



An
Coimisiún
Pleanála

Inspector's Report ABP-322645-25

Development	Construction of dwelling with all associated site works
Location	No. 19 Meadowlands, Abbeyside, Dungarvan,, Co. Waterford., X35 N603
Planning Authority	Waterford City and County Council
Planning Authority Reg. Ref.	2460795
Applicant(s)	Darren & Sinead O'Toole
Type of Application	Permission
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party
Appellant(s)	Jimmy & Joan Mansfield
Observer(s)	None
Date of Site Inspection	01 st July 2025
Inspector	Bernadette Quinn

1.0 Site Location and Description

- 1.1. The appeal site has a stated area of 0.060ha and comprises the side and front garden of a single storey detached dwelling (No. 19) located in the residential estate of Meadowlands. Meadowlands is approx. 1.5km from Dungarvan Town Centre and contains detached dwellings in a variety of styles including single storey and dormer dwellings.
- 1.2. The rear boundary of the site backs on to an area of public open space and a walkway, beyond which is Dungarvan Harbour and there is a sports field to the west. To the north is a detached dwelling at no. 20 Meadowlands. Boundaries of the site comprise a panel fence to the west (rear) and hedgerow to the north. The existing dwelling at no. 19 is located to the south.

2.0 Proposed Development

- 2.1. Permission is sought for a part storey and a half / part single storey dwelling with a floor area of 162 sq.m. in the front and side garden of No. 19 Meadowlands. Permission is also sought to construct a new entrance to serve the existing dwelling at no. 19 and the existing entrance to no. 19 will serve the proposed new dwelling.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. On 02nd May 2025, Waterford City and County Council (WCCC) issued notification of a decision to grant permission subject to 7 conditions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planning Authority (PA) planning officers report can be summarised as follows:

- Having Regard to the planning history of the site wherein planning permission has been granted on appeal for a dwelling it is noted that the principle of a

dwelling has been established on the site. The design, siting and layout proposed is identical to that permitted previously on the site.

- Clarity is required in relation to site boundaries and protection of same during construction.

Following receipt of further information, the planning officers report can be summarised as follows:

- Site boundaries have been clearly illustrated and it is proposed to retain and protect existing mature vegetation on the no. 20 side of the site boundary and a 1.8m high concrete post and timber fence is proposed along the northern and southern site boundary.
- It is recommended that permission is granted.

3.2.2. Other Technical Reports

None on file.

3.2.3. Conditions

The following condition of note was attached to the planning authority decision:

Condition 4: Except for the purpose of maintenance, the flat roofed area of the dwelling house permitted herein shall not at any time be accessible from the first floor level and shall not be used as a patio/balcony or other amenity space at any time. No walls or other screening shall be erected along the northern area of the flat roofed area. Reason: In the interests of residential amenity, to prevent overlooking and over shadowing of the existing property.

Condition 5: The site shall be landscaped in accordance with details submitted.

Existing trees/hedgerow on the northern site boundary shall be protected during construction works in accordance with submitted details date-stamped 09/04/2025.

Upon completion of the development works permitted herein the mesh fencing shall be removed. Reason: In the interests of visual and residential amenity.

3.3. Prescribed Bodies

None on file.

3.4. Third Party Observations

One third party submission was received. The issues raised are similar to the issues raised in the third party appeal.

4.0 Planning History

2560231: Permission granted by WCCC on 24/07/2025 for single storey extension and part first floor extension to existing dwelling, the revision of existing boundaries and the construction of a new entrance to serve the site and all associated ancillary site works at 19 Meadowlands.

2360124 / ABP-318126-23: Permission granted by the WCCC and An Coimisiun Pleanala (ACP) on 05/07/2024 following a third-party appeal for a two storey extension to existing dwelling at 19 Meadowlands.

19338 / ABP-305042-19: Permission refused by WCCC and granted by ACP on 28/11/2019 following a first party appeal to construct part storey and a half/part single storey dwelling.

2019/23: Part V Exemption in relation to proposed dwelling at 19 Meadowlands.

