



An
Coimisiún
Pleanála

Inspector's Report ACP-322894-25

Development	Permission to change the use of existing 5 bedroom detached single storey dwelling to a childcare facility for children with intellectual special needs with ancillary works (Planning Register No. 20210927 refers)
Location	Knockmullen, Gorey Rural, Co. Wexford
Planning Authority	Wexford County Council
Planning Authority Reg. Ref.	20250162
Applicant(s)	Tom and Pat Redmond
Type of Application	Planning permission
Planning Authority Decision	Grant permission with conditions
Type of Appeal	Third Party
Appellant(s)	Mairead Sheehan Bríd Kinsella
Date of Site Inspection	01 st September 2025.
Inspector	Sarah O'Mahony

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1.0 Site Location and Description

- 1.1. The 0.1ha site comprises an unoccupied, detached, single-storey dwelling situated in a housing estate at the south of Gorey called Millquarter.
- 1.2. The site is situated at the end of a cul-de-sac in the estate which in turn is accessed from the R741. The 254m² dwelling on the site and the surrounding dwellings appear to be newly constructed with the majority of units occupied.
- 1.3. Boundaries comprise a mix of 1.8-2m high standard blockwork walls to the east and northeast with a taller concrete retaining wall situated along the west and northwest boundaries adjacent to a copse of mature trees.

2.0 Proposed Development

- 2.1. Planning permission is sought for development which comprises the following:
 - Change the use of existing 5-bedroom detached single storey dwelling to a childcare facility for children with intellectual special needs.
 - Ancillary site development works including erection of an overhang/canopy to the rear to provide a covered outdoor play space, additional new boundaries and removal of the vehicular entrance to provide a pedestrian entrance instead.
 - The facility will be run in conjunction with the nearby St. Aidan's Services campus which provides support services for individuals with intellectual special needs. This main St. Aidan's campus is situated 225m east of the site on a separate property.

3.0 Planning Authority Decision

3.1. Further Information

- 3.1.1. The following further information was sought:
 - Information regarding staffing, capacity of the facility and operating times.
 - A revised site layout providing drop off and turning zones having regard to the nature of the facility and vehicles which may need to access the site including mini-buses and emergency vehicles.

- Car parking proposals including EV infrastructure as well as bicycle parking.
- Detailed design of the area to the front of the site including road markings and signage, bearing in mind the potential use of that area by larger vehicles.
- Consider the third-party concerns including impacts on car parking, turning areas and provision of future EV charging.

3.1.2. The request also advised the applicant to consult the District Engineer regarding any proposed re-design prior to lodging the response.

3.1.3. The applicant's response outlined that 2no. staff and 4no. children are proposed to utilise the service daily from 09.30-1.30. Child drop off and pick up will be situated at the nearby St. Aiden's Services campus with a transfer then operating to drop off at the site by car or minibus while staff will park at St. Aiden's also and walk to the site. The response also states that it is not expected that minibuses or utility vehicles will require entry to the site.

3.1.4. A revised site layout plan provides parking for 3no. vehicles within the site as well as bicycle parking and a turning space. The response states that one EV charging point will be provided to serve all spaces while a letter from St. Aidens also states that only 1no. vehicle will park at the site.

3.1.5. The response also states '*With regard to consulting with the Area Engineer it was not felt necessary considering all matters relating to issues raised on the public road are being handled within the curtilage of the site.*'

3.2. **Decision**

3.2.1. Wexford County Council issued a notification to grant permission on 11th June 2025 subject to 2no. conditions. The first is a standard condition requiring all plans and particulars submitted with the application to be adhered to. The second condition requires surface water management, restricts alterations to the road level, requires damage to drainage to be made good and requires all road markings and signage to comply with relevant guidance.

3.3. **Planning Authority Reports**

3.3.1. Planning Reports

- There are two case planner's reports, one recommending further information and the latter assessing it.
- The Planners report recommendation to grant permission is consistent with the notification of decision which issued.
- Environmental Impact Assessment (EIA) and Appropriate Assessment (AA) issues were screened out.
- It considered the principle of development is acceptable and that the proposed use would not impact adjoining residential amenities, subject to proper traffic management. The report stated that there is adequate car parking in the area to cater for the proposed development but that a drop off area would be required as per the further information recommended by the Roads Department.
- Following receipt of the further information, the Case Planner considered the response to be acceptable and concludes again by saying the proposed use will not impact on neighbouring residential amenity.

