All associated development including lighting, landscaping, connection to existing public services.

2.2. The application was accompanied by the following:

- Planning Report and Design Statement
- Appropriate Assessment Screening Report
- Uisce Éireann Confirmation of Feasibility for water and wastewater connections.

2.3. Unsolicited further information was submitted referencing a decision to include the site on the Residential Zoned Land Tax (RZLT) map as Galway County Council confirmed that all public areas situated within the red line site boundary associated with Cúan an Óir was taken in charge, including the proposed vehicular access to the subject site.

### 3.0 Planning Authority Decision

#### 3.1. Decision

3.1.1. Galway County Council issued a notification to grant outline permission on 26<sup>th</sup> November 2024 subject to 21no. conditions including no. 3 and no. 20 as follows:

3. Prior to the commencement of any development on this site, an application for planning permission consequent on the grant of this outline permission (Pl. Ref: 24/60245) shall be submitted to the Planning Authority. The application shall include full details of the proposed houses & garages (plans, elevations, sections and specifications) and all ancillary site works, including landscaping. Any subsequent application for permission must be made not later than 3 years beginning on the date of the grant of this outline permission.

Reason: To comply with Section 36(3)(a) of the Planning and Development Act 2000, as amended.

20. During the construction stage of the proposed development the following best practice mitigating measures must be employed to prevent any significant adverse impacts to the Natura 2000 sites in the vicinity of the site, including the protection of ground and surface waters:

- i. Works such as soil excavation, soil depositing or soil stripping will not be conducted during or immediately following periods of heavy or prolonged rainfall.
- ii. All stockpile areas of sand, gravels and soils should be stored on level terrain and shall be covered during heavy rainfall periods in order to prohibit the mobilisation of sediments.
- iii. Works with concrete shall be done during dry conditions for a period sufficient to cure the concrete (at least 48 hours).
- iv. Concrete pours shall occur in contained areas.
- v. Washing out of concrete trucks should not be permitted within the site and should be conducted in hard standing areas.
- vi. All petroleum products to be bunded during the construction stage of the development.
- vii. If water is running off site then straw bales should be put in place during construction so as to trap any silt present in the water.
- viii. If soil or other material such as gravel or handstand materials are being brought on site ensure that the source is free of invasive species such as Japanese Knotweed, Ragwort, Gunnera and Rhododendron.

Reason: In the interest of protecting the integrity of Natura 2000 sites.

## **3.2. Planning Authority Reports**

### **3.2.1. Planning Reports**

- The Planners report recommendation to grant permission is consistent with the notification of decision which issued.
- Appropriate Assessment (AA) and Environmental Impact Assessment (EIA) issues are both screened out.
- The report noted that Cúan an Óir is taken in charge by Galway County Council and concluded that the proposed development is acceptable and in accordance with the proper planning and sustainable development of the area.

### 3.2.2. Other Technical Reports

- The application was referred to the area office, Roads Department and Environment Section however no reports were submitted.

### 3.3. Prescribed Bodies

#### 3.3.1. The application was referred to the following however no responses were received:

- The Heritage Council
- An Taisce
- Development Applications Unit

### 3.4. Third Party Observations

#### 3.4.1. One submission was received from Michael Burke who claims to own a narrow linear strip of land situated northwest of the site, between it and the proposed access point. The submission states that no permission was provided by the landowner for construction of the road or laying of services over this parcel of land. It further suggests that the subject site therefore does not abut a public road or public services and permission should be refused accordingly.

## 4.0 Planning History

On subject site:

- 22/60405: Planning permission sought by Seamus Higgins and Kate O'Connor for a new part single storey, part two storey detached house, alterations to the existing entrance gate, new effluent treatment plant and percolation are and associated hard and soft landscaping. Gross floor space of proposed works 243.00 sqm. Permission was **refused** for 3no. reasons relating to inefficient use of zoned and serviced lands, appropriate assessment and inadequate access from the L88531.
- 08/1030: Permission sought by Mike Burke for the demolition of existing dwelling and the construction of 9 no. dwelling houses, accessed from existing housing estate (Cuan an Óir) granted under Pl. Ref. No. 05/1410 and all associated development

works and services (Gross floor area 2089.85 sqm). Permission **granted** subject to conditions.

