



An
Coimisiún
Pleanála

Inspector's Report

ABP-322219-25

Development	Apartment block consisting of 4 no. 1-bed apartments over 2 floors, connection to existing public services and all associated works.
Location	Rear of Lower Main Street, Mountcharles, Co. Donegal
Planning Authority	Donegal County Council
Planning Authority Reg. Ref.	2560061
Applicant(s)	C&C Property Investment Ltd
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party
Appellant(s)	C & C Property Investment Ltd
Observer(s)	None
Date of Site Inspection	4 June 2025
Inspector	Claire McVeigh

1.0 Site Location and Description

- 1.1. The subject site, stated area of 0.076ha, is located to the rear of the lower main street in Mountcharles, County Donegal. Mountcharles has been identified (Chapter 5 of the County Donegal Development Plan 2024-2030), along with six others town/rural areas of smaller scale, as an area of focus for regeneration and renewal primarily through enhancement schemes that will strengthen communities.
- 1.2. The site is immediately adjacent to and can be accessed via a narrow laneway from Lower Main Street, known as "School Lane". Access is also available from the rear via Station Road and the local road serving Saint Peter's National School and the St. Nauls GAA Club.
- 1.3. The subject site comprises a long narrow plot behind the existing structures on Lower Main Street. The site is generally flat with a slight fall to the rear southwestern end.

2.0 Proposed Development

- 2.1. The proposed development comprises the demolition of the derelict town hall (225.24 sq.m) and erection of an apartment block consisting of 4 no. 1 bed apartments over two floors (241.84 sq.m), connection to existing public services and all associated works.
- 2.2. A total of six car parking spaces are proposed, including 1 no. wheelchair accessible space) at the rear of the subject site. It is proposed to relocate the open space granted for apartments (Register reference 22/50610) directly behind the building fronting onto Main Street in the area where part of the former town hall sits. Two separate areas of communal amenity space are proposed either side of the apartment building (100 sq. m to the northeast and 250 sq. m to the southwest). Bike and bin storage is indicated in the communal space to the northeast of the proposed apartment building. A new hedgerow is proposed to be planted along the southeastern boundary.

3.0 Planning Authority Decision

3.1. Decision

On 13 March 2025 the planning authority refused permission for the following reasons:

1. Policy UB-P-9 of the County Development Plan 2024-2030 sets out that 'It is the policy of the Council both to protect the residential amenity of existing residential units and to promote design concepts for new housing that ensures the establishment of reasonable levels of urban residential amenity.' On the basis of the information submitted, there is an absence of a footpath or defensible space to provide for residential amenity for proposed residents. Furthermore, the positioning of the apartments in proximity to a public roadway has the potential to cause loss of privacy for proposed residents. To permit the proposed development would therefore be contrary to the policy provisions of Policy UB-P-9 of the County Development Plan 2024-2030 and would be contrary to the proper planning and sustainable development of the area.
2. The access laneway serving the site area is severely restricted in width and provides for a direct pedestrian link from the main street to the national school. Having regard to the location of the proposed development and associated car parking, it is considered that the development has the potential to cause a danger to pedestrians and traffic hazard for vehicular movements. The planning authority is not satisfied that the applicant has adequately demonstrated that integration of pedestrian and vehicular traffic can be achieved in a safe manner for all users. To permit the proposed development would therefore create an undesirable precedent for similar development, would be contrary to the policy provisions of Policy UB-P-9 of the County Development Plan 2024-2030 and would be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- Sets out the previous reasons for refusal (Planning register reference 24/60913) and compares the current proposal against the previously refused development. Includes the note from the previous refusal that public sewer infrastructure crosses the site in two places and that development of the site requires detailed investigation as to the viability of same.
- Notes that if the laneway was pedestrian only the issues relating to pedestrian and traffic conflict would not be a significant concern. States that the local authority proposed such as measure some years ago, but the idea was met with disagreement.
- Finds the results of the traffic survey reinforce the issues previously raised with regard to the safety of pedestrians using the school lane and to the impact on private amenities that this passing traffic would have on a daily basis given the proximity of the building to road and absence of any defensible space.
- Considers the development fails to overcome the previous reasons for refusal and recommends a refusal.
- Appropriate Assessment is not required having regard to the scale and nature of the proposed development and the physical distances from the nearest Natura 2000 site and no known direct hydrological links.
- The need for environmental impact assessment excluded at preliminary examination and a screening determination is not required.