3.3.2. Other Technical Reports

- Roads Department: Two reports submitted, one requesting further information and the latter recommending a grant of permission following receipt of the further information response.
- Access Officer: Report submitted outlining the requirement for a Disability Access Certificate.

3.4. **Prescribed Bodies**

- None

3.5. **Third Party Observations**

3.5.1. 3no. submissions were received from the following third parties:

1. Mairéad Sheehan
2. Bríd Kinsella
3. John Balon

3.5.2. The following issues were raised in the submissions:

- Increased traffic and lack of a turning bay, drop off point or footpaths constitute a traffic hazard.
- Lack of car parking will exacerbate existing parking deficit.
- Proposed trees will block daylight to existing dwellings and omit existing car parking.
- Future extensions and increased occupancy would result in further traffic concerns.
- Lack of consultation.
- Inaccurate drawings which do not reflect the existing layout. There is insufficient space on the site to accommodate the proposals. There are two water hydrants situated in the location of the proposed parking.
- No autotrack or road safety audit was submitted.
- Clarification required over availability of EV charging infrastructure.
- Layout drawing suggests a new disabled parking space will be provided outside the site adjacent to existing dwellings. Concerns raised regarding availability of existing spaces.

4.0 Planning History

- 20210927: Planning permission granted for 53no. residential units, connection to existing housing scheme roadway, pedestrian and vehicular links to adjoining lands connection to public services and hard and soft landscaping.
- 20221643: Amendments to ref. 20210927 to comprise removal of 24no. 2 and 3-bed dwellings and their replacement with 18no. 3 and 4-bed dwellings, together with associated alterations to the roads, footpaths, landscapes and water services.

Adjoining site and different phases of the overall housing estate:

- 20201177: Planning permission granted for 97no. residential units and ancillary works including access, landscaping and connection to public services. Permission also sought to relocate and redesign the previously permitted creche and construct

12no. apartments instead which are included in the total 97no. units. This will comprise relocating community and education zoned land to the east of the site where it is proposed to change the use of the existing commercial building to science and education facility together with amendments to that building.

- 20200738: Planning permission granted for 55no. residential units and ancillary works including access, landscaping and connection to public services.
- 20191538: Planning permission granted for 62no. residential units and ancillary works including access, landscaping and connection to public services.
- Enforcement case: 0239-2022- possible non-compliance with ref. 20201177 regarding a financial bond.

5.0 Policy Context

5.1. Development Plan

- 5.1.1. The site is governed by the policies and provisions contained in the Wexford County Development Plan 2022-2028 (referred to hereafter as the CDP).
- 5.1.2. Volume 2 of the CDP is a development management manual and I note the provisions therein including sections 2.6 (amenity), 2.9 (boundary treatments), 3.12.6 (other design considerations for multi-unit schemes), 4.1 (childcare facilities) and 6.3 (car parking).
- 5.1.3. Section 4.1 states the following:

'In established residential areas, the conversion to a childcare facility will only be considered where the dwelling house is detached, where there is adequate separation distances between the dwelling house and other dwelling houses in the vicinity, where the use as a childcare facility will not detract from the residential amenities of the estate, where the development will not give rise to a traffic hazard and where the car parking requirements and external play provision for the child care facility are provided in addition to the car parking requirements of housing estate.'

5.2. Gorey Local Area Plan 2017-2023 (extended to 2026)

5.2.1. The site is zoned for residential purposes which has the following objective:

“To protect and enhance the residential amenity of existing and developed communities and to provide for new residential development, associated residential services and community facilities.”

5.2.2. The land use zoning matrix states that childcare facilities are open for consideration on residentially zoned land.

5.2.3. Section 2.5.3 refers to the St. Aidan's Day Care Centre as follows:

“St. Aidan's Day Care Centre, which is located at Millands, offers invaluable services to the people of North Wexford. The range of services provided include residential care, day services for the elderly, day care for adults with special needs and preschool education for children with special needs.

