



An  
Coimisiún  
Pleanála

## Inspector's Report

**ACP 323732-25**

<b>Development</b>	Construction of two storey detached house, garden shed, new boundary wall with pedestrian entrance, use of shared vehicular entranceway and ancillary site works.
<b>Location</b>	Greens Hill, Kilkenny, Co. Kilkenny
<b>Planning Authority</b>	Kilkenny County Council
<b>Planning Authority Reg. Ref.</b>	2560353
<b>Applicant(s)</b>	Richie and Karen Lowry
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Frank and Julie Chambers
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	16/12/2025
<b>Inspector</b>	Rosemarie McLaughlin

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## **1.0 Site Location and Description**

- 1.1. The appeal site (0.061 ha) is located in a residential area in the north eastern part of Kilkenny City, c 1.1 km north of Kilkenny Castle. The square shaped site is located on the eastern side of Green's Hill which is a local road (L6601) running parallel to the River Nore. The site consists of the southern side garden of a detached bungalow fronting west onto Green's Hill with a solid high boundary wall fronting the road. An existing garage is located in the north east corner of the appeal site. A detached, bungalow named Hollybank is adjacent to the north, on a similar front building line, and a large, detached bungalow named Tosca is located to the southeast on a large site. The appeal site borders the rear boundary of No.11 Broguemaker's Hill, to the east, which is the two storey house home of the appellants. Opposite the appeal site are houses backing onto the River Nore. The general area is residential in character with a variety of house types and age.

## **2.0 Proposed Development**

- 2.1. This is an application for the construction of a two storey detached house, garden shed, new boundary wall with new pedestrian entrance and all ancillary site works.
- 2.2. A widened vehicular access is proposed to provide a shared access to the existing and proposed development. The floor area of the proposed two storey, three bed room house is c 242 sqm. The existing garage is to be retained. Parking is available to the existing bungalow and proposed for the new house.
- 2.3. The proposed house is to provide a distance of 23.7 m to No.11 Broguemaker's Hill as clarified in the further information (FI) (18/8/2025). The FI provides dimensions to adjacent properties and FFL. A tree report, sunlight analysis and a design justification also were submitted as FI.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

- 3.1.1. Kilkenny Co. Council (PA) granted permission subject to 10 conditions, which are summarised in the following section.

### 3.1.2. **Conditions-summary.**

- 1) Standard condition
- 2) Financial contribution
- 3) Waste management plan to be prepared.
- 4) Construction condition
- 5) Wastewater condition
- 6) Surface water condition
- 7) Services condition
- 8) Construction working hours condition
- 9) Storage restriction condition
- 10)CEMP to be provided condition

## 3.2. **Planning Authority Reports**

### 3.2.1. Planning Report 11/02/2025

- Third party submissions are described. The planner considers that two storeys is appropriate owing to the design variation in the area. The design is unusual with several false arches and false window openings.
- The house is located to the rear of the site and the ground level is inferred to be excavated which requires clarification.
- Further information (FI) was sought in relation to finished floor level (FFL) and intention of excavation, design justification, shadow analysis and details of retention of trees.

### 3.2.2. Planning Report 08/09/2025

- FFL will be at 52.8m AOD and excavation will not be required apart from the foundations.
- The design justification maintains the protruding gable has precedent and is therefore considered acceptable.
- The sunlight and shadowing analysis submitted illustrates very little additional shadow discernible over and above that already cast by the hedge to the rear.

- The report on the existing trees and shrubs at the proposed Green's Hill development is satisfactory.

### 3.2.3. Other Technical Reports

- **Roads Report** (06/06/2025). The applicant shall be requested to demonstrate adequate intervisibility between vehicles and pedestrians. This may require additional widening or splaying of the entrance. Existing sightlines shall be optimised. Gates shall not open outwards. A road opening licence is required.

### 3.3. Prescribed Bodies

3.3.1. None on file.

### 3.4. Third Party Observations

3.5. In the course of the application, an observation was received from No. 11 Broguemaker's Hill, sharing a common boundary on a north-south axis. The PA were requested to refuse permission. The observation was also submitted as the appeal grounds, as set out in section 7 below. In summary, the observation objects to two storeys, lack of detail on drawings and the height of the building. The observation contends there will be loss of privacy from overlooking and unacceptable overshadowing will occur of their private open space.

