

An  
Coimisiún  
Pleanála

## Inspector's Report ACP-323572-25

<b>Development</b>	Demolition of an existing storage shed and the construction of house and outbuilding, within curtilage of a protected structure.
<b>Location</b>	The Green, Birr, Co. Offaly.
<b>Planning Authority</b>	Offaly County Council
<b>Planning Authority Reg. Ref.</b>	2533
<b>Applicant(s)</b>	Adrian and Katherine Haines
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant Permission
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Ray Haines and others
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	12 <sup>th</sup> November 2025
<b>Inspector</b>	Emer Doyle

## **1.0 Site Location and Description**

- 1.1. The appeal site which has a stated area of 0.3 hectares is located in the town centre of Birr, Co. Offaly. The site is within the curtilage of a protected structure (RPS 49-286) and this dwelling is also listed as being of regional importance on the National Inventory of Architectural Heritage (Reg. No. 14819090).
- 1.2. The dwelling fronting onto The Green is a three storey terraced four bay property built c. 1840 with internal carriage arch through which the site is accessed. Additional existing development within the landholding includes 2 No. commercial premises, one of which is used as social welfare offices and the other is a retail unit. Existing development within the site also includes a shed and a number of steel containers.
- 1.3. The adjoining area is characterised by a mix of residential and commercial uses with residential uses directly to the east and west in the form of terraced dwellings and a single storey dwelling on a large site to the north.
- 1.4. The proposed development is within the zone of archaeological potential for the town of Birr.

## **2.0 Proposed Development**

- 2.1. Permission is sought to demolish the existing shed on the site which has a floor area of 237.5m<sup>2</sup> and to construct a new single storey dwelling which will have a floor area of 137m<sup>2</sup> and an outbuilding with a floor area of 26.2m<sup>2</sup>. A terrace and driveway are proposed to the front of the site and a sliding gate is proposed to separate the dwelling from the commercial site. External finishes will comprise of smooth render and blue/black slates to the roof. It is proposed to connect the dwelling to mains water and sewerage.
- 2.2. Revised details were submitted to the Planning Authority dated the 24<sup>th</sup> of June 2025 to include a pedestrian route, relocation of parking space 1 to area adjacent to commercial unit, yield signage, change of layout of parking and within the site, revisions to southern boundary to facilitate revised car parking layout, lighting proposals, area of private terrace outlined as 66m<sup>2</sup>.
- 2.3. The response provides comments in relation to the submissions received by the Planning Authority.

## **2.4. Decision**

The planning authority decided to grant permission by Order dated the 8<sup>th</sup> of August 2025, subject to 10 no. Conditions.

Condition No. 4 required that prior to commencement of development, the revisions to the adjacent car parking area and the erection of signage as detailed on the revised site layout.

Condition No. 10 related to Part V of the Planning and Development Act. A memo on file indicated that this condition was a clerical error.

## **2.5. Planning Authority Reports**

### **2.5.1. Planning Reports**

- The first planners report (27/05/25) notes that the proposal would see the redevelopment of a brownfield site which is located in the town centre of Birr. The Planning Authority has no concerns in relation to the impact on residential amenities. Further information was sought primarily in relation to traffic safety and the submissions received by the Planning Authority.

### **2.5.2. Other Technical Reports**

- Area Engineer (22/05/25): No objection subject to conditions.
- Roads Section (27/05/25): No comments - refers to AE Report.
- Roads Section (31/07/25): No comments on Further Information received.
- Environment and Water Services (24/04/25): No objection subject to conditions.
- Architect (12/03/25): No objections raised. A number of comments included in relation to private open space, need for archaeological consultant during and pre-construction as set out in information submitted with application and care during construction in proximity to existing stone wall.
- Architect (23/07/2025): Notes the revisions proposed to include the private open space area and the revised car parking arrangements. No further comments.

## 2.6. Prescribed Bodies

Department of Housing, Local Government and Heritage (09/05/25) recommends permission subject to conditions.

## 2.7. Third Party Observations

- 2.7.1. Two third party submissions were made to the Planning Authority. The issues raised are similar to those in the appeal.

## 3.0 Planning History

### PA Reg. Ref. BR1434

Retention permission granted to Ray Haines for change of use from snooker club to commercial/ office unit.

### PA Reg. Ref. BR1044

Retention permission granted to Liam Fogerty for two apartments/ dwelling house.

### PA Reg. Ref. BR693

Permission granted to Ray Haines for change of use from garage/ workshop to snooker club.

