



An
Coimisiún
Pleanála

Inspector's Report ABP-322519-25

Development	Demolition of outbuildings for the construction of 2 apartments and all associated site works.
Location	Cockhill Road, Ardaravan, Buncrana, Lifford, Co. Donegal
Planning Authority	Donegal County Council
Planning Authority Reg. Ref.	2461899
Applicant(s)	George McLaughlin
Type of Application	Permission
Planning Authority Decision	Grant permission
Type of Appeal	Third Party
Appellant(s)	Patricia Doherty
Observer(s)	None
Date of Site Inspection	11 August 2025
Inspector	Claire McVeigh

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1.0 Site Location and Description

- 1.1. The subject site, stated area of 0.028 ha, is located off the Cockhill Road (R238) and directly behind the properties along Upper Main Street 'West End' in Buncrana located on the Inishowen Peninsula in Donegal. The site comprises a backland site. On review of the historical mapping the subject site appears to contain some outbuildings which may have been connected to the main structures on Cockhill Road Upper /Main Street 'West End' although separated by a narrow laneway that ends in a cul-de-sac at the appellants property. These outbuildings sit outside the designated ACA for Buncrana.
- 1.2. To the south and east of the subject site is the customer car parking area for the homewares store Hegarty's and access to 2 no. residential properties within the courtyard parking area. To the east is a landscaped amenity/garden area of the terrace of single storey cottages 'West End Terrace'. To the north of the site are adjoining single storey outbuildings.
- 1.3. There is access to the rear of the properties fronting Upper Main Street on to the shared cul-de-sac laneway which the subject site is located. There are pedestrian gateways onto the laneway, some shed structures to the rear of the laneway and an area where the bins are stored. The existing buildings adjoining the subject site appear to be in commercial use.

2.0 Proposed Development

- 2.1. The proposed development comprises the demolition of existing single storey outbuildings (73.44 sq.m) and the erection of a two-storey building with 2 no. 1 bedroom apartments (126.33 sq.m).
 - Apartment 1 stated total floor area of 55.48 sq. m
 - Apartment no. 2 stated total floor area of 55.14 sq.m
- 2.2. An outdoor space is proposed to the rear at ground floor and balcony above this at first floor level to serve the second apartment. It is proposed to connect to the existing public sewer in respect of wastewater and public sewer/drain in respect of surface water disposal.

2.3. Revised designs submitted, 28 March 2025, following request for further information include the following changes:

- Set back front building line to accommodate an external bin store with 1.8m close boarded fence to the front façade.
- Reduced external outside space at ground floor level and provision of a 1.8m high close board fence to the shared boundary with 1 West End Terrace.
- First floor balcony omitted.
- Internal bike store stated to accommodate 4 no. cycle spaces (3.04 sq.m)

3.0 Planning Authority Decision

3.1. Decision

On the 17 April 2025 the planning authority granted permission subject to 12 no. conditions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

Initial report

- Seeks further information in respect to Part V details, revised floor plans to omit the first floor balcony, detail the boundary proposals and illustrate the main features of buildings that are contiguous to the subject site, applicant to demonstrate how refuse storage can be accommodated on site for the three-bin system a, cycle parking provision and schedule of accommodation that detail the private amenity space and storage space and aggregate floor area of each room. Proposed development would not be likely to have any significant effects and screens out the need for AA.

Report following receipt of further information

- Notes that the proposed private amenity space has been significantly reduced at ground floor following the revisions to the plans, recommends a grant

subject to Condition No.3 revised plans to increase the depth of the private amenity space or omit entirely by extended the footprint of the building.