3.2.2. Other Technical Reports

- Building Control – standard building control conditions recommended.
- Chief Fire Officer – No objections subject to conditions.
- Area Roads Engineer – Planner's report notes a discussion by phone in which the Area Road Engineer advised that the pre planning comments still remain valid.

As quoted: 'I would the following concerns regarding this proposed development: (1) The existing access road from main street is very narrow would not be a suitable access to this development. The proposed

development will further restrict access along this lane not only by the construction of the new building but also by the construction of the walls screening the open areas. (2) It is still unclear from the drawings if it is proposed to construct a footpath along the building frontage, and if so what is the width of this footpath. (3) Further detail is required for the carparking area. It is unclear if there is sufficient space for vehicles to turn and exit the area to the south. Some of the spaces shown may not be accessible due to their location. What visibility splays are available for vehicles exiting the parking area? (4) Full details of existing and proposed public lighting to be submitted'.

3.3. Prescribed Bodies

None

3.4. Third Party Observations

Third-party observations were received by Board of Management of St. Peter's National School, Raymond Nolan, The Mountcharles Tidy Towns Committee and Fergus Naughton. In summary issues raised include:

- The village has currently over 19 vacant and/or derelict houses and sites. These derelict houses and site should be developed in advance of the proposed scheme (Map enclosed of the vacant/derelict sites).
- A similar backland development adjacent to the subject site is currently on appeal to An Bord Pleanála (see section 4.0 of my report). No assessment of the impact of setting a precedent which could lead to a piecemeal approach to backland development within the town. In the absence of a comprehensive policy and plan led approach which identifies and addresses infrastructural deficits the granting of permission for any development of a multi-unit nature on these backlands is premature.
- Width of the pedestrian walkway appears to be less than Part M regulations and proposed development is contrary to UB-P-11.

- No proposal to link with the existing public footpath infrastructure on Station Road and no provision for a footpath between the proposed development site boundary and edge of the public road known as School Lane.
- Increase in traffic and risk of traffic hazard (especially given the absence of a Traffic Management Plan, Road Safety Audit or Waste Management Plan), concerns about health and safety of children and families commuting to the school, inadequate car parking layout requiring reversing onto the laneway and lack of detail of how they intend to restrict the occupants of the development from using the school lane as a vehicular access.
- There is an informal agreement between the school and families attending that a one-way system is in place with traffic leading from Main Street via the “school lane” and continuing to the Station Road for drop off and collection. Many children walk to school using both access points from school lane and Station Road.
- Demolition of an historic building - Consideration should be given to refurbishment of the existing buildings on site.
- Poor design quality - Proposed development would reduce the quality of space on school lane by presenting a defensive faced with little or no windows and offering no passive surveillance and increased levels of overshadowing of this dark lane.
- No provision of green space, park or playground in the village. Concerns that the residents would use the school yard or grounds as playgrounds.
- Concerns about construction phase impacts and restriction of access.
- Proposed development would materially contravene the provisions of Policy UB-P-7 and UB-P-9 of the County Donegal Development Plan 2024-2030.
- Adequacy of submitted plans and site notice.

4.0 Planning History

Planning register reference 2460913 permission refused for the demolition of the derelict town hall and erection of an apartment block consisting of 6 no. 2-bed apartments over 3 floors, connection to existing public services and all associated works (August 2024).

Reasons for the refusal:

1. It is policy within the County Donegal Development Plan 2024-2030 that proposals for new residential developments in settlements have due regard to inter alia, amenity, accessibility, massing, scale and integration (Policy UB-P-7 refers). Having regard to the scale and mass of the proposed apartment block that is sited adjacent to the public road and that is considered to cause direct overlooking or adjacent properties and loss of daylight and sunlight thereof, the planning authority is not satisfied that the applicant has adequately demonstrated that the proposed development integrates with existing landforms in an appropriate manner. To permit the proposed development would therefore materially contravene the policy provision of Policy UB-P-7 of the County Donegal Development Plan 2024-2030 and would be contrary to the proper planning and sustainable development of the area.
2. Policy UB-P-9 of the County Donegal Development Plan 2024-2030 sets out that 'It is the policy of the Council both to protect the residential amenity of existing residential units and to promote design concepts for new housing that ensures the establishment of reasonable levels of urban residential amenity.' On the basis of the information submitted there is an absence of a footpath or defensible space to provide for residential amenity for proposed residents. Furthermore, the positioning of open balconies at elevated locations has the potential to cause direct overlooking of adjacent private amenity space and loss of privacy for existing and proposed residents. To permit the proposed development would therefore materially contravene the policy provisions of Policy UB-P-9 of the County Donegal Development Plan 2024-2030 and would be contrary to the proper planning and sustainable development of the area.

