



An
Bord
Pleanála

Inspector's Report

ABP-321606-25

Development	Change of use from retail and community to residential use. Demolition of cottage, sheds and workshop and construction of 2 houses with all associated site works.
Location	Fairhill Road Upper, The Claddagh, Galway, H91 AY80.
Planning Authority	Galway City Council.
Planning Authority Reg. Ref.	2460156.
Applicant(s)	Cathriona Walsh.
Type of Application	Permission.
Planning Authority Decision	Grant Permission.
Type of Appeal	Third Party.
Appellants	Michael and Patrick Lynskey.
Observer(s)	None.
Date of Site Inspection	27 th February 2025.

Inspector

Ciarán Daly

1.0 Site Location and Description

- 1.1. The subject site consists of an existing model thatched roof cottage, 'Katie's Cottage', and arts/craft centre towards the rear/west of the site in sheds. The site area is stated to be 0.069ha. The stated area of the existing buildings on the site is 169.5sqm. The front area of the site consists of a paved wide yard/driveway with planting and a tree on the adjacent wall to the south. There is an existing gated vehicular entrance from the public road.
- 1.2. There is an adjacent three storey apartment block to the north towards the eastern end of the site, a two storey pitched roof terrace of apartments to the north towards the western end of the site with blank south facing wall, a terrace of single storey dwellings to the south adjacent to the wall boundary and a single storey detached corner dwelling and a terrace of single storey dwellings to the rear to the west.

2.0 Proposed Development

- 2.1. The proposed development, in summary, consists of:
 - Demolition of existing model cottage, sheds and workshop structure.
 - Change of use from retail and community uses to residential use.
 - Construction of two no. detached two and three storey dwelling houses.
 - Relocation of the site entrance.

3.0 Planning Authority Decision

3.1. Decision

Galway City Council initially decided to request further information in relation to issues in relation to a right of way onto the site for access to Fairhill Court, exact type of residential development proposed, boundary and landscape details, roadside boundary details, a revised site layout map showing entrance in accordance with DMURS and proposals to accommodate bin storage areas.

Following receipt of F.I., the Council decided to grant permission subject to conditions. Notable conditions include:

- Condition no. 3: the dwellings shall be used as single dwelling units and shall not be used for short term lettings.
- Condition no. 6: detailed construction/demolition requirements.
- Condition no. 7: exclusion of extension or shed/store/garage structures within the curtilage.

3.2. **Planning Authority Reports**

3.2.1. Planning Reports

The initial Planner's Report notes a prior grant of permission for a single two storey dwelling incorporated into the existing cottage and revised vehicular entrance. It advised that further information should be requested in relation to a right of way through the site, the type of residential development, boundary and landscaping, roadside boundary, vehicular entrance details and provision for bin storage.

Following the F.I. response, the Planner's Report recommended that permission be granted subject to 12 no. conditions.

3.2.2. Other Technical Reports

- Drainage Section: No report received.
- Roads Section: No report received.
- Fire Officer: No report received.
- Environment: No report received.
- Building Control: No report received.

3.3. **Prescribed Bodies**

- Irish Water: no report received.
- Health Service Executive: No report received.
- The Heritage Council: no report received.
- Development Applications Unit: no report received.
- An Taisce: no report received.

3.4. Third Party Observations

Three no. third party observations were received which can be summarised as follows:

- Overlooking and overshadowing of adjoining properties.
- Two dwellings on the site represents overdevelopment.
- Concerns that dwellings will be rented out for short term letting.
- Will the site be sold as two separate entities?
- There is a right of way on the site for access to the Fairhill Court development.
No proposal to retain this right of way.

4.0 Planning History

Subject Site

22/6: Permission granted by the P.A. and on appeal (ABP-313620-22) for change of use from retail and community uses to residential use, construction of a four bedroom, two-storey dwelling incorporating the existing cottage structure, removal of the existing structure at the rear of the site and relocation of the site entrance.

This permission has not been implemented to date.

16/296: Permission granted by the P.A. for continued use of existing premises as retail and community use (13/176), the continued use of "The Claddagh Cottage" granted under 15/8 and for extended community uses of the overall premises.