The council will facilitate the provision and expansion of built facilities to ensure accessible healthcare services are available in the town.”

5.3. Natural Heritage Designations

5.3.1. The Slaney River Valley Special Area of Conservation is situated 3.5km northwest of the site while Courtown Dunes and Glen proposed Natural Heritage Area is situated 3.8km southeast of the site.

5.4. EIA Screening

5.4.1. The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended (or Part V of the 1994 Roads Regulations). No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of report.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. 2no. appeals were received from the following:

1. Mairéad Sheehan
2. Bríd Kinsella

6.1.2. The following issues form the grounds of appeal

- The proposed development would constitute a traffic hazard due to increased vehicular movements, interactions with vulnerable road users, lack of turning space available for large vehicles such as mini-buses and emergency vehicles, and impacts to existing car parking.
- Inaccurate drawings do not reflect layout of the site or availability of space to achieve parking and turning. Conflicting statements made in the application documents about vehicular access and parking requirements.
- There is no pedestrian infrastructure in place to facilitate staff parking at the main St. Aidens campus and walking to the site. Also, no cycle routes are in place or proposed to facilitate safe cycling to the site.
- Concerns regarding the proposed layout outside of the red line boundary, adjacent to existing occupied dwellings and access road including:
 - The proposed layout outside would obstruct water/fire hydrants.
 - A new disabled parking space would be provided directly outside an appellant's dwelling where the appellant currently proposes to provide an EV charging point.
 - Proposed trees would obstruct existing parking spaces.
 - Unclear if proposed EV charging infrastructure is for common use or only associated with the site.
 - Existing public lighting pole in proposed parking spaces.
- Opposition to premature opening of the facility without addressing the issues raised.

6.2. Applicant Response

- References to development outside of the red site line boundary are irrelevant and form part of compliance requirements relating to the parent permission ref. 20210927. This includes a request for autotrack analysis and Road Safety Audit on the existing access road as well as references to EV charging and the blocking of fire hydrants outside of the site, all of which were permitted under that parent permission.
- An EV charging point will be provided within the site for users of the facility only and any situated outside of the site would not be utilised by staff/users of the facility.
- Any parking spaces to be lost would have originally formed part of the site or been designated for use by the dwelling on the site, and are now provided for within the site.
- The cul-de-sac is not a heavily trafficked area by pedestrians as there is no end-destination for pedestrians in this location outside of occupants of the small number of dwellings on the cul-de-sac.
- The proposed development would not intensify traffic generation, traffic speed or turning movements compared with likely traffic associated with the permitted dwelling.
- The proposed development does not impede the appellant's proposal to install an EV charging point outside their own dwelling. This relates to land outside of the red line boundary which is subject to the provisions of ref. 20210927.

6.3. Planning Authority Response

- No response received.

7.0 Assessment

7.1. Introduction

- 7.1.1. The development proposes to care for children with intellectual special needs and therefore forms a creche/childcare facility. The site is zoned for residential purposes

with an objective to protect and enhance *the residential amenity of existing and developed communities*. The objective also however goes on to say '*and to provide for new residential development, associated residential services and community facilities*.' The land use zoning matrix states that childcare facilities are open for consideration on residentially zoned land and therefore in my opinion the principle of development is tied in this case to impacts to residential amenity.

7.1.2. 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:

- Works Outside the Site
- Inaccuracies and Traffic Impact
- Impact on Residential Amenity

7.2. Works outside the Site

7.2.1. The site layout plan submitted with the application and further information response illustrates a different layout for the area situated directly to the south and outside of the site's red line boundary. This space currently comprises car parking and access to the adjacent dwellings with some on-street parking and landscaping also illustrated.

7.2.2. The drawing refers to 'Existing On-street Parking' and illustrates 4no. spaces either side of and perpendicular to the access road, 2no. of which comprise accessible parking spaces while another 2no. comprise EV charging spots. In both cases a pair of headlands are illustrated with trees and planting surrounded by kerbs, creating a traffic calming effect and encapsulating or enclosing this area at the end of the cul-de-sac.

7.2.3. Having inspected the site I note that the layout in situ is different. The entire area in question is finished with tarmacadam with no painted lines to differentiate parking spaces or their uses and also no trees in place. If 4no. spaces were provided at the

west of the access road as suggested, these would block access to the existing vehicular entrance to the site as well as blocking access to water hydrants.