3. The access laneway serving the site area is severely restricted in width and provides for a direct pedestrian link from the main street to the national school. Having regard to the location of the proposed development and associated car parking, it is considered that the development has the potential to cause a danger to pedestrians and traffic hazard for vehicular movements. The planning authority is not satisfied that the applicant has adequately demonstrated that integration of pedestrian and vehicular traffic can be achieved in a safe manner for all users. To permit the proposed development would therefore materially contravene the policy provisions of Policy UB-P-7 of the County Donegal Development Plan 2024-2030 and would be contrary to the proper planning and sustainable development of the area.

Planning register reference 2250610 permission granted for a change of use from a residential dwelling to 3 no. apartments, raising the roof level of existing building and connection to existing public services and all associated site works (August 2022).

Pre-application consultation PP 7210

Adjoining site to the southeast

ABP321384-24 – Current appeal under consideration in respect to construction of 3 no. 2 bedroom apartments to the rear.

5.0 Policy Context

5.1. County Donegal Development Plan 2024-2030

Chapter 21 Settlement Frameworks identify settlement envelopes, town centre boundaries and land for inter alia residential, amenity, opportunity sites, community & education facilities, regeneration opportunities and TEN-T Priority Route Improvement Projects, Donegal and the latter is in the case of Lifford only.

Mountcharles Map no. 21.9 (Table 21.1 List of Settlement Frameworks) The subject site is partly within the designated town centre area and partly zoned Regeneration Opportunity – As supported by Objective CS-O-7(c) “*To continue to*

support the regeneration, renewal and development of the County's towns and villages over the life of the Plan".

Objective V-O-1 To identify appropriate regeneration and renewal initiatives, primarily through enhancement schemes to strengthen communities in the County's towns and villages including; Churchill, Convoy, Dunkineely, Kilmacrennan, Mountcharles, Newtowncunningham and St. Johnston.

Objective UB-O-1 To identify appropriate regeneration and renewal initiatives, primarily through enhancement schemes to strengthen communities in specific Settlement Framework rural towns namely; Churchill, Convoy, Dunkineely, Kilmacrennan, Mountcharles, Newtowncunningham and St. Johnston.

Chapter 8 Infrastructure - The Irish Water Small Towns and Villages Growth Programme (STVGP) is currently funding a project to transfer effluent from Mountcharles to the Donegal Town network and will be continued during the plan period.

Section 6.2 Urban Housing

UB-P-7 It is a policy of the Council to require that proposals for new residential developments (2 or more units) in settlements demonstrate that the design process, layout, specification and finish of the proposed development generally comply with all relevant Governmental Planning Guidelines/Standards and give due regard to the key considerations of –

- a. Public realm, open space and amenity
- b. Connectivity and accessibility, having particular regard to active travel and sustainable modes of transport
- c. High Quality Design - massing, form, scale, density and finishes
- d. Mix of house types
- e. Energy efficiency
- f. Biodiversity considerations
- g. Climate adaptation and surface water management
- h. Integration with neighbouring developments and uses

UB-P-9 It is the policy of the Council both to protect the residential amenity of existing residential units and to promote design concepts for new housing that ensures the establishment of reasonable levels of urban residential amenity

UB-P-11 It is a policy of the Council to require that all new multiple housing developments comprising 7 or more units contain a minimum of 30% residential units that are built to universal design standards, in accordance with the requirements of the National Disability Authority publication 'Building for Everyone: A Universal Design Approach'. Where the total number of units to be constructed is between 2 and 6, it is a policy of the Council to require that a minimum of 1 of those units be built to universal design standards.

5.2. National Policy and Guidelines

- National Planning Framework First Revision (April 2025).

National Policy Objective 7 Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements and ensure compact and sequential patterns of growth.

National Policy Objective 11 Planned growth at a settlement level shall be determined at development plan-making stage and addressed within the objectives of the plan. The consideration of individual development proposals on zoned and serviced development land subject of consenting processes under the Planning and Development Act shall have regard to a broader set of considerations beyond the targets including, in particular, the receiving capacity of the environment.

- Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024)
- The Sustainable Urban Housing Design Standards for New Apartments Guidelines for Planning Authorities (2023)

5.3. Natural Heritage Designations

The subject site is located c. 730m southwest from the Special Area of Conservation: Donegal Bay (Murvagh) SAC (Site Code: 000133), proposed Natural Heritage Areas: Donegal Bay (Murvagh) (Site Code: 000133) and Special Protection Areas: Donegal Bay SPA (Site Code:004151).

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 applicant considers that the current application has addressed the issues raised in previous refusal and the amended proposal promotes design concepts for new housing that ensures the establishment of reasonable levels of urban residential amenity and is compliant with Policy UB-P-9 of the County Donegal Development Plan 2024-2030.
- Occupants would access the building via a footpath from the car park to a communal entrance at the rear of the building away from School Lane and the safety of occupants is thereby protected and the requirement for the footpath does not arise. Pedestrian openings, as indicated on the revised drawings submitted with the appeal, are proposed to be omitted with pedestrian access only via the pathway from the car park area.

- A 1.8-metre-high boundary wall, as shown on the revised drawings, to provide screening to the ground floor apartments from both vehicular traffic and pedestrians using School Lane.
- Car parking is proposed at the southwestern end of the site where the width of School Lane is wider.
- The appellants acknowledge the restrictive width of School Lane and the level of pedestrian and vehicular traffic, associated with St. Peters National School. Notwithstanding they are of the view that these issues in themselves are insufficient to warrant a refusal on traffic safety grounds.
- The proximity of the proposed apartments to the Mountcharles town centre and school should be recognised as advantageous rather than unfavourable, noting UB-P-1 and UB-P-4 which stress the importance of the availability of supporting community infrastructure when assessing planning applications.

6.2. Planning Authority Response

- The planning authority wishes to rely upon the details of the report of 10/03/2025 endorsed and signed by the SEP on 10/03/2025. It is considered that all pertinent matters have been considered in the referenced report.
- The planning authority in a previous refusal of permission and in the current application has repeated concerns with regard to the development of this site as standalone development due to reasons of restricted nature of the site area, absence of defensible space to a public roadway, lack of amenities for future residents of the apartments.
- It is also noted that the settlement pattern and built form in Mountcharles village comprise along narrow individual gardens running southwards from main street. The layout requires an overview to develop a coherent form of buildings in the area.

6.3. Observations

- None

7.0 Assessment

- 7.1. The subject site is located to the rear of Lower Main Street in Mountcharles. Mountcharles has been identified as an area for regeneration and renewal in the current County Development Plan. Map 21.9 indicates that the area of regeneration is focused on the Main Street. As set out in section 4.0 of my report planning permission has been granted to convert the currently vacant building fronting onto Lower Main Street into three apartments which includes replacing the windows and general refurbishment of this building which I consider would significantly contribute to the regeneration and renewal of Mountcharles. No obvious works commenced at the time of my site visit.
- 7.2. This subject application relates to the lands immediately to the rear and contains a former town hall building and long rear garden. I draw the Commission's attention to the adjoining lands, also subject to appeal and as referenced in section 4.0 of my report, where it is also sought to develop apartments to the rear of the main buildings onto Main Street. I would concur with the planning authority's view as expressed in the planner's report and in response to the appeal that given the pattern of development and the configuration of building plots that an overview of the wider area redevelopment, the creation of attractive routes for pedestrians and cyclists taking into account the existing laneway connections to Lower Main Street and establishing a coherent form of development for these backland sites is required. In the absence of a regeneration and renewal framework I consider that this application must be assessed against the technical standards of the development plan, relevant section 28 ministerial guidelines and to ensure that the development does not prevent/restrict the future redevelopment and renewal of the wider area.
- 7.3. 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 to be considered are as follows:
- Site layout, design and residential amenity

- Traffic hazard

The applicant has submitted amended drawings Drawing no. 2609_ABP-002 and 2609_ABP-004 (Appendix B of the appeal submission) and requests that the Commission consider these in reaching a decision. The revised drawings omit pedestrian access openings onto School Lane and pedestrian access is proposed solely from the pedestrian path from the car park area via a keypad security gate at the car park boundary. A 1.8-metre-high boundary wall, as shown on the revised drawings, to provide screening to the ground floor apartments from both vehicular traffic and pedestrians using School Lane.

