

Inspector's Report ACP-323431-25

Development Demolition of shed, construction of

extension to front and side of house,

relocate vehicular entrance.

Location 7, Dean Swift Green, Glasnevin,

Dublin 11, D11 C993

Planning Authority Dublin City Council North

Planning Authority Reg. Ref. WEB1794/25

Applicant(s) Ann and Kieran Murphy

Type of Application Permission

Planning Authority Decision Grant Permission

Type of Appeal Third Party

Appellant(s) Pearl Kelleher and Francis Grimes

Observer(s) None

Date of Site Inspection 24th October 2025

Inspector Elaine Power

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1.0 Site Location and Description

- 1.1. The appeal site is located at no. 7 Dean Swift Green, Glasnevin, Dublin 11. The surrounding area is suburban in character. The site currently accommodates a 2-storey end of terrace house with a single storey rear extension and a shed to the side. The house has a floor area of 105sqm. The house has a rough plaster finish and a hipped roof profile.
- 1.2. The site has a stated area of 370sqm. It is a corner site and is generally rectangular in shape, with the wider portion of the site fronting onto Dean Swift Green and narrowing to the rear. There is an existing driveway to the front with a separate pedestrian gate and private open space to the rear.

2.0 **Proposed Development**

- 2.1. The proposed development comprises the demolition of the existing shed (c. 16.5sqm) to the side of the house and the construction of a 2-storey extension (c. 52sqm) to front and side of the house.
- 2.2. The works also include relocating the existing vehicular access and driveway and the construct of new boundary wall and piers to front.

3.0 Planning Authority Decision

3.1. Decision

Permission was granted subject to 9 no. standard conditions. Condition no. 3 required that the vehicular entrance be omitted from the proposed development.

3.2. Planning Authority Reports

Planning Reports

The initial Planners report dated 28th May 2025 raised some concerns regarding the proposed development and recommended that 2 no. items of further information be sought. These are summarised below.

- 1. Submit updated drawings illustrating the site's ability to provide in-curtilage parking as per Development Plan standards.
- 2. Clarify the proximity of the existing and proposed extensions from the boundary with no. 6 Dean Swift Green.

The Planners report dated 18th July 2025 notes that a car parking space with the standard dimensions set out in the Development Plan cannot be accommodated within the site and recommends that the car parking space be omitted by way of condition. This concerns is reflected in condition no. 3 of the grant of permission to omit the vehicular entrance and driveway.

The report also notes that the applicant clarified the location of the existing and proposed extensions with regard to the adjacent property and raised no objection. With regard to the provision of an off street car parking space the report

3.2.1. Other Technical Reports

<u>Drainage Division:</u> Report dated 16th May 2025 raised no objection subject to conditions.

<u>Transportation Planning Division</u>: Report dated 19th May 2025 recommended that further information be sought requesting updated drawings illustrating the site's ability to provide in-curtilage parking as per Development Plan standards. This item was included in the Planning Authority's request for further information.

The report dated 10th July 2025 states that there is no objection to the principal of an in-curtilage car parking space, however, the proposed car parking space does not comply with Section 4.3.1 of Appendix 5 of the Development Plan. It is recommended that permission be refused on this basis or if the house extension is being permitted that the vehicular entrance and driveway be omitted from the proposed development. As outlined above the driveway was omitted by way of condition no. 3 of the grant of permission.

3.3. Prescribed Bodies

None

3.4. Third Party Observations

A submission was received by the Planning Authority from the third party. The concerns raised are similar to those summarised in the appeal below.

4.0 Planning History

Appeal Site

<u>Reg. Ref. WEB1237/19:</u> Permission was refused in 2019 for a 2-storey extension to the front and side of the dwelling and a single storey extension to the rear. The reason for refusal considered that the proposed development would be visually obtrusive and out of character with the prevailing pattern of development in the area and would set an undesirable precedent for similar developments in visually sensitive residential areas.

<u>Reg. Ref. 0399/19</u>: The Planning Authority issued a Section 5 Declaration in 2019 which considered that the single storey rear extension was exempt development.

<u>Reference E1162/19</u>: An enforcement file was closed in 2019 regarding the single storey rear extension.