3.2.2. Other Technical Reports

- Building Control - standard conditions recommended.
- Chief Fire Officer – Objection noted due to inadequate access for fire service vehicles. I highlight to the Commission that a note included in the Planners Report states that: - *“Following a discussion with the fire officer it is now recommended that the application progress and the applicant advised that they require a fire cert. Issues regarding access can be dealt with at that stage. Access to the building is available from both Main Street and Cockhill Road. The likely previous residential use of the building was also acknowledged.”*

3.2.3. Conditions

- Condition 3 (a) Prior to the commencement of development revised plans drawn to a scale not less than 1:100 (floor plans and elevations) shall be submitted to the planning authority for their written agreement to either:
 - (i) Increase the depth of the area outside the ground floor apartment to minimum of 1.5 metres in one useable length or as otherwise agreed in writing with the planning authority.
 - Or
 - (ii) Extend the footprint of the building to align with the site boundary, omit the patio doors in the ground living area and replace with a high level window placed a minim of 1.7metres above the floor of the living room or as otherwise agreed in writing the planning authority.
- (b) Applicant to submit a revised site layout plan (to a scale of 1:500) detailing the revised house plans in accordance with either Point a(i) or Point a (ii) above.
- (c) Development shall not commence without the prior written agreement of the planning authority and shall there after only be authorised to commence in accordance with the agreed plans.

Reason: To define the terms of the permission and preserve the amenities of the area.

Condition 5 The outside area to the rear of the ground floor apartment shall be enclosed with a 1.8m close board fence prior to first occupation of the associated apartment.

Reason: To cater of orderly development and in the interests of residential amenity.

3.3. Prescribed Bodies

None

3.4. Third Party Observations

One third party submission was received in summary the issues of concern include:

- Interference with right of way along a service easement (laneway).
- The proposed development of a commercial/residential structure is inappropriate on an already clustered service laneway where there are no amenities.
- Impact on existing parking space and no provision of parking made within the proposal for the proposed apartments.
- Development would impact on access to light and diminish the amenity of the area.
- Inadequate position of site notices.

4.0 Planning History

There is no relevant planning history pertaining to the subject site.

Planning History referred to in the appellant's grounds of appeal:

Planning register reference 05/90014 Planning permission was granted (February 2006) for the (1) construction of a new three storey 'wall plate-dormer' building incorporating retail unit and associated facilities to ground floor & 1 no. apartment to

first and second floors. Permission was refused for (2) conversion of existing single storey retail unit to two storeys 'wall plate dormer style apartment unit to rear of site and connections to the existing main sewer at west end Buncrana. Applicant Patricia Doherty.

Condition no. 1 Permission hereby approved is for the erection of a new 3 storey wall-plate dormer building incorporating retail unit and associated facilities at ground floor and 1 no. apartment to first and second floors only. Reason: To cater for orderly development and preserve the amenities of the area.

The planner's report dated 17 November 2005 sets out in the comments that: - *"The second part of the development consists of the redevelopment of a single storey flat roof retail unit to a one and a half storey and 1 no. bedroom apartment. The proposed apartment is very small with a total floor area of 32 sq.m. Where the first part of the development is appropriate the second development consisting of the redevelopment of the retail unit is not acceptable. There is no private amenity space whatsoever, the design is wrong resulting in an unsustainable form of development which is unacceptable to the planning authority."*

Planning register reference 25/60091 Planning permission refused (13 March 2025) for the construction of a three-storey building adjacent to an existing building consisting of retail unit on ground floor and an apartment on the first and second floor with connection to existing services. Applicant Clare O'Donnell.

Reason for refusal: Having regard to the fact that consent has been explicitly denied to allow the existing third-party gable window to be blocked up, the planning authority is not satisfied on the basis of the information submitted that the applicant has sufficient legal interest to carry out works which are essential for the development to proceed. Accordingly, to permit the proposed development would be contrary to the proper planning and sustainable development of the area.

5.0 Policy Context

5.1. 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 (July 2023)*

I note that the Design Standards for Apartments, Guidelines for Planning Authorities (July 2025) were published on 08.07.2025. Section 1.1 of this document states that the guidelines only apply to planning applications submitted after the publication of the guidelines. I am therefore satisfied that these guidelines are not relevant to the current appeal.

5.2. County Donegal Development Plan 2024-2030

The subject site sits just outside the designated Architectural Conservation Area (ACA) for Buncrana.

UB-P-1 It is a policy of the Council that the provision of multiple housing developments (defined as 2 or more units and excluding holiday homes) will generally be acceptable in principle within those towns/settlements identified in the Core Strategy/Settlement Structure, subject in all cases to the principles of quality placemaking, compact growth and the sequential development of settlements from the centre out, the availability of supporting infrastructure and facilities (including school provision), sustainable wastewater treatment solutions and relevant zoning objectives. The scale of any such development shall be in line

with the provisions of the Core Strategy, shall have regard to the circumstances of the specific settlement and shall be in accordance with all relevant objectives and policies of this Plan.