## 4.0 Policy Context

### 4.1. National Policy and Guidelines

- National Planning Framework First Revision (April 2025)

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

**National Policy Objective 11** Planned growth at a settlement level shall be determined at development plan-making stage and addressed within the objectives of the plan. The consideration of individual development proposals on zoned and

serviced development land subject of consenting processes under the Planning and Development Act shall have regard to a broader set of considerations beyond the targets including, in particular, the receiving capacity of the environment

#### 4.2. **Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024)**


- These Guidelines set out national planning policy in relation to the planning and development of settlements and housing.

#### 4.3. **Development Plan**

##### **Offaly County Council Development Plan 2021-2027**

- Birr is identified in the Core Strategy as a Self Sustaining Growth Town.
- **SSP-08** It is Council policy that Birr, a Self-Sustaining Growth Town, continues to grow at a sustainable level and at a commensurate scale in accordance with the Core Strategy Table in an effort to become more self-sustaining.

##### **Record of Protected Structures-**

49-286	The Green TOWNPARKS (BALLYBRITT BY) The Green Birr Birr	
--------	---	---

##### **Birr Local Area Plan 2023-2029**

Site is zoned as Town Centre/ Mixed Use where Residential Use is permitted in principle. It is an objective of the Council to: LUZO-02: Provide for, protect and strengthen the vitality and viability of the town centre, through consolidating development, encouraging a mix of uses and maximising the use of land, to ensure the efficient use of infrastructure and services. The site is located within the Birr

Local Area Plan Zone of Archaeological Potential as identified in Figure 4.4 of Chapter 4.

**Relevant objectives include the following:**

**TCP-04** Encourage and facilitate the reuse and regeneration of derelict, vacant, backland and underutilised lands and buildings in the town centre for retail, residential and other mixed uses through legislative measures and / or by supporting the progression and delivery of projects funded by the Rural Regeneration and Development Fund and other appropriate funds.

**TCP-18** Seek a survey of existing numbers of bats, swifts and swift/nests for planning applications for renovations, redevelopment or demolition of old buildings in Birr Town and Crinkill Village centres. Where bats and/or swifts are shown to be present, specific mitigation measures during and after construction shall be proposed.

**BHP-03** Protect and enhance the urban form of Birr including the character of streetscapes, vistas and squares for example, Market Square, Emmet Street and Square, Oxmantown Mall, Townsend Street, The Green, John's Place, Compton Row, Newbridge Street, Connaught Street, O'Connell Street, Main Street, Castle Street, St. Brendan Street and Crinkill village core.

**BHP-04** Protect all structures in Birr that are listed in the County Offaly Record of Protected Structures that are of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest in Birr.

**BHP-05** Encourage contemporary development within Birr where the applicant can successfully demonstrate that any proposal will not negatively detract from the special character of the existing built environment.

**BHP-06** Ensure that full consideration is given to the protection of archaeological heritage when undertaking, approving or authorising development in order to avoid

unnecessary conflict between development and the protection of archaeological heritage.

**BHP-07** Have regard to the Zones of Archaeological Potential as shaded on Figures 4.3 and 4.4, and to ensure that planning applications are referred to the appropriate prescribed bodies.

#### **4.4. Natural Heritage Designations**

4.4.1. No natural designations apply to the subject site. The following Natura 2000 sites in the vicinity of the appeal include:

- Ballyduff/Clonfinane Bog SAC (site code 000641) c. 4.6km to the south west.
- Dovegrove Callows SPA (004137) c. 2 km to the north.

4.4.2. Further natural heritage designations in the vicinity include:

- Dovegrove Callows Site Code 000010 c. 1.9km to the north.

#### **4.5. EIA Screening**

4.5.1. 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.

### **5.0 The Appeal**

#### **5.1. Grounds of Appeal**

The grounds of appeal can be summarised as follows:

- The Planning Authority response did not adequately consider the statutory obligation to assess potential impacts on bat species. A bat survey, conducted by a suitably qualified ecologist and licensed by the National Parks and Wildlife Service is essential to determine the presence of bat roosts or activity on the site.
- The proposed residential use will result in intensification of the access and require 24 hour access to the site. The proposed scheme fails to demonstrate that the intensified access can be managed without adverse impact.
- Concerns regarding impact on residential amenities.
- Concerns regarding construction impacts.
- Concerns regarding impact on Architectural Conservation Area and Heritage.
- Approval of this development would set a precedent for residential intensification in an area not zoned or designed for this use.

## **5.2. Applicant Response**

- None submitted.

## **5.3. Planning Authority Response**

- The Planning Authority response notes the third party appeal and requests that the Commission supports the Planning Authority decision. Attention is drawn to the planner's report on the file.

## **5.4. Observations**

- None.