I highlight to the Commission that drawing no. 2609_ABP-002 includes a tracking model to demonstrate the capacity of vehicular movements from the car park area to facilitate arrival and departure from the site. It is stated that the turning movements involve the use of the adjoining public road.

7.4. Site layout, design and residential amenity

- 7.4.1. The existing former town hall building sits flush to the edge of School Lane and has a doorway opening directly onto same. From my site visit I noted that the character of the narrow laneway is defined by the outbuildings and boundaries which are positioned hard to its edge and the laneway then opens up moving in a south-westerly direction with the undeveloped rear garden plots. The proposed site layout, noting the revised drawing no. 2609_ABP-002, indicates a small set back (no dimensions provided) from the laneway with a new 1.8-metre-high boundary wall either side of the proposed two storey apartment building.
- 7.4.2. In the first instance, I consider that the level of detail submitted in respect to the proposed demolition of the former town hall to be limited to justify its demolition. I did not access the town hall internally on my site visit. Notwithstanding this lack of evidence, I shall continue to assess the proposed apartment site layout, design and residential amenity to determine whether, on balance, the demolition could be considered in the context of the provision of housing units.
- 7.4.3. The proposed building footprint of the proposed apartment block would create a second line of development 30m approximately from the rear wall of the existing building fronting Lower Main Street. Whilst there are potential benefits to creating

directly accessible open amenity space for the permitted 3 no. apartments in the existing building fronting Lower Main Street, rather than as permitted at the opposite end of the existing town hall building. I am of the opinion that the proposed building footprint on the constrained plot width and tight to the site boundaries would result in a bland elevational treatment which would militate against an attractive pedestrian environment both on School Lane and internally within the site. I do not consider that the revised proposal limiting pedestrian access onto School Lane and requiring all residents to access at the southwestern end of the site improves the proposal. I am of the view that a holistic approach is required to both the existing building (permitted 3 no. apartments), the proposed new apartment development and the future development of adjoining lands with respect to open space and amenity, connectivity and accessibility and integration with neighbouring developments and uses in accordance with Policy UB-P-7. Furthermore, I highlight to the Commission that there is a lack of clarity with respect to the proposed southeastern boundary as the revised site layout plan indicates a new hedgerow planted along the site boundaries but there doesn't appear to be space to accommodate same.

- 7.4.4. Having regard to policy UB-P-7 of the current development plan for the area which requires that due regard is given to the public realm, open space and amenity and integration with neighbouring developments I am of the view that, by reason of the design, footprint and, in particular, the overall elevational treatment which lacks articulation and liveliness and carries no reference to the historical urban grain of the area, that the proposed development would militate against an attractive pedestrian environment, would compromise potential improvements to pedestrian and cycle links to the school and would seriously injure the visual amenities of the area. The proposed development would, therefore, conflict with the objectives of the development plan and would, therefore, be contrary to the proper planning and sustainable development of the area.

7.5. Traffic hazard

- 7.5.1. I note that the applicant has submitted a revised site layout indicating vehicular turning movements from the car park area, which require the vehicles to reverse

over and turn in the adjoining laneway. The planning authority in their response to the appeal reiterate their concerns relating to traffic safety.

- 7.5.2. The access laneway serving the site area is severely restricted in width and provides for a direct shared pedestrian and vehicular link from the main street to the national school. Having regard to the location of the proposed development and associated car parking, it is considered that the development has the potential to endanger public safety by reason of traffic hazard and obstruction of road users. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

8.0 AA Screening

- 8.1. Please refer to Appendix 3. In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on any European Site(s) in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- Nature of works
- Location-distance from nearest European site and lack of connections
- Appropriate Assessment Screening of the planning authority.

9.0 Water Framework Directive Screening

- 9.1. Please refer to Appendix 4. The river body Mountcharles_10 (IE_NW_37M070870) approximately 650m west of the subject site (moderate water body status) and the groundwater body is Doorin Point (IE_NW_G_069) (good water body status).

The proposed development is detailed in section 2.0 of my report. No water deterioration concerns were raised in the planning appeal.

I have assessed the proposed demolition of former town hall and construction of 4 no. 1 bedroomed apartments 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.

The reason for this conclusion is as follows:

- Nature of works e.g. small scale and nature of the development
- Location-distance from nearest water bodies and/or lack of hydrological connections

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 recommended that permission for the development be refused for the reasons and considerations set out in section 11.0 below.