15/8: Permission granted by the P.A. and on appeal (ABP ref. PL61.244916) for the reconstruction of a typical, traditional model of a Claddagh Cottage for use only to visitors as a heritage experience, not having any habitable function and to be used in conjunction with and ancillary to the existing heritage/craft use granted under Pl. Ref. No. 13/176.

13/176: Permission granted by the P.A. for change of use of an existing premises from an industrial use to retail and community use, to include a craft shop, small garden centre, creative heritage recycling, coffee dock and community meeting room.

09/81: Permission granted for the construction of a detached three bedroom house and two. (two bed) townhouses and alterations to development permitted under ref: 02/820 (subsequently amended under planning ref: 05/57 and 07/92) to allow for new pedestrian access and connection of new development.

5.0 Policy Context

5.1. Galway City Development Plan 2023-2029 (the CDP)

The subject site is zoned under Zoning Objective R which is *“To provide for residential development and for associated support development, which will ensure the protection of existing residential amenity and will contribute to sustainable residential neighbourhoods”*.

Under *“Uses which are compatible with and contribute to the zoning objective, for Example”* is residential use.

Chapter 1 – Introduction, Strategic Context and Core Strategy

- Policy 1.4 Core Strategy

Chapter 2 – Climate Action

- Policy 2.4 Sustainable Building Design and Construction

Chapter 3 – Housing and Sustainable Neighbourhoods

- Policy 3.1 Housing Strategy

...23. Ensure the provisions of the Residential Tenancies (Amendment) Act 2019 and the Planning and Development Act 2000 (Exempted Development) (No. 2) Regulations 2019 and any other future legislation and guidelines are applied where planning permission is required to control short-term letting accommodation to prevent a negative impact on housing supply and /or an over-concentration of such uses.

Notwithstanding this, where planning consent is required under legislation for short term letting, there will be a presumption against allowing such a use in view of the status of the city defined as a rent pressure zone.

- Section 3.4 Sustainable Neighbourhood Concept

- Table 3.1 Indicative Neighbourhood Areas in Galway
- Section 3.7 – Inner Residential Areas
- Policy 3.3 Sustainable Neighbourhood Concept

Chapter 11 – Land Use Zoning Objectives and Development Standards and Guidelines

- Section 11.2.8 Residential R and Residential R2 Land Use Zoning Objectives
- Section 11.4.1 General
- Section 11.4.2 Plot Ratio
- Section 11.4.3 Residential Context
- Section 11.4.4 Open Space Requirement
- Sections 11.4.5 Uses
- Section 11.4.6 City Centre / Other Areas
- Section 11.10 Urban Development and Building Heights
- Section 11.11 Transportation

5.2. Natural Heritage Designations

5.2.1. In relation to designated sites, the subject site is located:

- c.0.2km south-west of Galway Bay Complex Special Area of Conservation (SAC) and Proposed Natural Heritage Area (PNHA) (site code 000268).
- c.0.35km north and west of Inner Galway Bay Special Protection Area (SPA) (site code 004031).
- c.0.4km south of Lough Corrib SAC and PNHA (site code 000297).

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. The grounds of the third party appeal, by Michael and Patrick Lynskey, can be summarised as follows:

- There is a commercial element to the development given the rationale put forward in the application.
- Concerns in relation to the occupation of the units.
- Concerns in relation to site ownership.
- Concerns in relation to the presence of asbestos on the site which should have been brought to the attention of the Planning Authority (P.A.).

6.2. Applicant Response

6.2.1. The applicant's response to the grounds of appeal can be summarised as follows:

- The nature of the appeals process in allowing such appeals is questioned.
- The appeal should be dismissed under Section 138(1) of the 2000 Act on the grounds that all further information grounds were addressed, failure to demonstrate any Development Plan contravention, appellants' history in relation to appeals.
- There is no commercial element to the development which seeks to extinguish the existing commercial use.
- Details of future house applicants supplied.
- Allegations in relation to purchase of property are hearsay and there is no issue with owning multiple properties and this is frivolous and without foundation.
- The issues raised in relation to site ownership are without foundation and in any event proof of ownership is submitted in this response.
- No evidence has been produced in relation to asbestos which if it exists would be disposed of safely in accordance with applicable laws and regulations.
- Condition 8 requires the submission of a Construction and Demolition Waste Management Plan. This is not a planning matter and is frivolous.