5.0 Policy Context

5.1. Development Plan

- 5.1.1. The Waterford City and County Development Plan 2022-2028 is the relevant development plan for the area. The plan has regard to national and regional policies in respect of infill development within existing built-up areas.
- 5.1.2. The proposed development is located in an area zoned 'RS - Existing Residential' with the objective to 'Provide for Residential Development and protect and improve residential amenity'.
- 5.1.3. The site is located within a 'Most Sensitive' Scenic Classification in the Landscape and Seascape Character Assessment as per the Development Plan.
- 5.1.4. Policies of relevance include:

Policy Objective H 01: To promote compact urban growth through the consolidation and development of new residential units on infill/ brownfield sites and mews and townhouse developments and support the most efficient use of publicly owned lands for residential and mixed-use developments. This will be achieved through working in collaboration with landowners, the Land Development Agency, The Housing Agency and other statutory and voluntary agencies and by the utilisation of available funding (URDF and RRDF) for plan and nature-based infrastructure led development.

Policy Objective H 04: We will promote and facilitate sustainable and liveable compact urban growth through the thoughtful consolidation and of infill/ brownfield sites in a way which promotes appropriate levels of compactness while delivering healthier and greener urban spaces and residential amenities. This will be achieved by: Facilitating and supporting a range of residential densities and building heights appropriate to the context and residential amenity of a proposed development location; Proximity to high capacity public transport corridors and investment in sustainable and/ or active transport infrastructure; Supporting the permeable integration and densification of existing built-up areas;

Policy Objective H 20 Protection of Existing Residential Amenity: Where new development is proposed, particularly on smaller suburban infill sites (< 1 ha in area) we will ensure that the residential amenity of adjacent residential properties in terms of privacy and the availability of daylight and sunlight is not adversely affected. We will support lower density type development at these locations. We will require that new development in more established residential areas respect and retain, where possible, existing unique features which add to the residential amenity and character of the area, such features include front walls, gates, piers, railings, and stone/brick/render work.

- 5.1.5. Volume 2 sets out Development Management Standards with section 3.0 setting out residential development standards. Table 3.1 sets out General Standards for New Residential Development in Urban Areas.

5.2. Natural Heritage Designations

Dungarvan Harbour SPA Site Code 004032 and Dungarvan Harbour pNHA are located approx. 75m to the south of the site.

5.3. EIA Screening

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

6.0 The Appeal

6.1. Grounds of Appeal

One third party appeal has been received, summarised as follows:

- The original permission for the Meadowlands Estate granted in 1986 required all houses to be single storey which is relevant to the present proposal.
- A condition attached to a previous permission on the site required retention of existing trees and hedges in the interests of visual and residential amenity and this is ignored in the subject application.
- The proposed dwelling is different to that which was previously granted permission and different site boundaries are proposed.
- The site layout plan does not accurately show existing hedges or their widths on the northern boundary which has been in place for 34 years and should be regarded as the site boundary and conditions should be attached in relation to the retention of this hedge. The appellants own to the centre of the hedge which should be retained as previously required by An Bord Pleanála.
- The proposed site boundary is unacceptable and should comprise a concrete block wall plastered and capped on the No. 20 side. Clarity is required in relation to boundary treatments.

- The removal of hedgerow is contrary to local and national planning policy in relation to green infrastructure and biodiversity and the benefits of hedgerows in relation to surface water absorption and microclimate benefits.
- The initial decision by An Bord Pleanála to grant permission for a dwelling on the site could be re-examined.
- The proposal constitutes overdevelopment of the site resulting in serious injury to the residential amenity of no.20 and reduction in value of that property.
- The proposal constitutes overdevelopment of the existing estate and if permitted would detract from the existing residential amenity of the estate and constitute an incongruous element resulting in a significant adverse effect on existing visual amenity.
- The proposal will not conform with open space standards.
- The creation of an additional entrance would result in a traffic hazard on a blind corner. An entrance onto the Meadowlands estate has previously been refused on appeal to An Bord Pleanála under PL56.120600 which sets a precedent for refusing additional development within the estate.
- The proposal would create an undesirable precedent.
- There are concerns in relation to overlooking from potential extensions to the proposed development under exempted development regulations and from the proposed flat roof.
- The proposal will have an overshadowing effect on no. 20.
- The proposal would be contrary to the proper planning and sustainable development of the area and should be refused.