- 97/1572: Outline permission sought by Alice Higgins for the construction of 2 no. private dwellinghouses, septic tanks and associated works. Permission **granted** subject to conditions.

Cúan an Óir parent permission on adjacent lands:

- 05/1410: Planning permission sought by Michael Burke for the construction of 12 no. dwellinghouses, new access point onto the N63, revised treatment plant from that which was permitted under planning ref no 03/6310 and all associated site development works and services (gross floor space 2799sqm). Planning permission was granted subject to conditions.
- ABP-316426-23: RZLT appeal. Galway County Council included the site on a draft map for the purposes of identifying lands subject to RZLT. This was appealed by the applicant to An Bord Pleanála on the basis that the site was inaccessible and unserviceable as permission was refused for access to the L88531 at the southeast and landowner consent was not forthcoming to connect to Cúan an Óir at the northwest. This centred on a ransom strip owned by a third party at the northwest which allegedly was not taken in charge. Galway County Council however confirmed that it was taken in charge and the determination of the Local Authority was therefore confirmed. It was decided that there was no reason to remove the site from the RZLT maps.

## 5.0 Policy Context

### 5.1. Development Plan

- 5.1.1. The site is governed by the policies and provisions contained in the Galway County Development Plan 2022-2028. Kinvara is categorised as a small growth village where the strategic vision is to guide growth and development in a sustainable manner.
- 5.1.2. The Kinvara small growth village land use zoning map identifies the site as Phase 1 residential which has the following objective:



*“SGV1 Residential Development Phasing:*

*Support the development of lands designated as Residential (Phase 1) within the lifetime of the Plan, in compliance with the Core Strategy and subject to normal planning, access and servicing requirements, and reserve the lands designated as Residential (Phase 2) for the longer-term growth needs of each village.*

*.....”*

5.1.3. Objective SGV 2 refers to residential infill development as follows:

*“Within existing villages small scale limited infill housing development will be considered on appropriate sites. These infill sites shall have regard to the existing character of the street respecting the existing building line, scale, proportions, layout, heights and materials materials of surrounding developments. The site must have a safe means of access and egress and comply with development management standards for new dwellings.”*

5.1.4. Land use zoning policy KSGV2 refers to sustainable residential communities in Kinvara and states the following:

*“Promote the development of appropriate and serviced lands to provide for high quality, well laid out and well landscaped sustainable residential communities with an appropriate mix of housing types and densities, together with complementary land uses such as community facilities, local services and public transport facilities, to serve the residential population of Kinvara settlement plan. Protect existing residential amenities and facilitate compatible and appropriately designed new infill development, in accordance with the proper planning and sustainable development of the plan area. Specifically encourage living over the shop which can contribute to the vitality of the core and extend activity beyond business hours.”*

## **5.2. Natural Heritage Designations**

5.2.1. The site is situated 110m south of Galway Bay Complex Special Area of Conservation and proposed Natural Heritage Area.

### **5.3. EIA Screening**

- 5.3.1. 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**

- 6.1.1. One third party appeal was received from Michael Burke which raised the following matters.
- The appellant owns a narrow tract of land situated between the site and the Cúan an Óir estate road and does not give permission for any works to be carried out. Folio ref. GY1890 applies.
  - The appeal submitted taking in charge details for the Cúan an Óir estate road and suggests that only the access was road was taken in charge. It suggests that common areas within the estate as well as the linear parcel of land in question were excluded from the taking in charge and that these lands are under the ownership of a management company. A taking in charge map is provided which illustrates an illustrative single line drawing rather than a polygon shape encompassing a specific area. The line includes offshoots to a turning head at the northwest of Cúan an Óir but does not provide a similar offshoot into the junction serving the site. The appeal therefore suggests that the site does not adjoin lands and services taken in charge by Galway County Council. The common areas are subject to a separate folio ref GY111331F. Folio details are provided with the appeal for both GY1890 and GY111331F.
  - It further contends that Galway County Council exceeded in its statutory powers by granting permission for the development in circumstances where landowner

consent was not forthcoming and for a landlocked site which cannot be serviced as proposed.