## **5.5. Further Responses**

- None.



## **6.0 Assessment**

6.1. Having examined the application and all other documentation on file, including all of the submissions received in relation to the appeal, the reports 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 can be considered as follows:

- Principle of Development
- Impact on Residential Amenity
- Impact on Bats
- Impact on Architectural Heritage
- Other Matters

### **6.2. Principle of Development**

- 6.2.1. The proposed development relates to the demolition of an existing shed and the provision of a single storey dwelling and outbuilding.
- 6.2.2. The subject site is zoned as Town Centre/ Mixed Use where Residential Use is permitted in principle. It is an objective of the Council to: LUZO-02: Provide for, protect and strengthen the vitality and viability of the town centre, through consolidating development, encouraging a mix of uses and maximising the use of land, to ensure the efficient use of infrastructure and services.
- 6.2.3. The existing site within the applicant's landholding at this location currently provides for a commercial use with a social welfare office and a retail outlet. Whilst there are a range of uses in close proximity to the site, I consider that residential use is the predominant use. The appeal considers that this development sets a precedent for residential intensification in an area not designed for such use.
- 6.2.4. Having regard to the zoning of the site where residential use is permitted in principle, and taking into consideration the existing uses at this location, I am satisfied that the principle of development is acceptable at this location.

### **6.3. Impact on Residential Amenities**

- 6.3.1. The appeal raises concerns in relation to overlooking, impact on privacy, intensification of access, and noise disturbance from increased footfall and vehicular traffic.
- 6.3.2. I note that similar issues were raised in the submissions to the Planning Authority and I draw the Commissions attention to the response to these issues in the response submitted by the applicant's dated the 24<sup>th</sup> of June 2025.
- 6.3.3. I consider that there is no possible overlooking, having regard to the proposal for a single storey house and the separation distances between the existing three storey property and the proposed single storey property, together with the existing boundary treatment surrounding the adjacent three storey property.
- 6.3.4. I consider that noise levels from traffic and increased footfall would be minimal from the single residential property proposed. I draw the attention of the Commission to the town centre location of the property and the existing commercial use at this location where there is already vehicular traffic and pedestrian traffic accessing the site during daytime hours.
- 6.3.5. I note that the response to the Planning Authority dated the 24<sup>th</sup> of June 2025 states that the neighbours privacy is as important to the applicants as their own. I note from the submission to the Planning Authority that the appellant currently has a right of way at this location and currently has control over opening and closing the existing gate. This would change should permission be granted, but I am of the view it is in both the appellant's interest and the applicant's interest to agree arrangements regarding the opening and closing hours of the gate. The applicant's state that there would be minimal car use with the benefit of being centrally located within the town and the existing archway is presently open till approximately 8pm for the commercial uses within the site. I concur that the impact of one residential property at this town centre site is likely to be associated with minimal car use and it is in the interests of both properties to agree mutually convenient arrangements in terms of the opening and closing of the gate in the interests of privacy, security, and residential amenity.
- 6.3.6. In conclusion, whilst I acknowledge that the proposed residential use will alter the impacts on the appellant's property, in particular the shared use of the access at nighttime, I submit that the degree and scale of impacts are acceptable in this urban

context and in allowing for the sustainable development of zoned and serviced lands. In my opinion, the proposed development, subject to condition, would not adversely affect the use or enjoyment of neighbouring properties to a degree that would justify a refusal of permission.

#### **6.4. Impact on Bats**

- 6.4.1. The appeal considers that the Planning Authority decision did not adequately consider the statutory obligation to assess potential impacts on bats. It is stated that a bat survey, conducted by a suitably qualified ecologist and licenced by the National Parks and Wildlife Service is essential to determine the presence of bat roosts or activity on the site.
- 6.4.2. This issue was not raised in the first submission of the appellants to the Planning Authority. Following the first submission, the applicant's submitted a response to the Planning Authority in relation to the issues raised. I note that this issue was raised in the second submission to the Planning Authority by the appellants wherein it is stated that the appellants have reason to believe that there are bats residing in the vicinity of the shed which is due to house the proposed dwelling. The Planning Authority's report does not refer to this issue and the applicant's only responded to the issues raised in the first submission.
- 6.4.3. I note that the shed it is proposed to demolish is of reasonably modern construction from both an examination of the shed on the site inspection and photographic evidence on the file (photographic survey submitted with application) which indicates that the existing shed is a replacement shed for a much older shed which was demolished in the 1990's. I consider that it is unlikely to be of suitability for bats due to its modern construction. Objective TCP-18 of the Birr Local Area Plan requires applicants *'to seek a survey of existing numbers of bats, swifts and swift/nests for planning applications for renovations, redevelopment or demolition of old buildings in Birr Town and Crinkill Village centres. Where bats and/or swifts are shown to be present, specific mitigation measures during and after construction shall be proposed.'*
- 6.4.4. In my view, this objective is not applicable to this site as it applies to the demolition of old buildings only. I accept however that whilst the shed itself is unlikely to be of