- 7.2.4. The appeals are concerned with many of these changes and the implications they could have to their own property and availability of car parking. This area is however situated outside of the red line boundary and the applicant's response to the appeal suggests that no works are proposed outside of the red line. It appears the layout is based on the permitted layout for the general cul-de-sac.
- 7.2.5. I agree with the applicant that any matters of non-compliance with the parent permission for this area are outside of the scope of this appeal as the application does not actually propose to undertake these changes to the public area. I also note that the development description refers to the parent permission, ref. 20210927, but does not specify that amendments are sought to it. In this regard I recommend that in the event of a grant of permission, a condition is attached which specifies that no works are to occur outside of the red line boundary pertaining to this subject application.

7.3. Inaccuracies and Traffic Impact

- 7.3.1. The appeal refers to drawing inaccuracies and how this affects the availability of car parking on the site. The applicant's original site layout drawing proposed to remove the existing vehicular entrance and singular parking space on the site, and to construct new boundary walls with a pedestrian entrance only. Following a further information request, the vehicular entrance was reinstated with the area to the west and northwest of the dwelling to be provided for 3no. parking spaces and a turning area.
- 7.3.2. Having inspected the site however, it is clear that the drawings are inaccurate as they illustrate a larger site than is currently within the curtilage of the dwelling. They suggest there is a separation distance of 13m between the bay window situated at the west of the dwelling and the tall retaining boundary wall at the west of the site. I measured this on the site and noted a separation of 5m. In this regard, it is not clear if any site inspection was carried out to inform the preparation of the drawings, or alternatively if it is actually intended to remove the 2-2.5m high boundary retaining

wall as well as a cluster of mature deciduous trees situated on higher ground to the rear of the wall in order to expand the curtilage of the site.

- 7.3.3. The existing site layout would not accommodate car parking for 3no. vehicles or any turning space within the site. This in turn raises concerns regarding impacts to residential amenity, availability of car parking and impact of traffic movements on the cul-de-sac.
- 7.3.4. Having regard to the information received and the inspections carried out on the site, I do not recommend that permission is granted to relocate the western boundary wall due to negative impacts surrounding biodiversity and visual amenity from removal of the trees, as well as concerns regarding accuracy of the development description and the extent of permission applied for in the first instance. No reference is made in the application to works to this wall or removal of trees.
- 7.3.5. With regard to the availability of car parking, the permitted dwelling comprises a 5-bed unit which requires a maximum of 2no. spaces according to the current CDP. A creche/childcare facility requires 1 space per 4 children and 1 space per employee which, having regard to the occupancy and staffing levels stated, would require 3no. spaces. 1no. space is provided within the curtilage of the site.
- 7.3.6. The applicant's further information response is unclear on the matter of required parking and drop off facilities. It states variously that minibuses will and will not be required or that staff will park at the existing St. Aidan's campus which is situated east of the overall Millquarter estate and then walk to the site. There is currently no pedestrian connectivity between St. Aidan's and Millquarter, meaning staff would require a 3km trip on the local road network in each direction until any other more direct connections are potentially provided.
- 7.3.7. Having regard however to the small scale of the development which would include 4no. children and 2no. staff travelling to and from the site daily, I consider the likely traffic generation associated with the development would be minor and similar to that generated by a 5-bedroom dwelling.
- 7.3.8. In this regard and noting the relationship and proximity between the site and the nearby St. Aidens campus, I recommend that planning permission is granted subject to a condition requiring the preparation of a mobility management plan demonstrating how access will be managed with one parking space as is currently in

situ, as well as references to implementation of pedestrian routes and the size of minibus etc.

- 7.3.9. I also recommend that revised and accurate site layout drawings are submitted which reflect the in-situ arrangement and accordingly reflect the proposed new boundary walls.
- 7.3.10. Such conditions would ensure that the development complies with the requirements of Section 4.1 of the Development Management Manual, set out in Volume 2 of the CDP.