7.0 Assessment

7.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports 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:

- Principle of Development.
- Demolition.
- Policy.
- Residential Amenity.
- Visual Amenity.
- Access.
- Commercial issue.
- Occupation of units.
- Site layout and ownership.
- Other issues.

7.2. Principle of Development

- 7.2.1. I note that under Zoning Objective R which is *“To provide for residential development and for associated support development, which will ensure the protection of existing residential amenity and will contribute to sustainable residential neighbourhoods”*. Residential use is listed as *“Uses which are compatible with and contribute to the zoning objective”*. Accordingly, I am satisfied that the proposed change of use to residential and the proposed dwellings accord with the site zoning and the principle of residential development is acceptable on the site.

7.3. Demolition

- 7.3.1. The proposal includes the demolition of the existing model cottage, sheds and workshop structures. I note that these are not habitable structures, the cottage is a non-original replica structure and I have no sustainability concerns in terms of re-use. Such demolition is to provide for residential development consistent with the site zoning such that I am satisfied that this element of the development accords with CDP policy for residential development.

7.4. Policy

- 7.4.1. In relation to CDP policy, I note that the proposed density is 29 units per hectare. Part D of the Galway Urban Density and Building Height Study (2021) sets out a framework for density in the city. For the Claddagh area, prevailing densities between 20 to 40 dph are referred to and it states that densities should respect the prevailing levels as infill opportunities emerge. In this regard, I consider the proposed density of 29dph to be consistent with CDP policy for this location. It provides for infill development on the site subject to qualitative assessment below.

7.5. Residential Amenity

- 7.5.1. I note the proposed site layout and dwelling layouts. I note no concerns in relation to minimum internal floor areas which are substantially exceeded for both dwellings. The proposed plot ratio of 0.56:1 accords with Section 11.4.2 (Plot Ratio) of the CDP. Section 11.4.4 (Open Space Requirement) allows for a relaxation of the open space requirement for sites where open space cannot be provided on site due to small scale which is the case here. The private open space proposed for each dwelling (101.8sqm for dwelling 1 and 165.3sqm for dwelling 2) are both in excess of the CDP standards for not less than 50% of the gross floor area of the dwellings and the layout and depth would be useable. Given the size and depth of such space I do not consider it necessary to provide a condition to de-exempt free standing structures such as sheds.
- 7.5.2. In relation to separation distances, internal separation distances between the two dwellings would be c. 13.2m with no directly facing first floor windows due to the angled windows along the east and south elevations of dwelling 2 which would be in excess of 11m from the southern boundary. I note that the southern elevation of dwelling 1 would be located close to the adjacent bungalow to the south and would have first and second floor stair windows facing it. I also note similar potential for overlooking from the northern elevation windows above ground floor level to the apartment block to the north. Should permission be granted, I recommend that a condition be included to require these windows to be in opaque or obscure glass to prevent undue overlooking of property to the south and north.
- 7.5.3. In relation to potential overbearing impacts, I note the position of parts of the northern elevation and the gables ends of house 1 in close proximity to site

boundaries. To the north, I have no concerns in this regard owing to the blank façade they would face. To the west and south, I do not consider the width of the gables, combined with the height, to be excessive in these positions. I note that no undue overbearing or overshadowing impacts on adjacent residential amenities would arise and I am satisfied with the layout and design in this regard. In relation to house 1, I note that its depth is shorter above ground floor level and would broadly align with the adjacent block such that I have no concerns in relation to overbearing or overshadowing impacts.

7.6. Visual Amenity

7.6.1. I have noted no concerns in relation to overbearing impacts and noting the design of the dwellings which would sufficiently address, animate and enclose space to the east, including the public road, I am satisfied that the dwellings would integrate with the character of the area and would not be excessively scaled given the layout, setbacks and angles at which the dwellings would be positioned.

7.7. Access

7.7.1. I note at F.I. stage the applicant was requested to demonstrate compliance with DMURS standards in relation to the access to the public road and this was demonstrated to the satisfaction of the P.A.. I have reviewed the revised site layout plan and autotracking drawings, and having visited the site and observed the road network in the vicinity, I am satisfied that compliance with DMURS is achieved (45m in both directions from 2.4m setback which is appropriate for a 50kph zone) and no traffic hazard issues arise.