UB-P-6 It is a policy of the Council to support the principle of new residential development that will result in the regeneration and/or renewal of town centre areas or areas of vacancy and/or dereliction.

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/Standards¹³ 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.

Chapter 16 Technical Standards including Parking Standards Apartments/flats 1.25 per bedroom and 1 covered cycle parking stand per unit. These parking standards

shall not be applied in certain town centre areas where there are specific policy provisions relating to town centre parking.

5.3. Buncrana Local Area Plan

The subject site is located within the designated Urban Core zoning Map 18.1: Buncrana Area Plan Land Use Zoning Map.

Urban Core – Zoning Objective is to provide for the development and enhancement of urban core uses including retail, residential, commercial, civic and other uses.

Chapter 17 of the County Donegal Development Plan 2024-2030 contains the Local Area Plan for Buncrana.

TC-G-P-1 Facilitate a variety of developments and uses within the town centres including residential, retail, day and night-time hospitality, professional services, tourism and cultural development which accord with the urban design policies of the development plan and otherwise do not detract from the visual, residential or environmental amenities of the area or cause adverse impact traffic impacts.

TC-G-P-3 Positively support proposals for infill and backland residential and commercial developments where they would:

- Not have a significant adverse effect on existing residential and visual amenities.
- Respect the existing character, scale and setting of the local built environment.

5.4. Natural Heritage Designations

The subject site is located approximately 0.37km from the Special Area of Conservation: Lough Swilly SAC (Site Code 002287) and proposed Natural Heritage Areas: Lough Swilly Including Big Isle, Blanket Nook & Inch Lake.

6.0 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.

7.0 The Appeal

7.1. Grounds of Appeal

One third party appeal has been received from Patricia Doherty owner of neighbouring property. The grounds of appeal can be summarised as follows:

- Impact on right of access to the rear of their property and impact on parking.
- Impact on amenity – Overshadowing rear of the property and private amenity space and increased overlooking and interference with privacy of property at West End.
- Impact on private amenity space of no. 1 West End Terrace.

The appellant has provided planning history from adjoining sites to evidence the planning concerns and reason for refusal in other adjoining redevelopment/development sites.

7.2. Applicant Response

- Analysis of the planning history, stated precedent cases, provided by the appellant.
 - In respect to 05/90014 (which they note unable to access on the planning portal. I highlight to the Commission that the documents are available to view if searching by the file number and not the mapped search option) it is argued that key planning policy changes have occurred at a national, regional and local level to allow such a development proposal to be granted permission with regard to town centre regeneration and compact growth approach. Referencing development plan policy UB-P-1, Policy UB-P-6 and UB-P-9.

- In respect to 25/60091 the planning authority did not refer to rear access or parking issues as a ground for refusal. The refusal related to sufficient legal interest to carry out works that would require blocking up an existing third-party gable window.
- Highlights that the Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities (2024) supports low-rise, medium density housing models when applied at the right locations.
- The proposed development would replace an existing low quality single storey structure in the same location and would not interfere with any rights of way/access to building.
- Parking rights on private land is a civil matter and can be addressed through other mechanisms. The town centre location for the proposed development and availability of on street and of street car parking within the vicinity of the site, it is not considered that designated car parking is required to be provided. The planning authority has imposed a financial contribution for the shortfall in spaces.
- Cycling provision has been incorporated into the design with secure bike storage at ground floor for 4 no. bikes.
- The area of outdoor space proposed at ground floor was conditions to be enclosed with a 1.8m close board fence prior to first occupation of the associated development. Such a condition would ensure that the privacy of the adjoining properties is respected.
- Loss of sunlight/daylight – reiterates the planner's assessment of same.
- Do not accept that there are valid grounds for refusal based on loss of privacy and impact of amenity.

7.3. Planning Authority Response

- Acknowledges the contents of the third-party appeal and considers that the majority of the matters raised have been addressed in the planning reports dated 20th January and 8th May 2025. Refers to a 'precedent' case planning register reference 0590014.