6.2. Applicant Response

A response from the first party can be summarised as follows:

- The proposal has not materially changed from that previously granted consent on the site under reference 19/338 (ABP-305042-19).

- The argument that the proposal is non compliant with the 1986 parent permission is strongly refuted on the basis of the precedent for residential development associated with the site, the current development plan and provisions of Sustainable Residential and Compact Settlements Guidelines recognition for compact residential development.
- The site layout plan identifies the site boundary as aligned to the Land Registry Folio for the site, and extant hedgerows and hedgerows for removal within no. 19 and trees and hedgerows to be retained.
- In relation to the request to have the proposed car port removed, the proposal fully complies with Policy DM11 of the Development Plan and the car port has been determined as acceptable by the PA. The small scale of the proposed car port adjoining the northern site boundary will not give rise to impacts on the appellants property.
- The proposed fence between the appellants property and the appeal site complies with Table 3.1 of Appendix 2 of the Development Plan and has been accepted by the PA.
- In relation to non-compliance with condition 5 of Planning permission ABP-305042-19, this permission has lapsed and the site plan submitte details boundary hedge and trees to be protected during construction.
- Delineation of property boundaries has previously been determined in previous planning applications on the site and the PA noted it is not appropriate to preclude hedgerow removal if the applicant has sufficient legal interest. Land ownership is a civil matter and the boundary comprises two hedgerows planted side by side on either side of the party boundary. No material change in land ownership has occurred since previous planning decisions on the site.
- The removal of hedgerow is not prohibited by policy and replacement planting can be provided.
- Condition no. 5 of the PA decision requires the appliants to protect hedgerow at No. 20.

- In relation to concerns regarding visual impact, the proposal is set back 3.3m from the boundary adjoining No. 20, no works are proposed to the appellants boundary hedge and the proposal is wholly in accordance with the Development Management requirements of the development plan.
- In relation to concerns of overdevelopment, the plot ratio and site coverage are in compliance with Table 3.1 Vol 2 of the Development Plan and the proposal complies with Section 3.4.2 in relation to general residential development design standards.
- The proposal has a height of 7.1m with a setback of 3.3m from the northern boundary and no fenestration facing north and will therefore not give rise to any overlooking or impacts on residential amenity of the appellants property.
- The height and scale proposed will not give rise to overshadowing.
- Condition no.4 of the PA decision protects residential amenity by restricting access to the proposed rear flat roof and ameliorates concerns relating to a potential first floor extension under exempted development regulations.
- No concerns were raised in relation to visual impact, residential amenity or traffic safety in the assessment of the previously permitted proposal under ABP Ref 305042-19.
- Refusal reasons for the cited precedent under ABP Ref PL56.120600 are not relevant to the subject site.
- Condition 2 (e-f) of the PA decision mitigates the appellants concerns in relation to traffic safety.

6.3. Planning Authority Response

None received.

6.4. Observations

None received.

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 inspected the site, and having regard to relevant local/regional/national policies and guidance, I consider that the main issue in this appeal are as follows:

- Boundary Details
- Residential and Visual Amenity
- Traffic Safety
- Other Matters

7.2. Boundary Details

- 7.2.1. The appeal outlines that the site layout plan incorrectly shows existing hedgerows and the appellants state that they have maintained an area between an existing hedgerow in no. 20 and an existing hedgerow in no. 19 and that their ownership extends to the centre of the hedge in no. 19 which is proposed to be removed. The first party response to the appeal states that the Site Layout Plan identifies the site boundary as aligned to the land registry folio for the site and trees and hedgerows within the neighbouring property at no. 20 to be retained and protected during construction.
- 7.2.2. Having assessed the proposed development I am satisfied that the site layout plan submitted in response to the PA further information request accurately indicates existing site boundaries, including hedgerow within the appeal site to be removed and indicates the existing boundary hedge and trees at no. 20 to be protected during construction works with metal fencing and garden screen mesh. A section of boundary hedge within no. 19 is to be removed and replaced with a 1.8m high post and timber panel fence.
- 7.2.3. I consider that disputes relating to boundaries are a matter between the party's concerned and are not a matter for the Board. Section 5.13 of the Development Management Guidelines for Planning Authorities (June 2007), states the planning system is not designed as a mechanism for resolving disputes about title to land or