Surrounding Sites

There are a large number of planning applications relating to residential extensions in the surrounding area. The following are considered relevant.

<u>Reg. Ref 0120/02:</u> Permission was granted in 2002 for a 2-storey front extension and a single storey rear extension at no. 18 Dean Swift Green.

<u>Reg. Ref. 2015/03:</u> Permission was granted in 2023 for a front porch and 2-storey side extension at no. 1 Dean Swift Green.

<u>Reg. Ref. 5504/03:</u> Permission was granted in 2004 for a 2-storey front extension and a single storey rear extension at no. 31 Dean Swift Green.

5.0 Policy Context

5.1. Dublin City Development Plan 2022-2028

The appeal site is zoned Z1: Sustainable Residential Neighbourhoods, with the associated land use objective *to protect, provide and improve residential amenities*.

Section 1.0 of Appendix 18 sets out guidance for residential extensions with regard to General Design Principles, Extensions to the rear, Extensions to the Side, Privacy and Amenity, Daylight and Sunlight and Appearance and Materials.

Section 4.3 of Appendix 5 sets guidance and standards for parking in front gardens

5.2. Natural Heritage Designations

The proposed development is not located within or immediately adjacent to any European Site.

5.3. EIA Screening

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. Please refer to Form 1 in Appendix 1 of report.

6.0 The Appeal

6.1. Grounds of Appeal

The third party appeal from Pearl Kelleher and Francis Grimes of no. 6 Dean Swift Green, sets out the sites planning history of the site and includes 8 no. appendices relating to information submitted with the application and the previous planning application on the site.

The main planning grounds of the third party appeal from are summarised below.

Design Approach

- A pre-application was held but not declared by the applicant. The Planners
 Report refers to the pre-planning phone call which identified the key issue of
 the potential impact on the residential amenity of adjoining landowners.
- The configuration of the extension is unreasonable and would materially affect
 the residential amenities of the adjoining property with regard to access to light,
 privacy and use and enjoyment of their property from both a planning
 perspective and would interfere with their constitutional rights.
- The previous reason for refusal on the appeal site still stands.

Vehicular Entrance

 The proposed development does not provide adequate space for safe manoeuvring and circulation in the parking space provided for in the front garden.

Other Issues

 It is considered that the application is invalid and raises concerns regarding Dublin City Councils online application process and concerns that the application form was not signed or dated.

6.2. Applicant Response

The applicants response to the appeal sets out the sites planning history and includes a revised site layout plan indicating that a car parking space to Development Plan standards can be accommodated within the front driveway. The main planning grounds of the applicants response to the appeal is summarised below:

Design Approach

There is precedent for similar 2-storey front extensions in the surrounding area.
 The applicant provides examples of similar developments on Dean Swift Green,
 Delville Road and St. Pappin's Road. The proposed development therefore aligns with the established pattern of development and cannot be characterised as visually incongruous or detrimental to local amenity.

- Following the previous refusal on the site the applicants have engaged with Dublin City Council and amended the design to address the concerns raised.
- The proposed development represents a revised, proportionate sympatric design in line with established precedent
- Strongly disagree that the proposal is unreasonable with regard to the configuration of the neighbouring properties and the current established pattern and streetscape.
- The proposed development would not overshadow, overlook or have an overbearing impact on any adjacent property.
- The external materials are consistent with the existing properties.
- The proposed development does not adversely impact on the visual amenities of the area.

Vehicular Entrance

- Disappointed that the vehicular access was omitted. Parking on street creates a traffic hazard as Dean Swift Green is narrow.
- Following the omission of the driveway the front garden was remeasured and there is a depth of 5.4m to the front garden. The original incorrect dimensions were based off the OSI map. Therefore, a car parking space to Development Plan standards can be achieved in the front driveway. A revised site plan has been submitted in this regard.

Other Issues

 The planning application was electronically submitted, validated and accepted by Dublin City Council. The system requires a consent form to be signed and dated by the applicant and uploaded when lodging an application.

6.3. Planning Authority Response

The planning authority's response requested that the Commission uphold the decision to grant permission and that a condition requiring the payment of a Section 48 development contribution be attached.