I refer the Commission to section 4.0 of my report as in the decision under planning register reference 0590014 the redevelopment of the building to rear was omitted by condition and, as such, is not in my opinion a precedent case.

7.4. Observations

- None

8.0 Assessment

8.1. 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 to be considered are as follows:

- Impact on amenity – Overlooking and overshadowing including impacts on adjoining private amenity space of no. 1 West End Terrace.
- Impact on car parking/rights of way.

8.2. Impact on amenity – Overlooking and overshadowing including adjoining private amenity space of no. 1 West End Terrace.

8.2.1. The appellant has highlighted a previous planning decision to refuse the redevelopment of the adjoining single storey outbuilding 'Backyard Boutique' (appellants named as applicant on relevant application), see section 4.0 of my report, to provide for one apartment in a two-storey structure based on lack of private amenity space and design. I accept the applicant's argument that there has been a policy shift towards compact growth and town centre regeneration and, in that context, consider that the redevelopment along this laneway could bring a positive change, however, there are a number of site constraints and boundary conditions that require a site-specific design response to ensure the existing residential amenities are protected.

8.2.2. Having regard to the compact settlement guidelines (2024), specifically SPPR 1 which states that there shall be no specified minimum separation distance at ground

level or to the front of houses, duplex units and apartment units in statutory development plans and planning applications shall be determined on a case-by-case basis to prevent undue loss of privacy, I consider that the proposed provision of windows onto the shared laneway at first floor level do not result in a significant detrimental impact in terms of overlooking and reduced privacy of the opposing properties. The potential for overlooking and / perceived overlooking will be increased on to the laneway and the appellants amenity space at the end of the laneway between their single storey outbuilding/retail unit and the main property. On balance I do not consider that such overlooking to be of such significance to warrant a refusal of permission.

- 8.2.3. Notwithstanding the above considerations in relation to the front façade, the situation with regard to the positioning of windows directly onto the shared boundary with both the yard area of 'Hegartys' and close to/ or directly onto the private open space of no. 1 West End Terrace (subject to which option was selected under Condition 3) would in my opinion give rise to a substandard level of amenity for the future occupants of the proposed development and seriously injure the residential amenities of the neighbouring property No.1 West End Terrace and restrict future development of the adjoining lands.
- 8.2.4. Both the planning authority and the applicant concur that the proposed development would result in a degree of overshadowing to the rear yards of the adjoining properties to the north. The planning authority states, in report dated 20 January 2025, that "*as these buildings are not used for residential purposes, no amenity concerns arise*". I would agree with the assessment in this regard. The appellant refers to their "residence and outbuilding" and from my site visit I note that the end of the laneway appears to be used as an outdoor amenity area by the appellant. Given the position of the site, to the north and northeast, relative to the appellants property I do not consider that any increase in overshadowing would be so significant as to warrant a reason for refusal on this basis.
- 8.2.5. Separately, whilst the revised design does address the planning authorities concerns relating to the provision of adequate bin storage, bicycle storage and boundary screen height details I am of the opinion that the modifications have resulted in a design that would compromise the level of residential amenity for future occupants by reason of a reduction in accessible amenity space, limited daylight/sunlight

provided at ground floor level and due to the proposed set back of the front building line a detrimental impact on the visual coherence of the laneway. It would appear that a two storey structure could be accommodated on the site, however, the site constraints are such that 2 no. residential units cannot be satisfactorily accommodated on same without an impact on both the existing and future residents. I do not consider it appropriate to revise the design further by way of condition as a comprehensive reassessment of the proposal would be necessary responding to the relationship with its boundaries.

- 8.2.6. In conclusion on this point, I consider that the proposed development would seriously injure the amenities of both the future and existing residents/property owners and in turn would restrict the future development of the adjoining lands. A refusal is warranted on this basis.