premises and these are ultimately matters for resolution in the Courts. Section 34(13) of the Planning Act (as amended) states that a person is not be entitled solely by reason of a permission to carry out any development. Having regard to the above I do not consider the proposed development should be refused on these grounds.

7.2.4. I note the concerns of the third party relating to retention of trees and hedgerows and the requirement of condition 5 attached to permission ABP-305042-19 which required retention of existing trees and hedgerows on the northern and eastern boundaries. Permission ABP-305042-19 was not implemented and has expired and I note that there are no objectives in the development plan to preserve trees at this location. I consider the limited extent of trees and hedgerows to be removed within the appeal site to provide for an infill dwelling in this suburban location is acceptable. I note the PA condition no. 5 requires landscaping in accordance with details submitted and protection of the northern site boundary. If An Coimisiún decides to grant permission, I consider it appropriate that Condition 5 of the PA be attached.

7.2.5. In relation to the proposed boundary treatment of a 1.8m high concrete post and timber fence, I consider this provides for adequate privacy between properties and accords with development management standards set out in Table 3.1 of the Development Plan which states 'concrete post and timber/ concrete panel fencing may also be permitted for inter-site, side boundaries'. I am satisfied that the boundary treatment is acceptable at this location, and I do not consider it necessary to omit the proposed car port as requested by the third party in order to protect boundary treatments.

7.3. Residential and Visual Amenity

7.3.1. The proposal relates to a storey and a half dwelling with a ridge height of 7.14m which is generally in line with the ridge height of the neighbouring dwelling at no. 20 as indicated on the contiguous elevation (east) drawing. No windows are proposed at first floor on the north or south elevations. The dwelling will be set back 3.3m from the northern boundary, with the exception of a car port which extends to the northern site boundary. Finishes include plaster and grey cladding to dormers at first floor.

7.3.2. The first party response notes that the proposed development has not changed materially from that which was permitted under ABP-305042-19 by An Bord Pleanála. Whilst I note the precedent that has been set by the previously permitted

dwelling on the site, I note that permission has expired and it was permitted under a previous Development Plan for the area. I therefore consider the current proposal should be assessed on its merits and under the provisions of current policy, including the current Development Plan for the area.

- 7.3.3. The appeal considers the requirement that the dwellings permitted in the original Meadowlands Estate be single storey should apply to the current proposal. Having regard to the provisions of the Development Plan relating to compact development (Policy Objective H01 and Policy Objective H 04) and the pattern of development in the vicinity of the appeal site, I do not consider it necessary that a historic condition that applied to the existing dwellings should apply to the current proposal and I am satisfied that the design of the proposed storey and a half dwelling is acceptable at this location noting the suburban pattern of development and variety in building height and design in the vicinity of the site. Whilst the site is within the 'Most Sensitive' landscape designation, the appeal site is located in an area characterised by dwellings of a similar scale to that proposed and I consider the height proposed is acceptable for this site. Having regard to the scale of the proposed car port, I do not consider it has the potential to result in unacceptable impact on the neighbouring property at No. 20 and I do not consider it necessary to require its omission.
- 7.3.4. In relation to concerns of overshadowing and loss of sunlight on No. 20, having regard to the separation distance, height and design of the proposed dwelling and its location in line with no. 20, I do not consider the proposed dwelling will result in an unacceptable level of overshadowing or loss of light on neighbouring properties. I do not consider a technical assessment of sunlight and daylight is required in relation to the proposal.
- 7.3.5. The third party raise concerns that the proposal does not conform to open space standards and will result in overdevelopment. The proposed 3 bedroom dwelling provides for a rear garden in excess of 150 sq.m. which exceeds the minimum standards set out in SPPR 2 – Minimum Open Space Standards in the Compact Settlements Guidelines which requires 40 sq.m. for a 3 bedroom house. The existing dwelling on the site will also retain a large rear garden providing for adequate private open space. The proposal provides for one dwelling on a site area of 0.06ha and when taken together with the existing dwelling on the land holding will provide for 2 dwellings on a site of 0.13ha at a density of 15 dwellings per hectare which I