11.0 Reasons and Considerations

1. Having regard to policy UB-P-7 of the current development plan for the area which requires that proposals for new residential development give due regard to the public realm, open space and amenity and integration with neighbouring developments, it is considered, by reason of the design, footprint and, in particular, the overall elevational treatment which lacks articulation and liveliness and carries no reference to the historical urban grain of the area, that the proposed development would militate against an

attractive pedestrian environment and would compromise potential improvements to pedestrian and cycle links to the school and would seriously injure the visual amenities of the area. The proposed development would, therefore, conflict with the objectives of the development plan and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The access laneway, School Lane, serving the site area is severely restricted in width and provides for a direct shared pedestrian and vehicular link from the main street to the national school. Having regard to the location of the proposed development and associated car parking, it is considered that the development has the potential to endanger public safety by reason of traffic hazard and obstruction of road users. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Claire McVeigh
Planning Inspector

19 June 2025

Appendix 1: Form 1 - EIA Pre-Screening

Case Reference	322219-25
Proposed Development Summary	Demolition of derelict town hall and erection of an apartment block consisting of 4 no. 1 bed apartments over two floors, connection to existing public services and all associated works.
Development Address	Rear of Lower Main Street, Mountcharles, Donegal.
	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 <u>Part 1</u>, 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.	State the Class here
<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	

<p>type of proposed road development under Article 8 of the Roads Regulations, 1994.</p> <p>No Screening required.</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p>EIA is Mandatory. No Screening Required</p>	
<p><input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p>Preliminary examination required. (Form 2)</p> <p>OR</p> <p>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	<p>Class 10. Infrastructure projects (b) (i) Construction of more than 500 dwelling units.</p>

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: _____

Appendix 2: Form 2 - EIA Preliminary Examination

Case Reference	322219-25
Development description	Demolition of derelict town hall and erection of an apartment block consisting of 4 no. 1 bed apartments over two floors, connection to existing public services and all associated works.
Development Address	Rear of Lower Main Street, Mountcharles, Donegal.
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).	<p>The proposed development is for the demolition of a former town hall and construction of a two-storey apartment block (4 no. 1 bed units).</p> <p>The project due to its size and nature will 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.</p> <p>The construction of the proposed development does not have potential to cause significant effects on the environment due to water pollution. The project characteristics pose no significant risks to human health.</p> <p>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.</p>
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).	<p>The subject site is located within the urban area of Mountcharles and comprises a brownfield site.</p> <p>The subject site is not located in or immediately adjacent to ecologically sensitive sites.</p> <p>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.</p>
Types and characteristics of potential impacts (Likely significant effects on environmental parameters,	<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.</p>

magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	There is no real likelihood of significant cumulative considerations having regard to other existing and/or permitted projects in the adjoining area.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	N/A
There is a real likelihood of significant effects on the environment.	N/A

Inspector: _____ Date: _____

DP/ADP: _____ Date: _____

(only where Schedule 7A information or EIAR required)

Appendix 3: Screening for Appropriate Assessment

Test for likely significant effects

Step 1: Description of the project and local site characteristics

Brief description of project	Demolition of derelict town hall and erection of an apartment block consisting of 4 no. 1 bed apartments over two floors, connection to existing public services and all associated works.
Brief description of development site characteristics and potential impact mechanisms	<p>The subject site comprises a brownfield site within the urban and serviced area of Mountcharles. Total area stated as 0.076ha.</p> <p>The site is bordered by a vehicular/pedestrian laneway 'School Lane'.</p> <p>The nearest hydrological feature to the site is Mountcharles stream located c. 650m west of the site. The site is not located within or directly adjacent to any European Site.</p>
Screening report	N
Natura Impact Statement	N
Relevant submissions	None relating to AA

Step 2. Identification of relevant European sites using the Source-pathway-receptor model

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
Special Area of Conservation: Donegal Bay (Murvagh) SAC (Site Code: 000133)	https://www.npws.ie/protected-sites/sac/000133	Approximately 730m southwest of the subject site.	Indirect	Y
Special Protection Areas: Donegal Bay SPA (Site Code 004151).	https://www.npws.ie/protected-sites/spa/004151	Approximately 730m southwest of the subject site.	Indirect	Y

¹ Summary description / **cross reference to NPWS website** is acceptable at this stage in the report

² Based on source-pathway-receptor: Direct/ indirect/ tentative/ none, via surface water/ ground water/ air/ use of habitats by mobile species