suitability for bats, bats are likely to be present in the area as observed by the appellants. On the site inspection I noted that there was ample suitable habitat in the general vicinity of the site including Birr Castle Demesne, old houses and other buildings, and mature trees. As such, I acknowledge that it is possible for bats to commute and forage in the area whilst potentially roosting in trees or buildings surrounding the site. I have carefully considered the site and the surrounding environment and I conclude that the shed itself or the site are unlikely to be of significance for bats in this instance.

## **6.5. Impact on Architectural Heritage**

- 6.5.1. Concern is raised regarding the design and materials of the proposed building and the impact on the protected structure within the curtilage of the site and the heritage town of Birr.
- 6.5.2. I consider that the design proposed, whilst modern, is attractive and site sensitive. Furthermore, it is designed as a 'yard within a yard' separated from the protected structure, would not be overly visible from the streetscape at this location, only through glimpses from the archway. I also note that the planner's reports and the architect's reports have raised no concerns regarding the design. Furthermore, the proposed dwelling would be a considerable improvement in terms of design and aesthetic from the existing shed it is proposed to replace.
- 6.5.3. I am satisfied that the proposed development will not have a material effect on the character of the heritage town of Birr or the protected structure at this location.

## **6.6. Other Matters**

### Construction

- 6.6.1. The grounds of appeal raised concerns that the proposed residential use will generate additional traffic through a narrow and constrained access route. It is considered that the proposed access arrangements are unsuitable for residential traffic and pose risks to pedestrian safety, emergency access, and local congestion on Green Street. It is considered that these risks will be exacerbated during the construction phase and there is no documented health and safety plan in place.

- 6.6.2. The applicant states in the response submitted to the Planning Authority dated the 24<sup>th</sup> of June 2025, that the applicants themselves will be project managing and completing health and safety training. All contractors and workers will be briefed on safe entering and exiting the site.
- 6.6.3. I note that a pedestrian route is now proposed through the site, together with revisions to the signage within the car park to include a yield sign and the relocation of a car parking space in the revised layout submitted to the Planning Authority dated the 24<sup>th</sup> of June 2025. This is an improvement in terms of safety on the existing site layout which has been in place for many years. In my opinion, the potential impact of construction on the existing residents will be a temporary impact and this matter can be dealt with by way of condition. I note that the Planning Authority conditions have not provided for a construction management plan to be submitted prior to commencement of development. I consider that should the Commission be minded to grant permission, such a condition should be included.

## **7.0 AA Screening**

- 7.1. I have considered the project in light of the requirements of Section 177U of the Planning and Development Act 2000, as amended. The subject site not located within a designated site, Dovegrove Callows SPA (004137) is located approximately 2 km to the north of the subject site. No nature conservation concerns were raised in the planning application and appeal.
- 7.2. 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. The reason for this conclusion is as follows:
- The small scale and nature of the development within an urban area.
  - The separation distance and intervening lands from the nearest European site and lack of hydrological connection.
  - Taking into account the screening determination of the PA.
- 7.3. 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. Likely significant effects are excluded and

therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

## **8.0 Water Framework Directive (WFD) Screening**

- 8.1. The subject site is located in a town centre location in Birr, Co. Offaly. The proposed development comprises permission for 1 no. residential unit with connections to public wastewater and water and surface water. No water deterioration concerns were raised in the planning appeal.
- 8.2. No water deterioration concerns were raised in the planning application or appeal. I have assessed the project 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. The reason for this conclusion is due to the small scale and nature of the development, the treatment of waste and surface water to the public mains and the location and distance of the site to the nearest waterbody 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 Recommendation**

- 9.1. I recommend that permission be granted subject to the reasons and considerations set out below.

## **10.0 Reasons and Considerations**

Having regard to the provisions of the Offaly County Development Plan 2021-2027 and the Birr Local Area Plan 2023-2029, including the Town Centre/ Mixed Use zoning objective pertaining to the site, to the design and layout of the proposed development and to the pattern of development within the vicinity, subject to compliance with the conditions set out below, it is considered that the proposed development would constitute an appropriate form of infill residential development, would not seriously injure the residential amenity of property in the vicinity and would have no significant heritage impacts on the Protected Structure within the curtilage of the site. It is, therefore, considered that the proposed development would be in accordance with the proper planning and sustainable development of the area.