consider is acceptable having regard to the size of the site, the pattern of development in the vicinity and having regard to the scale of development proposed. Having regard to the above, I am satisfied that the proposal does not result in overdevelopment of the site.

- 7.3.6. Having regard to the above, I am satisfied that the proposal complies with Policy Objective H 20 relating to protection of existing residential amenity and I do not consider the proposal will give rise to unacceptable impacts on the visual or residential amenities of the area.

7.4. Traffic Safety

- 7.4.1. The appeal raises concerns that the creation of an additional entrance would result in a traffic hazard on a blind corner and refers to a previous decision in Abbeyside where permission was refused on appeal under PL56.120600. The proposal seeks to use the existing site entrance to serve the proposed dwelling, and a new entrance is proposed to serve the existing entrance.
- 7.4.2. The site is located within a residential cul-de-sac. The Site Layout Plan indicates sightlines of 30m in both directions for the proposed entrance. Having inspected the site I am satisfied that adequate sightlines are available in both directions and I do not consider the proposal will result in a traffic hazard. I note the precedent referred to in the appeal does not relate to the appeal site and does not raise issues that are relevant to the proposed vehicular entrance.

7.5. Other Matters

- 7.5.1. I note the appellants concern regarding the impact of the proposed development on the value of their property. I am not aware of any evidence to support the assertion that the proposed development would negatively impact property values in the area, and nothing has been submitted to demonstrate that this would be the case.
- 7.5.2. In relation to concerns regarding the setting of precedent for similar type developments, I do not consider this application would set a negative precedent given the characteristics of the site, the design proposed and compliance with development plan standards.
- 7.5.3. In relation to concerns regarding overlooking from potential extensions to the proposed development under exempted development regulations and from the

proposed flat roof, I note the condition of the PA which restricts the use of the flat roof for amenity use or any other use. If An Coimisiún decides to grant permission I consider it appropriate to attach a condition to this effect. I do not consider overlooking from potential future extensions is relevant to the assessment of this appeal.

8.0 Water Framework Directive Assessment Screening

- 8.1. The subject site is located approx. 85m north of Dungarvan Harbour. The proposed development comprises the construction of a detached dwelling as outlined in section 2.1 of this report.
- 8.2. No water deterioration concerns were raised in the planning appeal. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

The reason for this conclusion is as follows:

- The small scale of development and the nature of works
 - The location-distance from nearest Water bodies and lack of hydrological connections
- 8.3. 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.

9.0 AA Screening

- 9.1. Screening Determination

Finding of no likely significant effects

- 9.1.1. 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 Dungarvan Harbour SPA (Site Code: 004032) in view of the conservation objectives of this site and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- The Nature of works
- Location-distance from nearest European site and lack of connections

10.0 Recommendation

- 10.1. I recommend that permission is granted, subject to conditions.

11.0 Reasons and Considerations

- 11.1. Having regard to the provisions of the Waterford City and County Development Plan 2022-2028, to the location of the site in an established residential area, the 'existing residential' zoning objective and to the nature, form, scale and design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area, would be acceptable in terms of road and traffic safety and would be in keeping with the established character of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

12.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 09th day of

April 2025, 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. Except for the purpose of maintenance, the flat roofed area of the dwelling house permitted herein shall not at any time be accessible from the first floor level and shall not be used as a patio/balcony or other amenity space at any time. No walls or other screening shall be erected along the northern area of the flat roofed area.

Reason: In the interests of residential amenity and to prevent overlooking existing properties.