## 4.0 Planning History

4.1. None on file

## 5.0 Policy Context

### 5.1. Development Plan

5.1.1. The Kilkenny City and County Development Plan 2021-2027 (CDP) applies. Volume 1 includes the overarching strategies, objectives and development management requirements common to both the City and the County. Volume 2, consists of City-specific strategies. Volume 2 is read in conjunction with Volume 1.

- 5.1.2. **Zoning:** The land is zoned “Existing Residential”. The objective of which is to protect, provide and improve residential amenities.
- 5.1.3. **Section 2.4.1 Core strategy** (Vol. 1 – overarching). This section includes seeking to build up infill sites which may not have been built on before, particularly in well serviced urban locations served by good transport links and in close proximity to employment opportunities.
- 5.1.4. **Section 13.5** (Vol. 1) and **Section 6.4** (Vol.2) : **Infill Development.** These sections include that subdivision of sites can be achieved, where large houses on relatively extensive sites can accommodate new residential development, without unduly impacting the existing residential amenity.
- 5.1.5. **Section 13.5.1.1 Development Management Requirements for Urban Infill Development:** (Vol. 1) Smaller single unit infill sites: For single unit infill developments (permanent subdivision), several requirements should be met.
- 5.1.6. **Section 13.10** (Vol. 1) Boundary treatments for house sites.

## 5.2. **Relevant National Policy**

- Project Ireland 2040, the National Planning Framework (NPF), First edition, April 2025. National Policy Objective 7- To 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.
- Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities 2024.

## 5.3. **Natural Heritage Designations**

- 5.3.1. The site is not in or adjacent to a European site. The River Barrow and River Nore SAC (002162) and River Barrow and River Nore SPA (004233) are approximately 30m to the west of the appeal site. The designated sites are separated from the subject site by a road and lands in residential use.

## 6.0 **EIA Screening**

- 6.1. 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.

## **7.0 The Appeal**

### **7.1. Grounds of Appeal**

7.1.1. The appeal may be summarised as follows.

- The agent for the appellants submitted an appeal and has attached their original observation to the PA which they consider was not adequately addressed. These issues are requested to be assessed by ACP.
- The observers are not opposed to a dwelling but are opposed to two storeys.
- The application failed to demonstrate separation distances and location of No.11 on the plans and section.
- The height is excessive.
- Loss of privacy and unacceptable overshadowing of the private open space of No.11 will occur. No shadow diagrams were submitted.
- Application failed to include a shadow and sunlight path analysis.
- There is a loss of privacy to No. 11 from the first floor windows of proposed house.
- The development will injure the existing residential amenities in the area.

### **7.2. Applicant Response**

7.2.1. The response to the appeal may be summarised as follows.

- The planning application will support the welfare and safety of the applicant's mother who is a senior citizen, living alone, and will allow her to

maintain independence with family support. The planning application represents a real and pressing social need and provides suitable accommodation beside family.

- The council granted permission without requiring any design changes.
- The council determined that there was no undue impact on adjoining properties. No new evidence or technical analysis has been provided to warrant overturning the original decision.
- Ireland is in a severe housing crisis, and infill projects are essential in maintaining sustainable communities and easing pressure on public housing services.

### **7.3. Planning Authority Response**

- None on file.

### **7.4. Observations**

- None on file.

## **8.0 Assessment**

8.1. I consider the appeal may be addressed under the following headings.

- Principle of development.
- Impact on residential amenity of adjacent properties.
- Visual impact.
- Other.

### **8.2. Principle of development**

8.2.1. The site is zoned 'Existing Residential' where the objective in the CDP is to protect, provide and improve residential amenities. The highest level government policy is to encourage compact growth and to encourage infill development in serviced areas, which is also included in the CDP. The principle of development is acceptable, subject to an assessment of the criteria below.