7.4. Impact on Residential Amenity

- 7.4.1. Having regard to the conclusions drawn above regarding impacts to traffic, parking and existing property, I consider the remaining item to consider which may affect residential amenity relates to noise
- 7.4.2. Changing the use of a dwelling to a childcare facility could result in an increase in noise, however I have had regard to the scale of childcare spaces proposed in this development together with the detached nature of the building and its location at the end of a cul-de-sac. In this context, I am of the view that noise is not likely to occur at such levels likely to impact the amenity of residential developments.
- 7.4.3. I therefore consider that the principle of development is acceptable at the site.

8.0 AA Screening

8.1. Screening

- 8.1.1. I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended.
- 8.1.2. The Slaney River Valley Special Area of Conservation is situated 3.5km northwest of the site.
- 8.1.3. The proposed development seeks to change the use of an existing dwelling to childcare uses together with minor extension, access and boundary alterations.

8.1.4. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.

8.1.5. The reason for this conclusion is as follows:

- The urban infill nature and modest scale of the works,
- The location of the site removed from any waterbodies and lack of any hydrological connectivity,
- Existing connection to public water services and
- Taking into account the screening report/determination by Wexford County Council.

8.2. Conclusion

8.2.1. I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.

8.2.2. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

9.0 WFD Screening

9.1. Screening

9.1.1. The subject site is located 220m west of the Banogue River.

9.1.2. The proposed development seeks to change the use of an existing dwelling to childcare uses together with minor extension, access and boundary alterations.

9.1.3. No water deterioration concerns were raised in the planning appeal.

9.1.4. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no

conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

9.1.5. The reason for this conclusion is as follows:

- The urban infill nature and modest scale of the works.
- The location of the site removed from any waterbodies and lack of any hydrological connectivity.
- Existing connection to public water services.

9.2. **Conclusion**

9.2.1. I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

10.0 **Recommendation**

I recommend that planning permission is granted in accordance with the conditions set out below.

11.0 **Reasons and Considerations**

Having regard to the location of the site within lands zoned for residential purposes under the Gorey Local Area Plan 2017-2023 (extended to 2026), the provisions of the Wexford County Development Plan 2022-2028, specifically Section 4.1 of the Development Management Manual set out in Volume 2, the established pattern of residential development in the area and the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would be appropriate in terms of land use, would not result in the creation of a traffic hazard, and would not seriously injure the amenities of neighbouring properties in the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

12.0 Conditions

1.	<p>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 29th day of May 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.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>Apart from any departures specifically authorised by this permission, the development shall comply with the conditions of the parent permission Register Reference 20210927 unless the conditions set out hereunder specify otherwise. No works associated with this development shall take place outside of the red line boundary illustrated on the site layout drawings submitted with this application.</p> <p>Reason: In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission(s).</p>
3.	<p>The proposed development shall be amended as follows:</p> <p>(a) Revised and accurate site layout drawings shall be submitted which reflect the existing layout of the site and the extent of boundary walls proposed. These shall be prepared based on a topographical survey of the site which shall also be submitted with the site layout drawing.</p> <p>(b) The existing parking space and vehicular entrance on the site shall remain in situ.</p> <p>Revised drawings showing compliance with these requirements shall be</p>

	<p>submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interests of clarity and residential amenity.</p>
4.	<p>The development shall be carried out and operated in accordance with the provisions of a Mobility Management Plan (MMP) submitted to the planning authority prior to the commencement of development. This shall demonstrate how access shall be managed on the site utilising the one parking space provided within its curtilage, to include both drop off and collection of service users and staff, having regard to the lack of pedestrian connectivity between the site and the nearby St. Aidan's campus. It shall also specify the size of any minibuses accessing the site, and, in the case of larger HGV minibuses, shall include autotrack drawings to demonstrate accessibility without impeding on existing car parking within the site.</p> <p>Reason: To achieve a reasonable modal split in transport and travel patterns in the interest of sustainable development.</p>

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.

Sarah O'Mahony
Planning Inspector

02nd October 2025

Form 1 - EIA Pre-Screening

Case Reference	322894-25
Proposed Development Summary	Change the use of existing dwelling to childcare services.
Development Address	Knockmullen, Gorey Rural, Co. Wexford
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.	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 checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road	No Screening required.

development under Article 8 of the Roads Regulations, 1994.	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
<input 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)	

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: _____