7.8. Commercial Issue

7.8.1. The appeal notes that the applicant made reference to the background to the development including building cost inflation such that the previous intention to build a single dwelling has been replaced by the current proposal for two dwellings on the site. This rationale relates to the viability of the previous development by comparison with the current proposed development only and clearly does not imply a proposal for a commercial development. In any event, I note that a grant of permission only confers authority to carry out the development applied for, subject to conditions, and not any other development or alleged implied development.

7.8.2. I am satisfied that the proposed development would remove all commercial development from the site. There is no commercial element to the proposed development which rather includes permission for the demolition of the existing model cottage, sheds and workshop, change of use from retail and community use to residential and construction of two dwelling houses which are residential and not commercial, as stated.

7.9. **Occupation of Units**

7.9.1. Concerns have been raised in relation to the ownership/occupation of the properties. Insofar as these concerns relate to short term holiday type letting, I note, that should permission be granted I recommend, similar to the P.A., an express condition preventing this type of use/occupation. In relation to other occupation issues raised or in relation to the ownership or otherwise of other property, I note that this is wholly irrelevant to this planning assessment with no CDP policy requirements in relation to ownership or occupation of the residential units for residential purposes and no planning impacts noted in relation to same. The site is zoned for residential development and I am satisfied that there is no basis for restricting ownership/use of such residential development for residential purposes other than in relation to a specific restriction on short term letting.

7.10. **Site Layout and Ownership**

7.10.1. The applicant has submitted with the appeal response confirmation in relation to site ownership concerns and the right of way through the site and I am satisfied on this basis and noting the further information response in accordance with the Development Management guidelines that this is sufficient to consider the application. In any event, I note that per Section 34(13), a grant of permission does not confer automatic legal authority to carry out a development.

7.10.2. In relation to the access issues raised by the P.A. via the right of way required by the Fairhill Court apartment development to the north, I note the site layout plan in relation to internal boundaries and planting suggests that this could be partly blocked. As this is primarily a civil matter which can be managed between the parties having regard to the provisions of s.34(13) of the 2000 Planning and Development Act as amended, I see no necessity for a condition in relation to this issue.

7.10.3. I note the submitted landscape plans are satisfactory for an urban development of this type and I recommend a condition to deal with this matter together with the right of way should permission be granted.

7.11. Other Issues

7.11.1. I consider that planning issues, particularly in relation to short-term letting use, were raised in the appeal such that it should be considered de novo as required and I have assessed the various elements of the appeal above as they relate to planning matters.

7.11.2. In relation to potential asbestos on the site requiring removal for the proposed development, I note that asbestos is, however, a notifiable substance and is therefore the subject of a separate legal code. The issue of compliance with Building Regulations will be evaluated under a separate legal code and thus need not concern the Board for the purposes of this appeal. I recommend a similar condition to the P.A.'s construction waste condition should permission be granted.

7.11.3. I recommend the inclusion of a Part V condition in line with the decision of the P.A. as there is no indication of an exemption certificate having been issued.

8.0 EIA Screening

8.1. See Forms 1 and 2 appended to this report. The proposed residential development is located within an urban area on serviced land that is zoned for residential development. Having regard to the nature and scale of the proposed development, to the criteria set out in Schedule 7 of the Planning and Development Regulations 2001 (as amended) and the absence of any connectivity to any sensitive location, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded.

9.0 AA Screening

9.1. I have considered the proposed development in light of the requirements of Section 177S and 177U of the Planning and Development Act 2000 as amended. Please see Appendix 3 – Screening for Appropriate Assessment where I conclude, based

on the source-pathway-receptor model, that the proposed development (alone), given its modest scale in an urban context and that wastewater and surface water run-off would be directed to the local wastewater treatment plant, would not result in likely significant effects on the Galway Bay Complex SAC and the Inner Galway Bay SPA.

- 9.2. The proposed development would have no likely significant effect in combination with other plans and projects on any European site(s). No further assessment is required for the project.

10.0 Recommendation

I recommend that planning permission be granted for the reasons and considerations set out below.