## **6.2. Applicant Response**

- The site was zoned phase 1 residential and subject to the Residential Zoned Land Tax (RZLT) on the basis that it is fully accessible from lands taken in charge by Galway County Council. The applicant queried this inclusion with GCC and confirmed that all land within the red line boundary of planning ref. 05/1410 was taken in charge including folio GY1890. The response highlights how this was accepted by An Bord Pleanála in an appeal to the inclusion of the lands for RZLT, ref. ABP-316426-23.
- With regard to the appellants concerns regarding servicing the site, both GCC and ABP have confirmed that servicing is possible as the access road was taken in charge and therefore access and water services are all attainable via the Cúan an Óir estate road.

## **6.3. Planning Authority Response**

- None

## **7.0 Assessment**

### **7.1. Introduction**

- 7.1.1. Having examined the application details and all other documentation on file, including all of 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 relates to the following:

- Landownership and consent
- Condition no.20

- 7.1.2. For clarity, I note the land is zoned for residential purposes and that access and services are achievable, subject to landowner consent. In this regard I consider the

principle of development is acceptable. I also have noted the scale and layout of the proposed development of 4no. units which would effectively form an extension to the existing Cúan an Óir housing estate and which replicates the plot size and general characteristics of the existing layout. I therefore consider the proposed layout is acceptable from the perspective of outline permission and that detailed design should be provided at a later stage in an application for full planning permission.

## **7.2. Land ownership and Consent**

- 7.2.1. The appellant submitted copies of a folio demonstrating ownership of a narrow tract of land situated northeast of the site, between it and the Cúan an Óir access road. This strip of land is less than 5m in width and extends the full length of the proposed access to the existing junction. The land to the west, within Cúan an Óir is registered to a management company while the land to the east is in the ownership of the applicants.
- 7.2.2. The appellant states that consent is not provided to interfere with the property in question and therefore access and services cannot be provided to the site.
- 7.2.3. This matter also arose in the course of ABP-316426-23 regarding inclusion of the site on RZLT maps. Email correspondence between the Local Authority and the applicant submitted with the appeal includes a statement from the Local Authority that based on its records, it had taken in charge in Cúan an Óir, including this property in question with specific references made its folio number. An Bord Pleanála accepted that the lands were taken in charge and the site was therefore accessible and serviceable.
- 7.2.4. The Planning Authority did not respond to the appeal in this case however the Case Planner's report states '*The Council have taken in charge the extent of the Red Line Boundary as outlined in the file reference number 05/1410 which also includes the lands pertaining to land registry folio GY1890.*' The appellant disputes this however and suggests it is '*incorrect, misconstrued and appears to be based on an erroneous assumption.*'
- 7.2.5. The parcel of land in dispute is outside of the red line boundary of this site. I note that written consent under art. 22(2)(g) of the Planning and Development

Regulations, 2001 (as amended) is required for the making of an application only and need not relate to the carrying out of the development.

- 7.2.6. The determination of title is not a matter for the Commission and I therefore recommend that planning permission is granted subject to Section 34(13) of the Planning and Development Act, 2000 (as amended) which provides that if an applicant lacks title or owner's consent to do works permitted by a planning permission, the permission does not give rise to an entitlement to carry out the development.
- 7.2.7. In terms of the legal interest, I am satisfied that the applicants have provided sufficient evidence of their legal intent to make an application. Any further legal dispute is considered a Civil matter and is outside the scope of the planning appeal. In any case, this is a matter to be resolved between the parties, having regard to the provisions of s.34(13) of the 2000 Planning and Development Act.