### **8.3. Impact on residential amenity of adjacent properties**



- 8.3.1. The appeal relates to the impact on No.11 Broguemaker's Hill. I also consider the impact on the adjacent house Tosca, to the southeast, and the existing house within the blue line to the north should be assessed.
- 8.3.2. **No.11 Broguemaker's Hill**
- 8.3.3. The appellants home is on a site west of the appeal site and they share a common boundary that runs on a north-south axis. The home of the appellants, No. 11 Broguemaker's Hill is a large, two storey, double fronted house, extended to the rear with a detached garage. A mature high hedge forms the boundary at the rear of No.11 and wraps around to the south to form a boundary with Tosca. The further information (FI) submission provided details of proposed separation distances and levels.
- 8.3.4. A section of the first floor is proposed to be setback on the eastern elevation. The proposed northern side gable is approximate to the existing south gable of No.11 and therefore the proposed house is not directly facing the rear of No.11. The rear building line of the proposed house is c. 6 m from the boundary of No.11 and the two storey set back element is c. 23.7 m from the rear building line of No.11.
- 8.3.5. The objections from No. 11 relate to loss of privacy from the proposed first floor windows into their property. In this regard, I consider the set back two storey section as acceptable and appropriate in a suburban residential area. The closest part of two storey element at first floor consists of a bathroom/wardrobe with obscure glazing. These narrow windows would provide perceived oblique views rather than actual overlooking of the most south easterly corner of the rear garden of No.11. Given the size of the plot and house at No.11, the very high mature hedge between the properties, and the distance from the first floor rooms to No.11, I consider that impact on privacy of the No.11 is acceptable.
- 8.3.6. The issue of loss of daylight and sunlight has been included as a ground of appeal. The appellants have not addressed the diagram submitted by way of further information. The existing high hedge between the properties provides a very private amenity open space but also creates at times, a shadow on the rear garden area of No.11.

- 8.3.7. Given the orientation of the proposed development, I concur with the PA that the proposed development is acceptable in terms of daylight and sunlight.
- 8.3.8. The appellants contend that the dimensions are not provided between the proposed development and their property. This was addressed in the FI and is satisfactory.
- 8.3.9. **Tosca**
- 8.3.10. The house south east of the proposed development is named Tosca and fronts Green's Hill but is significantly set back on a much larger site. The impact of the proposal on Tosca is not raised in the appeal, and I consider the potential impact is greatest on Tosca from the proposed development owing to the proposed proximity between the properties. This is a substantial property extended to the rear building line (east) and to the north. Tosca shares a boundary with the appeal site and No.s 10 and 11 Broguemaker's Hill. Of note, the east-west boundary of the extended bungalow is staggered where it steps north at the rear of the appeal site. Tosca has a staggered front building line and is located on the approximate main rear building lines of the two bungalows to the north of the appeal site. It has a large west facing front garden that is bounded by a wall and mature planting and open area to the southwest.
- 8.3.11. The southern elevation of the proposed development consists of 2 elements, a setback section onto a courtyard and a two storey gable with a hipped roof proposed c 1m from a proposed retaining wall, varying in height up to c.1.6m. The closest distance between the rear corner of the proposed house which is north west of Tosca and the front corner extension of Tosca is c 3.524m. While this is close, I consider that the orientation of the proposed development will have a limited impact in terms of daylight and sunlight and is acceptable in this urban location where the plots are of various sizes and configurations. I note the high hedge is the cause of shadow from the sun in the afternoon and that there is very large open space to the front.
- 8.3.12. In terms of overlooking, two first floor windows are proposed to be obscured to a bathroom on the eastern side which is acceptable in a suburban situation.

8.3.13. I have considered the impact of the proposed development on the west facing residential amenity area of Tosca, the western front elevation and northern gable. No windows are proposed at first floor on the southern elevation element closest to Tosca. On the ground floor a lounge proposes two windows and doors on the western elevation (onto a patio) and one high level opening to the south which will prevent noise directly on the boundary at the closest point to Tosca.

8.3.14. There will be a considerable change in aspect from the front elevation of Tosca with a two storey house close to the boundary of the front garden to the northeast. The extended bungalow Tosca has been developed mainly to the rear (east) and north of a large site that also has development potential for subdivision in a residential zoning. Given the location of the appeal site and the infill nature of the development, I consider that the proposed house is acceptable in terms of the residential amenity of Tosca.

**8.3.15. Existing house**

8.3.16. The existing house is the home of one of the applicant's mother and will be north of the proposed house. The response to the appeal states the proposed house will allow family support. I accept this contention, but I am mindful of the long-term planning considerations when ownership of adjacent properties may not have a family relationship. An assessment of residential amenity on the existing property is also required.