6.4. Observations

None

6.5. Further Responses

None

7.0 Assessment

- 7.1. Having examined the appeal details and all other documentation on file, and inspected the site, and having regard to relevant policies and guidance, I consider that the main issues in this appeal are as follows:
 - Principle of Development
 - Design Approach
 - Other Issues
- 7.2. In the interest of clarity my assessment relates to the scheme as submitted by way of further information, with reference to the original design and layout where appropriate.

7.3. Principle of Development

7.3.1. The subject site is zoned Z1 with the associated land use objective to protect, provide and improve residential amenities. Residential is a permissible use on lands zoned Z1. Therefore, the proposed development is considered in accordance with the zoning objective and should be assessed on its merits.

7.4. Design Approach

7.4.1. The appeal site currently accommodates an end of terrace dwelling with an existing single storey rear extension and a single storey shed to the side. The existing house has a floor area of c. 105sqm. The proposed development comprises the demolition of the existing single storey shed (16.5sqm) and the construction of a 2-storey front and side extension. The works would result in a dwelling with a gross floor area of c. 157sqm.

- 7.4.2. Having regard to the information submitted and having carried out a site visit it is my opinion that the shed to be demolished is of no architectural merit. Therefore, I have no objection to its demolition. It is noted that no objection to the demolition of existing shed was raised by the Planning Authority or the third party.
- 7.4.3. The proposed 2-storey front and side extension would wrap around the north west corner of the existing house. The existing housing has a width of c. 9m, following the works c. 5.6m of the front elevation of the house, where it adjoins no. 8 Dean Swift Green, would be retained. The proposed front extension projects c. 1.5m beyond the existing front building line and the proposed side extension projects c. 4.2m beyond the side elevation. At ground floor level it would provide for an extended hallway, relocated WC and a playroom. At first floor level it would accommodate a new bedroom and an extended bathroom. The extension would have a hipped roof to match the existing with a parapet wall at the boundary with no. 6.
- 7.4.4. The third party considers that the proposed development would be visually obtrusive and would negatively impact on residential amenities of adjoining properties and that the previous reason for refusal on the appeal site still stands.
- 7.4.5. Permission was refused in 2019 (Reg. Ref. WEB1237/19) for a 2-storey extension to the front and side of the dwelling and a single storey extension to the rear. In summary the reason for refusal considered that the proposed development would be visually obtrusive and out of character with the prevailing pattern of development in the area and would set an undesirable precedent for similar developments in visually sensitive residential areas. To address the reason for refusal the depth of the front extension has been reduced from c. 2.2m to c. 1.5m.
- 7.4.6. Section 1.0 of Appendix 18 of the Development Plan provides guidance for Residential extensions with regard to general design principles, extensions to the side, privacy and amenity, daylight and sunlight and appearance and materials. Section 1.1 of Appendix 18 of the Development Plan states that there is a general presumption against front extensions that significantly break the building line, unless it can be justified in design terms and demonstrated that such a proposal would have no adverse impact on the character of the area or the visual / residential amenities of directly adjoining dwellings. Section 1.3 of Appendix 18 states that ground floor side

- extensions will be evaluated against proximity to boundaries, size, and visual harmony with existing (especially front elevation) and impacts on adjoining residential amenity. First floor side extensions built over existing structures and matching existing dwelling design and height will generally be acceptable.
- 7.4.7. The appeal site is a corner site and is generally triangular in shape, with the wider portion of the site fronting onto Dean Swift Green and narrowing to the rear. The sites boundary with no. 6 Dean Swift Green is irregular in shape. It is proposed that the side extension would partially sit at the boundary with no. 6 and be partially set back from the boundary. This would result in a triangular area of incidental space between the proposed side extension and the boundary with no. 6. It is noted that this space would not be accessible from the applicant's property. However, given the irregular nature of the site's boundary and the relatively limited area affected, the proposed configuration is considered acceptable in this instance.
- 7.4.8. The proposed front extension projects c. 1.5m from the front building line which in my opinion, does not significantly break the building line. The proposed side extension projects c. 4.2m beyond the side elevation and is located to the side of the adjoining house no. 6 Dean Swift Green. The side extension is set back from the established front building line of no. 6 Dean Swift Green, which is perpendicular to the appeal site. Given the end of terrace location and the triangular configuration of the site, it is my opinion that the proposed 2-storey extension is appropriate in its context and would not adversely impact on the visual amenities or character of the area. During my site visit it was noted that there are a number of single, 2-storey and front porch extensions to existing dwellings in the surrounding area and Section 4 above planning permission has been previously granted for similar style extensions.
- 7.4.9. The third party raised concerns that the proposed development would negatively impact on their existing residential amenities. Section 1.4 of Appendix 18 states that extensions should not result in any significant loss of privacy to the residents of adjoining properties. It is noted that the proposed extension includes windows on the front (south) elevation and side (east) elevation. The window on the front elevation directly opposes a public green area and the window on the side elevation of the

