Section 5 Referral Inspector's Report ACP-324243-26

Question	Whether the replacement of an existing natural grass soccer pitch with an artificial grass (astro) soccer pitch is or is not development, or is or is not exempted development.
Location	Wilton United Park, Garranedarragh, Cork City
Declaration	
Planning Authority	Cork City Council
Planning Authority Reg. Ref.	R1029/26
Applicant for Declaration	Wilton United AFC
Planning Authority Decision	Referral to An Coimisiún Pleanála under Section 5(4) of the Planning and Development Act 2000, as amended
Referral	
Referred by	Cork City Council
Owner/Occupier	Wilton United AFC
Observer(s)	None
Inspector	Gary Farrelly

1.0 Introduction

1.1. It should be stated at the outset that the purpose of this referral is not to determine the acceptability or otherwise of the proposal in respect of the proper planning and sustainable development of the area, but rather whether or not the matter in question constitutes development, and if so, falls within the scope of exempted development.

2.0 Site Location and Description

2.1. The subject site comprises of an existing grass soccer pitch, known as Wilton United Park, which is located within the urban townland of Garranedarragh, situated within the southwest suburbs of Cork City. The soccer pitch and wider sports facility which includes clubrooms and hardcourts are leased by Wilton United AFC, and a letter of consent from the owners has been included as part of the application documentation.

2.2. The sports facility is bounded by the N-40 National Road to the north, the Garrane Darra residential estate to the west and Doughcloyne industrial estate to the south and east. Vehicular and pedestrian access to the sports facility is from the south via a gated access from the industrial estate. Pedestrian access can also be achieved via a gated access to the west of the facility from the residential estate. I observed on the date of my site inspection that both gated access points were closed and I was unable to gain access to the facility.

3.0 The Question

3.1. The matter in question outlined on the applicant's submitted cover letter (referred to in the submitted application form) relates to the following:

- Whether the replacement of an existing natural grass soccer pitch with an all-weather (astro) soccer pitch at Wilton United Park is or is not development and is or is not exempted development.

4.0 Planning Authority Declaration

4.1. Declaration

The planning authority (PA) did not issue a declaration and referred the matter to the Commission under Section 5(4) of the Planning and Development Act 2000, as amended.

4.2. Planning Authority Reports

Planning Report

The PA has provided a report with its referral outlining the planning history of the site, its opinion on Environmental Impact Assessment (EIA) and Appropriate Assessment (AA) and the grounds for referral. It draws the Commission's attention to a previous Section 5 declaration on the wider site and its determination in this regard (PA ref. R955/25). It notes that the subject Section 5 application relies on the exemption under Class 33(c) of the Planning and Development Regulations 2001, as amended, however, notes that Wilton United is a membership club where the public do not have access to the land (whether for matches or general use). It considers it unclear on whether Section 4(1)(h) of the Planning and Development Act 2000, as amended, could be relied upon having regard to the issues surrounding the planning status of the grounds and the provisions of Article 9(1) of the Regulations.

5.0 Relevant Planning History

The Commission should note that this section of the report summarises the relevant planning history of the subject site in chronological order. Whilst the PA's report submitted with the referral refers to a number of enforcement files, the Commission should note that the matter of enforcement falls under the jurisdiction of the PA.

- ACP ref. PL 04 130788 / PA ref. S/00/3131 (*subject site and residential estate to the west*)

On 4th April 2003, the Commission granted permission for the construction of 81 apartments, 18 townhouses, 56 duplex units and 8 dormer houses, subject to

conditions. The submitted landscape plan on file outlined the subject site as a 'football pitch'.

Relevant Conditions	
4	*The construction of Apartment Blocks A1, A2 and A3 shall not be commenced without a prior grant of planning permission for the sports and recreational facilities for the eastern section of the site. The development of the recreational facilities shall be completed and shall be operational prior to the occupation of the Apartment Blocks.* *Reason: To ensure the satisfactory completion of sports and recreational facilities.*
11	*Prior to commencement of development, a management scheme providing adequate measures relating to the future maintenance of private open spaces, roads, communal areas and control of car parking spaces in a satisfactory manner shall be submitted to the planning authority for agreement.* *Reason: To ensure the adequate future maintenance of this private development in the interest of residential amenity.*

- PA ref. 03/4050 (*subject site and wider sports facility*)

On 21st October 2004, permission was granted to O'Brien and O'Flynn Limited for a sports, recreational and habitat development including a soccer pitch, 2 no. tennis courts, basketball area, carparking and ancillary works, subject to conditions. The site in this case did not include the wider lands associated with the residential development approved under PL 04 130788 / PA ref. S/00/3131.