### **7.3. Conditions**

- 7.3.1. Condition no. 20 is set out in detail earlier in this report however in summary it requires the applicant to undertake a list of construction stage mitigation measures such as setting up silt traps and ensuring concrete pouring is only carried out during dry weather. It states that these best practice mitigating measures must be employed to prevent any significant adverse impacts to the Natura 2000 sites in the vicinity of the site, including the protection of ground and surface waters. The reason states that they are proposed in the interest of protecting the integrity of Natura 2000 sites.
- 7.3.2. An AA screening report was submitted with the application and the Planning Authority also screened out impacts, without any reference or reliance to such mitigation measures. Further, as the Coimisiún will note in the next section of this report that significant impacts to European Sites are screened out.
- 7.3.3. Further, having regard to the fact that the permission sought in this application is 'outline' only, which will require the submission and approval of an application for full planning permission at a later stage, I recommend that many of the Local Authority's 21no. recommended conditions, including no. 20, are not attached to the grant of permission. For example, condition no. 18 refers to construction hours while condition no. 19 refers to construction and demolition waste however no construction

will actually be permitted in the event a grant of permission is made for this subject application.

- 7.3.4. Such conditions are premature in my view pending the detailed design of the subsequent proposed development at which stage more site specific and tailored conditions should be applied.

## **8.0 AA Screening**

- 8.1.1. I have considered case ABP 321520 in light of the requirements of the Planning and Development Act 2000 as amended.
- 8.1.2. The proposed development is located within a residential area and seeks outline permission for the construction of 4no. detached dwellings, access road connection to public water services, and all associated site works. The closest European Site, part of the Natura 2000 Network is the Galway Bay Complex Special Area of Conservation which is situated 110m north of the site. The intervening land comprises dwellings, common areas associated with a housing estates, a national road and housing estate access roads.
- 8.1.3. Having considered the nature, scale and location of the proposed development 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:
- Small scale and domestic nature of the development
  - The location of the development in a serviced urban area, distance from European Sites and urban nature of intervening habitats, absence of ecological pathways to any European Site.
- 8.1.4. 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.
- 8.1.5. Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

## 9.0 WFD Screening

- 9.1.1. The subject site is located 120m south of 'Kinvarra Bay' transitional waterbody which joins 'Inner Galway Bay South' coastal waterbody 4.5km northwest of the site. The 'Kilchreest-010' stream is situated 320m to the east and discharges to the bay further north. The site is underlain by the 'Kinvara-Gort' groundwater body which is a regionally important karstified bedrock aquifer.
- 9.1.2. The proposed development seeks outline permission for the construction of 4no. detached dwellings, access road connection to public water services, and all associated site works. No water deterioration concerns were raised in the planning appeal.
- 9.1.3. I have assessed the proposed development 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.
- 9.1.4. The reason for this conclusion is as follows:
- The urban infill nature and modest scale of the works.
  - The location of the site removed from any waterbodies and lack of any hydrological connectivity.
  - Proposed connections to public water services.
- 9.1.5. I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

## 10.0 Recommendation

I recommend that planning permission is granted subject to the conditions outlined below.

## 11.0 Reasons and Considerations

Having regard to the location of the site within the existing built up area of Kinvara, on zoned and serviced lands, the provisions of the Galway County Development Plan 2022-2028, the established pattern of residential development in the area and the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the principle of the proposed development would be appropriate. The principle of the proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 12.0 Conditions

1.	<p>This outline permission relates solely to the principle of the development on this site and it shall not be construed as giving consent to the following matters:</p> <p>(i)The overall site layout of the development.</p> <p>(ii)The design and layout of proposed dwelling units.</p> <p>(iii)The layout of the access road, services and public open space.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The plans and particulars to be submitted by way of a separate application for permission consequent shall include the following:</p>