11.0 Reasons and Considerations

Having regard to the location of the subject site within an urban area, the provisions of the Galway City Development Plan 2023 – 2029, the nature, scale and form of the proposed development, and pattern of development in the surrounding area, it is considered that subject to compliance with the conditions set out below, the proposed development would be acceptable, would result in an appropriate residential typology and scale of development, and would not seriously injure the visual or residential amenities of the area or of property in the vicinity, and would constitute an appropriate use in this urban location. 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 21st day of November 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) The development hereby permitted shall not be used for short-term letting as defined in the Residential Tenancies (Amendment) Act 2019 and the Planning and Development Act 2000 (Exempted Development) (No. 2) Regulations 2019.

(b) The dwellings hereby permitted shall be used as single dwelling units only and shall not be sub-divided.

Reason: To regulate the use of the development in the interests of residential amenity.

3. The attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: In the interest of public health.

4. The landscaping scheme shown on drawing number 23012-PL-014, as submitted to the planning authority on the 21st day of November, 2024 shall be carried out within the first planting season following substantial completion of external construction works.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity.

5. Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including hours of working, noise and dust management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and amenity.

6. Prior to commencement of development, a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) shall be prepared and submitted to the planning authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of reducing waste and encouraging recycling.

7. Prior to the commencement of development the developer shall enter into a Connection Agreement(s) with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply and/or wastewater collection network. Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

8. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the transfer of a percentage of the land, to be agreed with the planning authority, in accordance with the requirements of section 94(4) and section 96(2) and 96(3)(a), (Part V) of the Planning and Development Act 2000, as amended, and/or the provision of housing on lands in accordance with the requirements of section 94(4) and section 96(2) and 96(3) (b), (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate has

been granted under section 97 of the Act, as amended. Where such an agreement cannot be reached between the parties, the matter in dispute (other than a matter to which section 96(7) applies) shall be referred by the planning authority or any other prospective party to the agreement, to An Bord Pleanála for determination.

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan for the area.

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.

Ciarán Daly
Planning Inspector

8th April 2025

Appendix 1 – Form 1

EIA Pre-Screening

An Bord Pleanála Case Reference	ABP-321606-25		
Proposed Development Summary	Change of use from retail and community to residential use. Demolition of cottage, sheds and workshop and construction of 2 houses with all associated site works.		
Development Address	Fairhill Road Upper, The Claddagh, Galway, H91 AY80		
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	X
		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	X	Part 2, Class 10(b)(i).	Proceed to Q3.
No			Tick if relevant. No further action required
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes			EIA Mandatory EIAR required
No	X	Threshold: Construction of more than 500 dwelling units and urban development which would involve	Proceed to Q4

		an area greater than 10 hectares in the case of other parts of a built-up area.	
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	X	As above.	Preliminary examination required (Form 2)

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

Inspector: _____

Date: _____

Appendix 2 – Form 2

EIA Preliminary Examination

An Bord Pleanála Case Reference	ABP-321606-25
Proposed Development Summary	Change of use from retail and community to residential use. Demolition of cottage, sheds and workshop and construction of 2 houses with all associated site works.
Development Address	Fairhill Road Upper, The Claddagh, Galway, H91 AY80
<p>The Board carried out a preliminary examination [ref. Art. 109(2)(a), Planning and Development regulations 2001, as amended] of at least the nature, size or location of the proposed development, having regard to the criteria set out in Schedule 7 of the Regulations.</p> <p>This preliminary examination should be read with, and in the light of, the rest of the Inspector’s Report attached herewith.</p>	
<p>Characteristics of proposed development</p> <p>(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>	Two no. two and three storey dwellings, vehicular entrance and connection to public water and wastewater network in an urban area.
<p>Location of development</p> <p>(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).</p>	The urban location of the development is removed from sensitive environmental receptors at Galway Bay Complex SAC and the Inner Galway Bay Special Protection Area SPA.