8.3.17. The proposed two storey northern elevation is set back c 7.5 m from the southern gable elevation and forward of the front building line. Two windows are proposed at first floor which serve a staircase and one ground floor bathroom window and external door. From inspection, I note that the front door of the existing house is on the southern gable rather the street-facing, western elevation. Given the distance between the sides of the proposed and existing house and the absence of living/bedrooms rooms on the northern side at first floor, I consider that the impact on the residential amenity of the existing house as acceptable in terms of privacy. In terms of daylight and sunlight, the submitted FI shows the greatest impact in terms of additional shadow is to the home of the applicant's mother which at limited times be impacted by shadow from the proposed development, particularly at the front entrance located on the southern gable wall. Having regard to the

urban location, the set back from the property to the north and the shape of the site, I consider that the proposal is acceptable.

#### **8.4. Visual impact**

- 8.4.1. The PA sought a justification of the design of the house (which is not typical of the area), and a detailed response was submitted by the architect who is the agent for the applicants, referencing several properties of varying ages around Kilkenny. The design is two storey with feature arches and a cross hipped roof. The appellants object to the two storey element of the design but not the design concept. The visual impact of the design of the building is subjective, but it is a detached structure behind a solid high wall, on a road where there is a considerable variety of residential designs. The hipped roof and stepped western, southern and eastern elevations, reduce the bulk of the building and in my opinion, reduce the visual impact of a two storey house with bungalows on either side. Accordingly, I consider the design as proposed as acceptable.

#### **8.5. Other**

- 8.5.1. The appellants submit that the dimensions to their property were not provided in the drawings and that daylight/sunlight was not addressed. The applicants responded to these matters in the FI submitted and I consider that adequate information is contained in the file to demonstrate compliance with the Planning and Development Regulations 2001 as amended.
- 8.5.2. I consider that adequate amenity open space is available to the existing and proposed house per the CDP, section 13.5.1.1. This matter was not raised in the appeal.
- 8.5.3. I consider the development is acceptable in terms of parking. I note the Roads Report required that due to the height of the existing wall, the applicant should be requested to demonstrate that there is adequate intervisibility between vehicles and pedestrians, which may require additional widening or splaying of the entrance. This was not sought in the further information and was not addressed in the appeal. I note the vehicular accesses to the houses north and south of the appeal site are splayed. I consider that a condition requiring the agreement of the

PA in relation to details on the access would be appropriate having regard to the height of the wall and vehicular/pedestrian access as proposed.

## **9.0 AA Screening**

- 9.1. I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended.
- 9.2. The River Barrow and River Nore SAC (002162) and River Barrow and River Nore SPA (004233) are c. 30m to the west of the appeal site. The designated sites are separated from the subject site by a road and lands in residential use.
- 9.3. The proposed development comprises of one infill house in an established residential area.
- 9.4. No nature conservation concerns were raised in the planning appeal.
- 9.5. 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.
- 9.6. The reason for this conclusion is as follows:
- Small scale and nature of the development.
  - The Location-distance from nearest European site and lack of connections.
  - Connection to public water, sewer and drainage
- 9.7. 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.
- 9.8. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

## **10.0 Water Framework Directive**

- 10.1. The subject site is located c 30 m east south of a waterbody EPA name, NORE\_170, Code IE\_SE\_15N011950, which has moderate ecological status. The river is separated from the appeal site by a local road and housing.

- 10.2. The proposed development comprises retention of an infill house in a residential area.
- 10.3. No water deterioration concerns were raised in the planning appeal.
- 10.4. I have assessed the 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.
- 10.5. The reason for this conclusion is as follows :
- Small scale and nature of the development.
  - The Location-distance from nearest Waterbodies and lack of connections.
  - Connection to public water, drain and sewer.
- 10.6. I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

## **11.0 Recommendation**

- 11.1. I recommend that permission be granted.

## **12.0 Reasons and Considerations**

- 12.1. Having regard to the provisions of the Kilkenny City and County Development Plan 2021-2027, the zoning of the site, and the pattern of development in the vicinity, it is considered that, subject to compliance with conditions set out below, the proposed development would not seriously injure the character of the area or the

residential amenities of property in the vicinity, would be acceptable in terms of traffic safety and convenience and would, therefore, be in accordance with the proper planning and sustainable development of the area.