- proposed development and there are no existing windows on the side elevation of no. 6. Therefore, I am satisfied that the proposed development would not result in undue overlooking of no. 6 Dean Swift Green or any existing residential property.
- 7.4.10. Section 1.4 of Appendix 18 also states that large single or two-storey rear extensions to semi-detached or terraced dwellings can, if they project too far from the main rear elevation, result in a loss of daylight to neighbouring houses. It further states that it is recognised that the city is an urban context and some degree of overshadowing is inevitable and unavoidable. The proposed side extension projects c. 4.2m from the side elevation of the existing house and is located to the south of the appellants property, no. 6 Dean Swift Green. However, given its siting, directly adjoining the gable wall of no. 6, which has no windows and to the relatively limited height (7.4) of the extension, I am satisfied that it would not result in undue overshadowing of the adjacent property or any existing residential dwellings, and a technical assessment of daylight, sunlight and overshadowing performance is not necessary in this instance.
- 7.4.11. With regard to overbearing impact, it is noted that the extension would be visible from the appellants garden and from the public road. However, given the relatively limited height and size of the proposed development its set back from the public road I am satisfied that it would not result in an overbearing impact.
- 7.4.12. Section 1.3 and Section 1.7 of Appendix 18 state that external finishes shall complement the existing building. The information provided on the drawings indicate that the extension would be finished in a dash render. I am satisfied that the external materials would harmonise with the existing house and have no concerns in this regard.
- 7.4.13. In conclusion, while the concerns of the third party are noted I am satisfied that the proposed front and side extension would result in a high quality development which is in accordance with the provisions of Section 1.0 of Appendix 18 of the Development Plan as it would not have an adverse impact on the scale and character of the existing dwelling, would not adversely affect existing visual amenities of the area and would not adversely affect residential amenities in terms of overlooking, overshadowing or overbearing. It is also noted that the Planning Authority raised no concerns in this regard.

7.5. Vehicular Entrance

- 7.5.1. There is an existing c. 5m wide vehicular access to the appeal site from Dean Swift Green. It is proposed to relocate the existing vehicular access c. 3m west and provide a new 3m wide vehicular access and construct a new boundary wall and piers to front, in lieu of the existing access.
- 7.5.2. Section 4.3 of Appendix 5 of the Development Plan sets out guidance for car parking in front gardens. Section 4.3.1 of Appendix 5 states that the basic dimensions to accommodate the footprint of a car within a front garden are 3 metres by 5 metres, with additional space for manoeuvring and circulation between the front boundary and the front of the building. It further states that a proposal will not be considered acceptable where there is insufficient area to accommodate the car safely within the garden without overhanging onto the public footpath.
- 7.5.3. The Transportation Planning Division of Dublin City Council raised concerns that the proposed front extension would reduce the depth of the driveway to c. 4.69m, which does not comply with the Development Plan standards and recommended that if permission is granted that the driveway be omitted. Condition no. 3 of the grant of permission requires that the driveway be omitted from the proposed development.
- 7.5.4. The third party also considers that the proposed development does not provide adequate space for safe manoeuvring and circulation in the parking space provided for in the front garden.
- 7.5.5. In response to the appeal the applicant states that the loss of the driveway would create a traffic hazard given the relatively limited width of Dean Swift Green. The carriageway is c. 5m in width with a footpath on one side, outside the houses and a green area on the other side of the road. During my site visit it was noted that a number of vehicles were parked on-street, as a result vehicular speed were slow. It is noted that on-street car parking reduces the width of the carriageway to c. 3m and therefore, two way traffic cannot pass. However, given the residential and cul-de-sac nature of the road I am satisfied that the parking of vehicles on street does not result in a traffic hazard.
- 7.5.6. The applicant also notes that the dimensions of the front driveway submitted with the application, which were based off the OSI map are incorrect. A revised site plan has been submitted with the response to the appeal indicating that the proposed car