3. The site shall be landscaped in accordance with details submitted. Existing trees/hedgerow on the northern site boundary shall be protected during construction works in accordance with details submitted to the planning authority. Upon completion of the development works permitted herein the mesh fencing shall be removed.

Reason: In the interests of visual and residential amenity.

4. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

5. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health

6. 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.

7. Proposals for a naming/numbering scheme for the dwelling shall be submitted to and agreed in writing with the planning authority prior to the occupation of the dwelling.

Reason: In the interest of urban legibility.

8. All public service cables for the development, including electrical and telecommunications cables, shall be located underground throughout the site.

Reason: In the interest of visual amenity.

9. The construction of the development shall be managed in accordance with a Construction and Environmental Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise and dust management measures, waste management and recycling of materials, environmental protection measures, welfare facilities, site deliveries, complaints procedure, pest control and traffic management arrangements.

Reason: In the interest of public safety, environmental protection, and residential amenity.

10. 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 Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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.

Bernadette Quinn
Planning Inspector

19th August 2025

Form 1 - EIA Pre-Screening

Case Reference	ABP-322645-25
Proposed Development Summary	Construction of dwelling and associated site works.
Development Address	No. 19 Meadowlands, Abbeyside, Dungarvan,, Co. Waterford., X35 N603
	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)	☒ Yes, it is a ‘Project’. Proceed to Q2.
	☐ 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)?	
☐ 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
☒ 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?	
☐ No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road	

development under Article 8 of the Roads Regulations, 1994. No Screening required.	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	State the Class and state the relevant threshold
☒ 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)	State the Class and state the relevant threshold

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 ☐	
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ Date: _____

Form 2 - EIA Preliminary Examination

Case Reference	ABP-322645-25
Proposed Development Summary	Construction of dwelling and associated site works.
Development Address	No. 19 Meadowlands, Abbeyside, Dungarvan,, Co. Waterford., X35 N603
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	Briefly comment on the key characteristics of the development, having regard to the criteria listed. Proposal for one residential unit adjacent to existing residential development is not out of context at this urban location and will not give rise to any significant waste or pollutants.
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	Briefly comment on the location of the development, having regard to the criteria listed The closest European site is Dungarvan Harbour SPA (Site Code: 004032) located 75m from the site. There are no protected structures or recorded monuments in the vicinity.
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).	Having regard to the characteristics of the development and the sensitivity of its location, consider the potential for SIGNIFICANT effects, not just effects. The proposed development is not likely to give rise to any significant impacts locally or transboundary impacts. Construction impacts will be short term and temporary and can be adequately mitigated and managed.
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.	Schedule 7A Information required to enable a Screening Determination to be carried out.
There is a real likelihood of significant effects on the environment.	EIAR required.

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	Construction of dwelling and associated site works.
Brief description of development site characteristics and potential impact mechanisms	The proposal relates to a detached dwelling on a site measuring 0.060ha. The site forms a garden of an existing dwelling and is located in an area characterized by detached dwellings. Dungarvan Harbour SPA is located approx. 75m to the south of the site.
Screening report	N
Natura Impact Statement	N
Relevant submissions	None

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

European Site (code)	Qualifying interests¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (m)	Ecological connections²	Consider further in screening³ Y/N
Dungarvan Harbour SPA (Site Code: 004032)	Great Crested Grebe Light-bellied Brent Goose Shelduck Red-breasted Merganser Oystercatcher Golden Plover Grey Plover Lapwing Knot Dunlin Black-tailed Godwit Bar-tailed Godwit Curlew Redshank Turnstone Wetland and Waterbirds	75m	No spatial overlap, therefore no direct connection with this SPA. No hydrological or ecological connection via air or land. The site does not support the species or habitats relevant to this SPA.	N
Link to Conservation Objectives: Site specific cons obj				

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

No potential for likely significant effects on European sites during the construction or operational phase has been identified.

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 Dungarvan Harbour SPA (Site Code: 004032). 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 Dungarvan Harbour SPA (Site Code: 004032) in view of the conservation objectives of this site 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