## **11.0 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 24<sup>th</sup> 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. Details of the materials, colours and textures of all the external finishes to the dwelling shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity.

3. Prior to the commencement of development, the developer shall enter into a Connection Agreements with Uisce Éireann (Irish Water) to provide for service connections to the public water supply and/or wastewater collection network.

**Reason:** In the interest of public health and to ensure adequate water/wastewater facilities.

4. 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 and surface water management.

5. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development. All



existing over ground cables shall be relocated underground as part of the site development works.

**Reason:** In the interests of visual and residential amenity.

6. 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 or public holidays. Deviation from these times shall 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.

7. The construction of the development shall be managed in accordance with a Construction 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 noise, dust, debris management measures, traffic management measures, and offsite disposal of construction waste.

**Reason:** In the interests of public safety and residential amenity.

8. The developer shall engage a suitably qualified licence eligible archaeologist (licensed under the National Monuments Acts) to carry out predevelopment archaeological testing in areas of proposed ground disturbance and to submit an archaeological impact assessment report for the written agreement of the planning authority, following consultation with the National Monuments Service, in advance of any site preparation works or groundworks, including site investigation works/topsoil stripping/site clearance/dredging/underwater

works and/or construction works. The report shall include an archaeological impact statement and mitigation strategy.

(b) Where archaeological material is shown to be present, avoidance, preservation in-situ, preservation by record and/or monitoring may be required. Any further archaeological mitigation requirements specified by the planning authority, following consultation with the National Monuments Service, shall be complied with by the developer.

(c) No site preparation and/or construction works shall be carried out on site until the archaeologist's report has been submitted to and approval to proceed is agreed in writing with the planning authority. The planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of any subsequent archaeological investigative works and/or monitoring following the completion of all archaeological work on site and the completion of any necessary post-excavation work. All resulting and associated archaeological costs shall be borne by the developer.

**Reason:** To ensure the continued preservation either in situ or by record of places, caves, sites, features or other objects of archaeological interest.

9. (a) 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 Page 18 of 24 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.

---

Emer Doyle  
Planning Inspector

8<sup>th</sup> January 2026

### Form 1 - EIA Pre-Screening

<b>Case Reference</b>	ACP 323572-25
<b>Proposed Development Summary</b>	Demolition of shed and construction of dwelling
<b>Development Address</b>	The Green, Birr, Co. Offaly
	<b>In all cases check box /or leave blank</b>
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b>  (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.
<b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in Part 1.  <b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
<b>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?</b>	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road	

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

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes <input type="checkbox"/>	
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: \_\_\_\_\_ Date: \_\_\_\_\_

## Form 2 - EIA Preliminary Examination

<b>Case Reference</b>	323572-25
<b>Proposed Development Summary</b>	Demolition of shed and construction of dwelling
<b>Development Address</b>	The Green, Birr, Co. Offaly.
<b>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</b>	
<b>Characteristics of proposed development</b>  (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	<p>The proposed development is for the demolition of a shed and the construction of a dwelling to the rear of an existing dwelling in an urban area.</p> <p>The project due to its size and nature will not give rise to significant production of waste during both the construction and operation phases or give rise to significant risk of pollution and nuisance.</p> <p>The construction of the proposed development does not have potential to cause significant effects on the environment due to water pollution.</p> <p>The project characteristics pose no significant risks to human health. The proposed development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change.</p>
<b>Location of development</b>  (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	<p>The subject site is located on zoned lands within an urban area.</p> <p>The site is located in a designated area of archaeological potential. A desk top study has been carried out in relation to archaeology.</p> <p>The subject site is not located in or immediately adjacent to ecologically sensitive sites. It is considered that, having regard to the limited nature and scale of the development, there is no real likelihood of significant effect on other significant environmental sensitivities in the area.</p>
<b>Types and characteristics of potential impacts</b>  (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary,	<p>The size of the proposed development is notably below the mandatory thresholds in respect of a Class 10 Infrastructure Projects of the Planning and Development Regulations 2001 as amended.</p>

intensity and complexity, duration, cumulative effects and opportunities for mitigation).	
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA <i>[Delete if not relevant]</i>
There is no real likelihood of significant effects on the environment.	EIA is not required.
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	N/A
There is a real likelihood of significant effects on the environment.	N/A

Inspector: \_\_\_\_\_ Date: \_\_\_\_\_

DP/ADP: \_\_\_\_\_ Date: \_\_\_\_\_

(only where Schedule 7A information or EIAR required)