8.3. Impact on car parking/rights of way

- 8.3.1. Firstly, the appellant raises concerns about the proposed development impacting on their established right of access to the rear of their property for parking and deliveries etc. The proposed development is contained on the existing footprint of the single storey structure and as such I do not consider there to be any proposed encroachment on the laneway by same. This is, however, a civil matter to be resolved between the parties, having regard to the provisions of s. 34 (13) of the 2000 Planning and Development Act (as amended).
- 8.3.2. Secondly the appellant is concerned that the proposed development will impact on parking within the already heavily congested area. The planning authority acknowledges in the planner's report, dated 20 January 2025, that limited space appears to be available for parking in the land surrounding the subject site. From my site visit I would concur with the planning authority and note there is the availability of on-street pay & display parking. No car parking provision is proposed to be provided within the scheme, but I note that the revised plans provide for an internal storage space that is stated to provide space for 4 no. bicycles. Given the small-scale nature of the redevelopment site and its position within the urban core of Buncrana I am of the view that consideration could be given to the elimination of parking with an appropriate provision of cycle parking/secure storage to provide alternative mobility

solutions. On balance I am of the opinion that given the small-scale nature of the regeneration scheme and the compensatory bicycle storage proposals that the proposed impact on demand on existing on street car parking would be so detrimental as to warrant a refusal on these grounds.

9.0 AA Screening

9.1. 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.

9.2. This determination is based on:

- Nature of works
- Location-distance from nearest European site and lack of connections
- Appropriate Assessment (AA) screening of the planning authority.

10.0 Water Framework Directive

10.1. The river body Crana_030 (IE_NW_39C020500) is approximately 45m north of the subject site (poor water body status) and the groundwater body is Lough Swilly (IEGBNI_NW_G_059) (good water body status).

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

10.3. I have assessed the proposed demolition of existing outbuildings for the construction of 2 no. apartments and all associated site works 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

10.4. 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.

11.0 Recommendation

I recommend that planning permission should be refused for the reasons and considerations set out below:

12.0 Reasons and Considerations

1. Having regard to the constrained nature and limited size of the existing building footprint, it is considered that the proposed development would result in overdevelopment of the site. As such, it is considered that the proposed development would fail to provide an adequate standard of residential amenity to serve the future occupants by reason of a reduction in useable amenity space and limited daylight/sunlight provided at ground floor level due to proposed window positions either directly onto or close to shared boundaries, which would seriously injure the established residential amenities of adjoining properties. 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

18 August 2025

Appendix 1: Form 1 - EIA Pre-Screening

Case Reference	322519-25
Proposed Development Summary	Demolition of outbuildings and erection of building contained 2 no. apartments, connection to existing public services and all associated works.
Development Address	Cockhill Road, Ardaravan, Buncrana, Lifford, Co. 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 Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	N/A
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road	N/A

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

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"/>	Screening Determination required (Complete Form 3)
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	322519-25
Proposed Development Summary	Demolition of outbuildings and erection of building contained 2 no. apartments, connection to existing public services and all associated works.
Development Address	Cockhill Road, Ardaravan, Buncrana, Lifford, Co. 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 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 Buncrana 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, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration,	<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> <p>There is no real likelihood of significant cumulative considerations having regard to other existing and/or permitted projects in the adjoining area.</p>

cumulative effects and opportunities for mitigation).	
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.	
There is a real likelihood of significant effects on the environment.	

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 outbuildings and erection of building contained 2 no. apartments, 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/backland site within the urban and serviced area of Buncrana. Total area stated as 0.028 ha.</p> <p>The site is bordered by adjoining commercial properties/outbuildings.</p> <p>10.1. The river body Crana_030 (IE_NW_39C020500) is approximately 45m north of the subject site (poor water body status) and the groundwater body is Lough Swilly (IEGBNI_NW_G_059) (good water body status).</p> <p>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: Lough Swilly SAC (Site Code 002287)	https://www.npws.ie/protected-sites/sac/002287 Conservation Objectives NPWS 2011.	The subject site is located approximately 0.37km from	Indirect	N

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*	
	Impacts	Effects
Special Area of Conservation: Lough Swilly SAC (Site Code 002287) QI list: Estuaries [1130]	Direct: None Indirect: Release construction related compounds including hydrocarbons to surface water.	Negative effect on habitat quality/ function undermine conservation objectives related to water quality

Coastal lagoons [1150] Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330] Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) [6410] Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0] Phocoena phocoena (Harbour Porpoise) [1351] Lutra lutra (Otter) [1355]		
	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: Lough Swilly SAC (Site Code 002287).		
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.

Screening Determination

Finding of no likely significant effects

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