<p>Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).</p>	<p>Impacts will be contained within the largely walled site with any water based run-off to the local waste water treatment network.</p>	
Conclusion		
<p>Likelihood of Significant Effects</p>	<p>Conclusion in respect of EIA</p>	<p>Yes or No</p>
<p>There is no real likelihood of significant effects on the environment.</p>	<p>EIA is not required.</p>	<p>Yes</p>
<p>There is significant and realistic doubt regarding the likelihood of significant effects on the environment.</p>	<p>Schedule 7A Information required to enable a Screening Determination to be carried out.</p>	<p>No</p>
<p>There is a real likelihood of significant effects on the environment.</p>	<p>EIAR required.</p>	<p>No</p>

Inspector: _____

Date: _____

DP/ADP: _____

Date: _____

(only where Schedule 7A information or EIAR required)

Appendix 3 – Form 3

AA Screening Determination

Screening for Appropriate Assessment Test for likely significant effects				
Step 1: Description of the project and local site characteristics				
Brief description of project	Change of use from retail and community to residential use. Demolition of cottage, sheds and workshop and construction of 2 houses with all associated site works.			
Brief description of development site characteristics and potential impact mechanisms	The site consists of an infill urban site with an open paved area in its eastern section and with site boundaries defined generally by walls. Total site area is 0.069ha. The ground floor area would cover c.30% of the site. The connection to the public water and wastewater treatment system are integral to the design.			
Screening report	None.			
Natura Impact Statement	None.			
Relevant submissions	None.			
The site is largely surrounded by walls on all sides.				
Step 2. Identification of relevant European sites using the Source-pathway-receptor model (Only potentially relevant downstream sites listed below)				
Screening Matrix				
European Site (code)	Qualifying interests ¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections ²	Consider further in screening ³ Y/N
Galway Bay Complex Special Area of Conservation (SAC) (site code 000268).	Mudflats and sandflats not covered by seawater at low tide, Coastal lagoons, Large shallow inlets and bays, Reefs, Perennial vegetation of stony banks,	0.2km	Weak potential via water channels. Weak/indirect disturbance impact.	Y

	<p>Vegetated sea cliffs of the Atlantic and Baltic coasts, Salicornia and other annuals colonising mud and sand, Atlantic salt meadows (Glauco-Puccinellietalia maritimae), Mediterranean salt meadows (Juncetalia maritimi), Turloughs, Juniperus communis formations on heaths or calcareous grasslands, Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (*important orchid sites), Calcareous fens with Cladium mariscus and species of the Caricion davallianae, Alkaline fens, Limestone pavements, Lutra lutra (Otter), Phoca vitulina (Harbour Seal),</p>			
<p>Inner Galway Bay Special Protection Area (SPA) (site code 004031)</p>	<p>Black-throated Diver (Gavia arctica), Great Northern Diver (Gavia immer), Cormorant (Phalacrocorax carbo), Grey Heron (Ardea cinerea), Light-bellied Brent Goose (Branta bernicla hrota), Wigeon (Anas penelope),</p>	<p>0.35km</p>	<p>Weak potential via water channels. Weak/indirect disturbance impact.</p> <p>No area for wintering birds to congregate.</p>	<p>Y</p>

	<p>Teal (<i>Anas crecca</i>), Red-breasted Merganser (<i>Mergus serrator</i>), Ringed Plover (<i>Charadrius hiaticula</i>), Golden Plover (<i>Pluvialis apricaria</i>), Lapwing (<i>Vanellus vanellus</i>), Dunlin (<i>Calidris alpina</i>), Bar-tailed Godwit (<i>Limosa lapponica</i>), Curlew (<i>Numenius arquata</i>), Redshank (<i>Tringa totanus</i>), Turnstone (<i>Arenaria interpres</i>), Black-headed Gull (<i>Chroicocephalus ridibundus</i>), Common Gull (<i>Larus canus</i>), Sandwich Tern (<i>Sterna sandvicensis</i>), Common Tern (<i>Sterna hirundo</i>), Wetland and Waterbirds.</p>			

Step 3. Describe the likely effects of the of the project (if any, alone or in combination) on European Sites

AA Screening matrix

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
Site 1: Name (code) QI list	Impacts	Effects
As two sites above.	Weak insignificant impacts due to the modest scale of the development in the urban context and that any untreated	As there would be no significant impacts, there would be no significant effects.

	wastewater / run-off to the public network would be directed to the local wastewater treatment plant and would be of such small scale as to not result in a significant impact.	
	Likelihood of significant effects from proposed development (alone): N	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? No	
Step 4 Conclude if the proposed development could result in likely significant effects on a European site		
<p>I conclude that the proposed development (alone) would not result in likely significant effects on the Galway Bay Complex SAC and Inner Galway Bay SPA. The proposed development would have no likely significant effect in combination with other plans and projects on any European site(s). No further assessment is required for the project.</p>		