Relevant Conditions	
10	*The proposed development shall comply with the terms and conditions in planning permission reg. no. S/00/3131 which governs the overall development of the lands of which the site forms part. In particular the timing*

	of works shall reflect the provisions of condition 4 attached by An Bord Pleanála to planning permission reg. no. S/00/3131. *Reason: In the interest of proper development of the site.*
11	*Except in so far as specific sports facilities may be leased to sporting clubs, and in terms of the lease transfer to them, responsibility for maintenance of these facilities, the management scheme provided for under condition 11 of S/00/3131 shall make all necessary arrangements for the appropriate maintenance of all sporting, recreational and woodland areas of the site.* *Reason: In the interest of residential amenity.*
12	*Control of access to the recreational facilities and surrounding open space shall be to the satisfaction of the planning authority, and the planning authority shall be advised and agree to any subsequent changes to these arrangements.* *Reason: In the interest of residential amenity and public recreation.*

- PA ref. 24/43525

This application related to a site adjoining the northwest boundary of the soccer pitch. On 22nd July 2025, O Brien and O'Flynn was granted permission for the construction of 20 no. residential units.

- Section 5 Declaration – PA ref. R955/25

This application was submitted by the Directors of Garrane Darra Management Company on 27th May 2025 and related to a number of items and whether they constituted development and/or exempted development. This included the locking of gates, the restriction of access to the pathways surrounding the fields and the restriction of access and use of the lands outside the playing fields by residents of Garrane Darra. As part of this application, the PA sought further information from the applicant, as well as the owner, on a number of items including a clarification on access arrangements (noting Condition Nos 11 and 12 of S/03/4050). After submission of the further information from both the applicant and owner, the PA issued a declaration on 25th August 2025 which included a conclusion on the following:

- The permanent locking of gates and consequent restriction of access to the pathways surrounding the playing fields and restriction of access and use of the lands outside the playing fields by residents of Garrane Darra was development and not exempted development.

  It appears that this was on the basis that it contravened Condition No. 12 of S03/4050 as detailed in the report from the Senior Planner dated 25/8/25.

The declaration was not referred to the Commission by any party.

Referral Database

In addition to the planning history summarised above, I have reviewed the Commission's referral database and consider the case below to be of relevance to the matter in question. I note that the applicant also referred to this case in its application.

- Referral RL.3803 (PA ref. 0275/17)

This was a referral on the question of whether the replacement of an existing natural grass rugby pitch with an artificial grass rugby pitch together with the alteration of ground levels of less than 200 millimetres arising from the removal of the grass rugby pitch and the provision of associated subsurface drainage at the High School, Zion Road, Rathgar, Dublin, was or was not development and was or was not exempted development. It was referred to the Commission by the High School on 5th September 2017.

On 10th July 2018, the Commission decided that the replacement of the pitch was development, and was exempted development, as it came within the scope of Class 33(c) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended.

6.0 Policy Context

6.1. Cork City Development Plan 2022-2028

This Plan was adopted by the elected members on 10th June 2022 and came into effect on 8th August 2022. For the purposes of this referral and the restrictions on exemption set out in Article 9 of the Planning and Development Regulations 2001, as

amended, the subject site is not located within any protected areas. The site is located on lands zoned 'ZO 15, Public Open Space'.

6.2. Natural Heritage Designations

Having reviewed the National Parks and Wildlife Service (NPWS) digital map viewer, the nearest natural heritage site to the subject site is Cork Lough proposed Natural Heritage Area (pNHA) which is located approximately 2km northeast. The nearest European site is Cork Harbour Special Protection Area (SPA) (Site Code 004030) located approximately 5km east of the site. Great Island Channel Special Area of Conservation (SAC) (Site Code 001058) is located approximately 12km east of the site.

7.0 The Referral

The planning authority made no declaration on the question put forward by the applicant and referred the matter to the Commission under Section 5(4) of the Planning and Development Act 2000, as amended.

7.1. Applicant's Case

The case put forward by the applicant as part of its submitted documentation to the PA is summarised as follows:

- It is requested that a declaration is issued that confirms that the replacement of an existing natural grass soccer pitch with an all-weather (astro) soccer pitch is exempted on the basis of Class 33(c) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended.
- The proposed all-weather pitch also complies with the provisions of Article 9(1)(a) of the Regulations.
- A copy of referral An Coimisiún Pleanála ref. 29.RL.3803 is included where the Commission concluded that the replacement of an existing natural grass rugby pitch with an all-weather rugby pitch, together with alterations of ground levels of less than 200mm and provision of associated subsurface drainage, was exempted development as per Class 33(c).