³if no connections: N

Step 3. Describe the likely effects 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*		
	<table> <tr> <th>Impacts</th><th>Effects</th></tr> </table>	Impacts	Effects
Impacts	Effects		

Special Area of Conservation: Donegal Bay (Murvagh) SAC (Site Code: 000133 QI list: Mudflats and sandflats not covered by seawater at low tide [1140] Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130] Dunes with Salix repens ssp. argentea (Salicion arenariae) [2170] Humid dune slacks [2190] Phoca vitulina (Harbour Seal) [1365]	Direct: None Indirect: Air quality impairment from construction.	 Negative effect on habitat quality/ function undermine conservation objectives related to water quality
	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? N	
	Possibility of significant effects (alone) in view of the conservation objectives of the site* N	
Step 4 Conclude if the proposed development could result in likely significant effects on a European site		
I conclude that the proposed development (alone) would not result in likely significant effects on the Special Area of Conservation: Donegal Bay (Murvagh) SAC (Site Code: 000133).		

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.

No mitigation measures are required to come to these conclusions.

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
<p>Special Protection Areas: Donegal Bay SPA (Site Code 004151).</p> <p>QI list:</p> <p>Great Northern Diver (Gavia immer) [A003]</p> <p>Light-bellied Brent Goose (Branta bernicla hrota) [A046]</p> <p>Common Scoter (Melanitta nigra) [A065]</p> <p>Sanderling (Calidris alba) [A144]</p> <p>Wetland and Waterbirds [A999]</p>	<p>Direct:</p> <p>None</p> <p>Indirect:</p> <p>Air quality impairment from construction.</p>	<p>Negative effect on habitat quality/ function undermine conservation objectives related to water quality</p>
	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? N	

	Possibility of significant effects (alone) in view of the conservation objectives of the site* N
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 Special Protection Areas: Donegal Bay SPA (Site Code 004151). 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> <p>No mitigation measures are required to come to these conclusions.</p>	
<p>Screening Determination</p> <p>Finding of no likely significant effects</p> <p>In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on any European Site(s) in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.</p> <p>This determination is based on:</p> <ul style="list-style-type: none"> • Nature of works • Location-distance from nearest European site and lack of connections • Appropriate Assessment Screening of the Planning Authority 	

Appendix 4: WFD IMPACT ASSESSMENT STAGE 1- SCREENING

Step 1: Nature of the Project, the Site and Locality

An Bord Pleanála ref. no.	322219-25	Townland, address	Rear of Lower Main Street, Mountcharles, Donegal.
Description of project		Demolition of derelict town hall and erection of an apartment block consisting of 4 no. 1 bed apartments over two floors, connection to existing public services and all associated works.	
Brief site description, relevant to WFD Screening,		Site is on serviced urban lands that have been developed.	
Proposed surface water details		The proposed development seeks to connect to the existing public services for water supply, wastewater and surface water.	
Proposed water supply source & available capacity		Uisce Eireann mains water connection.	
Proposed wastewater treatment system & available capacity, other issues		<p>Uisce Eireann wastewater connection. The proposed development seeks to connect to the existing public services for wastewater.</p> <p>As noted in the planner's report an existing sewer line crosses the subject site.</p>	
Others?			

Step 2: Identification of relevant water bodies and Step 3: S-P-R connection						
Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body.	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)
River Waterbody	650m west	Mountcharles_10 (IE_NW_37M070870)	Moderate	At Risk	Nutrients, Organic and DWWTS.	No direct
Groundwater Waterbody	Underlying site	Doorin Point (IE_NW_G_069)	Good	Not at Risk	No pressures	No
Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.						
CONSTRUCTION PHASE						

No.	Component	Waterbody receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.
1.	Surface	Mountcharles_10 (IE_NW_37M070870)	Surface water drainage will be directed through the drainage networks.	Siltation, pH (Concrete), hydrocarbon spillages	Standard construction practice CEMP	No	Screened out
2.	Ground	Doorin Point (IE_NW_G_069)	Drainage	Spillages	As above	No	Screened out
OPERATIONAL PHASE							
3.	Surface	Mountcharles_10 (IE_NW_37M070870)	Surface water drainage will be directed through the drainage networks.	Hydrocarbon spillage	Surface Water to drain to separate system.	No	Screened out
4.	Ground	Doorin Point (IE_NW_G_069)	Drainage	Spillages	Surface Water to drain to	No	Screened out

					separate system.		
DECOMMISSIONING PHASE							
5.	NA						