parking space has a depth of c. 5.4m. Therefore, a car parking space to Development Plan standards can be accommodated within the front garden. It is noted that the applicant has not appealed the condition. However, given the information submitted it is my opinion that condition no. 3 is unwarranted, as a car parking space 3m in width by 5m in depth can be accommodated within the western portion of the front garden. If permission is being contemplated it is recommended that a condition be attached that the final details of the proposed vehicular access and driveway be agreed with the planning authority.

7.6. Other Issues

Invalid Application

7.6.1. The third party raised concerns regarding Dublin City Councils online application process and raised concerns that the application is invalid as the application form was not signed or dated. In response to the appeal the applicant notes that the planning application was electronically submitted and that Dublin City Council's system requires a consent form to be signed and dated by the applicant and uploaded when lodging an application. It is noted that the application was considered valid by Dublin City Council. I have no concerns in this regard.

Legal Issues

7.6.2. The third party raised concerns that the proposed extension would interfere with their constitutional rights. While this concern is noted it is my opinion that this is a matter that falls outside of the planning code. However, having regard to the provisions of Section 34(13) of the Planning and Development Act it should be noted that a person shall not be entitled solely by reason of a permission to carry out any development.

8.0 Water Framework Directive (Screening)

8.1. The subject site is located the suburban area of Dublin. There are no watercourses within the appeal site. The nearest water body is the River Tolka (TOLKA_050), located c. 1.2km south of the appeal site. No water deterioration concerns were raised in the planning appeal.

- 8.2. 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 and 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.
- 8.3. The reason for this conclusion is as follows
 - The small scale and nature of the development
 - Location-distance from nearest water bodies
 - Lack of hydrological connections
- 8.4. 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.

9.0 AA Screening

- 9.1. 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 any European sites 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:
 - The small scale and nature of the scheme,
 - The urban location of the site,
 - The separation distance from nearest European site, and
 - The lack of a direct or indirect pathway to any designated site.

10.0 Recommendation

It is recommended that permission be granted subject to conditions.

11.0 Reasons and Considerations

Having regard to the sites residential zoning objective, the provisions of the Dublin City

Development Plan, 2022 -2028, the existing pattern of 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

acceptable and would not seriously injure the residential or visual amenities of the

area and would be acceptable in terms of traffic safety and convenience. 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 24th day of June

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. The existing dwelling and the proposed extension shall be jointly occupied as

a single residential unit and the extension shall not be sold, let or otherwise

transferred or conveyed, save as part of the dwelling.

Reason: To restrict the use of the extension in the interest of residential

amenity

3. All external finishes shall harmonise with the existing finishes on the house in respect of materials and colour.

Reason: In the interest of visual amenity

4. Site development and building works shall be carried out only between the hours of 0700 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. Drainage arrangements, including the disposal and attenuation of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and surface water management.

6. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

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

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

Elaine Power

Senior Planning Inspector

28th October 2025

Appendix 1:

Form 1 - EIA Pre-Screening

·	-			
	ACP-323431-25			
Case Reference				
Proposed Development	Demolition of shed, construction of extension to front and			
Summary	side of house and relocation of vehicular entrance.			
Development Address	No. 7 Dean Swift Green, Glasnevin, Dublin 11.			
	In all cases check box /or leave blank			
1. Does the proposed development come within the definition of a 'project' for the	☑ Yes, it is a 'Project'. Proceed to Q2.			
purposes of EIA?	☐ No, No further action required.			
(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)				
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.				
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				
☐ Yes, the proposed development is of a Class but is subthreshold.				
Preliminary examination required. (Form 2)				
OR				
If Schedule 7A information submitted proceed to Q4. (Form 3 Required)				
<u> </u>				
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 dete	Pre-screening determination conclusion remains as above (Q1 to Q3)			
,				
Inspector:	Date:			