	<p>(a) a comprehensive site survey, to a scale of not less than 1 :500, including contours at intervals of 0.5 metres, showing all existing trees, boundaries and other features,</p> <p>(b) a site layout plan to a scale of not less than 1:500 showing the layout of the dwellings, driveways and boundaries,</p> <p>(c) the finished ground floor level of the dwellings by reference to existing site levels and road levels,</p> <p>(d) full details of the layout, siting, height, design and external appearance of the dwellings and boundaries,</p> <p>(e) full details of any cut and fill on site to accommodate the development.</p> <p>(f) a Landscaping Plan for the site which retains the existing trees and hedgerows defining the site boundaries and reinforces these with native planting.</p> <p>(g) Public lighting proposals.</p> <p>Reason: in the interest of clarity and to enable the application for permission consequent to be fully assessed.</p>
3.	<p>Surface water proposal on site shall be nature-based solutions provided in accordance with the detailed requirements of the planning authority. All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road or adjoining properties.</p> <p>Reason: in the interest of traffic safety and to prevent flooding or pollution.</p>
4.	<p>The developer shall enter into a Connection Agreement with Uisce Eireann (Irish Water) to provide for a service connection to the public water supply prior to the commencement of development.</p> <p>Reason: in the interest of public health and to ensure adequate water facilities</p>
5.	<p>At the permission consequent stage, the developer shall pay to the planning authority a financial contribution in respect of public infrastructure and</p>

	<p>facilities benefitting 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 Coimisiún 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.</p>
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Note to Coimisiún: I recommend a note is included in the notification of decision letters to the applicant and appellant highlighting Section 34(13) of the Planning and Development Act, 2000 (as amended) which provides that if an applicant lacks title of owners consent to do works permitted by a planning permission, the permission does not give rise to an entitlement to carry out the development.

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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Sarah O'Mahony  
Planning Inspector

11<sup>th</sup> November 2025



### Form 1 - EIA Pre-Screening

<b>Case Reference</b>	321520
<b>Proposed Development Summary</b>	Outline permission for 4no. dwellings
<b>Development Address</b>	Dungory West, Kinvara, Co. Galway
	<b>In all cases check box /or leave blank</b>
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b>  (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.
<b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in Part 1.  <b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>	State the Class here
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
<b>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?</b>	
<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.  <b>No Screening required.</b>	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.	<b>State the Class and state the relevant threshold</b>

<b>EIA is Mandatory. No Screening Required</b>	
<input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.  <b>Preliminary examination required. (Form 2)</b>  <b>OR</b>  <b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b>	<p>Class 10 (b)(i) Construction of more than 500 dwelling units.</p> <p>Class 10 (b)(iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere</p>

<b>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)?</b>	
Yes <input type="checkbox"/>	<b>Screening Determination required (Complete Form 3)</b>
No <input checked="" type="checkbox"/>	<b>Pre-screening determination conclusion remains as above (Q1 to Q3)</b>

## Form 2 - EIA Preliminary Examination

<b>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</b>	
<b>Characteristics of proposed development</b> (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).	<p>The urban site is serviced and its size is not exceptional in the context of the prevailing plot size in the area.</p> <p>A short-term construction phase would be required and the development would not require the use of substantial natural resources, or give rise to significant risk of pollution or nuisance due to its scale. The development, by virtue of its type and nature, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change. Its operation presents no significant risks to human health.</p>

	The size and scale of the proposed development is not significantly or exceptionally different to the existing dwellings.
<b>Location of development</b> (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).	The development is situated in an urban area adjacent to and in close proximity to existing residential properties which is not exceptional in the context of surrounding development.  It is not likely to have any cumulative impacts or significant cumulative impacts with other existing or permitted projects.  The development is removed from designated sites and landscapes of identified significance in the County Development Plan.
<b>Types and characteristics of potential impacts</b> (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	Having regard to the nature of the proposed development and works constituting development within an existing built up area, likely limited magnitude and spatial extent of effects, and absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.
<b>Conclusion</b>	
<b>Likelihood of Significant Effects</b>	<b>Conclusion in respect of EIA</b>
There is no real likelihood of significant effects on the environment.	EIA is not required.

Inspector: \_\_\_\_\_ Date: \_\_\_\_\_