### 13.0 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 18th day of August 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. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground.

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

3. The developer shall enter into water and wastewater connection agreement with Uisce Éireann.

**Reason:** In the interest of public health.

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

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

5. Prior to commencement of development, details of the vehicular access and adequate intervisibility between vehicles exiting the site and pedestrians shall be submitted to the planning authority for written agreement. The vehicular access arrangement shall comply with the requirements of the planning authority. The proposed gates shall be inward only.

**Reason:** In the interest of orderly development, pedestrian, cyclist and traffic safety.

6. A Construction and Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The CEMP shall include but not be limited to construction phase controls for dust, noise and vibration, waste management, protection of soils, groundwaters, and surface waters, site housekeeping, emergency response planning, site environmental policy, and project roles and responsibilities.

**Reason:** In the interest of environmental protection, residential amenities, public health and safety and environmental protection

7. Prior to commencement of development, a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) shall be prepared and submitted to the planning authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness.

**Reason:** In the interest of reducing waste and encouraging recycling.

8. Site development and building works shall be carried out only between the hours of 0800 and 1900 from Mondays to Fridays, inclusive, between 0800 and 1500 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.

9. 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. The contribution shall be paid prior to the 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 the Board to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000 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.

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Rosemarie McLaughlin  
Planning Inspector

5th January 2026

## Appendix A: Form 1 EIA Pre-Screening

<b>Case Reference</b>	ACP 323732-25
<b>Proposed Development Summary</b>	House
<b>Development Address</b>	Green's Hill, Kilkenny, Co. Kilkenny
<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>	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q.2.
	<input type="checkbox"/> No, No further action required.
<p>(For the purposes of the Directive, "Project" means:</p> <ul style="list-style-type: none"> <li>- The execution of construction works or of other installations or schemes,</li> <li>- Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)</li> </ul>	
<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.</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 development under Article 8 of the Roads Regulations, 1994.  <b>No Screening required.</b>	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.  <b>EIA is Mandatory. No Screening Required</b>	
<input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.  <b>Preliminary examination required. (Form 2)</b> <b>OR</b>  <b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b>	Class 10(b)(i) Construction of more than 500 dwelling units.  Proposal is for one house.
<b>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)?</b>	
Yes <input type="checkbox"/>	<b>Screening Determination required (Complete Form 3)</b>
No <input checked="" type="checkbox"/>	<b>Pre-screening determination conclusion remains as above (Q1 to Q3)</b>

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

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

## Appendix B: Form 2 - EIA Preliminary Examination

<b>Case Reference</b>	ACP 323732-25
<b>Proposed Development Summary</b>	House
<b>Development Address</b>	Green's Hill, Kilkenny, Co. Kilkenny
<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 development consists of 1 no. dwelling within the suburban area of Kilkenny in the side garden of an existing detached dwelling.</p> <p>The development consists of typical construction and related activities and site works.</p> <p>Surface water discharged to a public drain.</p> <p>Wastewater discharged to public sewer.</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 not located within a European site.</p> <p>The River Barrow and River Nore SAC (002162) and River Barrow and River Nore SPA (004233) are c. 30m to the west of the appeal site. The designated sites are separated from the subject site by a road and lands in residential use.</p> <p>The subject site is located in a residential zoning.</p> <p>The subject site is not located in a designated area of historic, cultural or significance.</p> <p>My Appropriate Assessment screening concludes that the proposed development would not likely have a significant effect on any European Site.</p>

<p><b>Types and characteristics of potential impacts</b></p> <p>(Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).</p>	<p>The area of the site is 0.061 ha and the proposed development is for infill of one house of 242 sqm which is unexceptional in an urban environment.</p> <p>Having regard to the modest nature of the proposed development, its location removed from sensitive habitats/features, likely limited magnitude and spatial extent of effects, and absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.</p>
<p style="text-align: center;"><b>Conclusion</b></p>	
<p><b>Likelihood of Significant Effects</b></p>	<p><b>Conclusion in respect of EIA</b></p>
<p><b>There is no real likelihood of significant effects on the environment.</b></p>	<p><b>EIA is not required.</b></p>

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

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

(only where Schedule 7A information or EIAR required)