7.2. Planning Authority Response

As part of the PA's referral of the matter to the Commission, it submitted a report which is summarised as follows:

- The Commission should refer to a previous Section 5 declaration issued on the wider site (ref. R955/25). The applicant is a membership club, and the public do not currently have access to the land (whether it be for matches or general use). Class 33(c) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended, refers to a development where no charge is made for admission of the public to the land.
- It is not clear whether Section 4(1)(h) of the Planning and Development Act 2000, as amended, could be relied upon having regard to the issues surrounding the planning status of the grounds and the provisions of Article 9(1) of the Regulations.
- It is considered that the proposed development would not be likely to have significant effects on the environment. Accordingly, it is considered that an environmental impact assessment report is not required to be submitted.
- Having regard to the location of the site and related watercourses relative to the Cork Harbour SPA and Great Island Channel SAC, and to the nature and scale of the proposed development, it is considered that the proposed development would not affect the integrity of the European sites. (*The Commission should note that the integrity test is not the appropriate test at screening stage*).

7.3. Applicant's Response

The applicant issued a response to the PA's report submitted as part of the referral on 25th May 2026. This is summarised as follows:

- To date the applicant has invested a significant amount of money to restore, repair and bring the sports facility back to a safe and useable state and will be maintaining the facility going forward. A number of photographs are provided showing the condition of the facility before and after the applicant secured a lease from the owner.

- The opportunity to address the issues raised in the previous Section 5 declaration is welcomed.
- The access gates and fencing were erected when the sports facility was being constructed in accordance with the 03/4050 permission. They were an important part of the permission to control access and provide security. The applicant locked the pedestrian gate on the western boundary for health and safety reasons when remedial works began on the site, i.e. when the pitch was being laid and seeded, fencing and footpaths were being repaired and the dressing rooms were being refurbished. There will be no further maintenance works undertaken in the coming months.
- When the remedial works were completed, the gates were open on a daily basis, however, due to regular anti-social behaviour, the club cannot permit uncontrolled access to the facility as the facility serves a full range of club members (who are all members of the local community) and the club is obliged to comply with child protection, insurance and welfare obligations.
- Condition No. 11 of the 03/4050 permission states that where the sports facility is leased to a sporting club, the responsibility for maintenance and management of these facilities lies with the club. Therefore, the maintenance and management of the sports facility by the applicant is not only compliant with the conditions of permission 03/4050, it is essential if these facilities are to be maintained and managed in accordance with the conditions of 00/3131 (Appeal ref. 04.130788).
- Condition No. 12 of the 03/4050 permission states that control of access to the recreational facilities and surrounding open space shall be to the satisfaction of the planning authority. The applicant is happy to engage further with the Council on this issue, however, it is clear that uncontrolled access to the facility is not in the public interest and not a requirement of the 03/4050 permission.
- There are no other outstanding issues associated with the facility that would affect the referral decision. Previous signage has been removed, and tennis court surfacing has been repaired and reinstated.

- There is no charge for admission of the public to the land at Wilton United Park and therefore the works come within the scope of Class 33(c).

8.0 Statutory Provisions

8.1. Planning and Development Act 2000, as amended

Section 2 Interpretation

(1) In this Act, except where the context otherwise requires -

“structure” means any building, structure, excavation, or other thing constructed or made on, in or under any land, or any part of a structure so defined, and—

(a) where the context so admits, includes the land on, in or under which the structure is situate,

“use”, in relation to land, does not include the use of the land by the carrying out of any works thereon,

“works” includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure or proposed protected structure, includes any act or operation involving the application or removal of plaster, paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure.

Section 3 Development

(1) In this Act, except where the context otherwise requires, "development" means—

(a) the carrying out of any works in, on, over or under land, or the making of any material change in the use of any land or structures situated on land,

Section 4 Exempted Development

(4) Notwithstanding paragraphs (a), (i), (ia) and (l) of subsection (1) and any regulations under subsection (2), development shall not be exempted development if an environmental impact assessment or an appropriate assessment of the development is required.

Section 5 Declaration and referral on development and exempted development

(4) Notwithstanding subsection (1), a planning authority may, on payment to the Commission of such fee as may be prescribed, refer any question as to what, in any particular case, is or is not development or is or is not exempted development to be decided by the Commission.

8.2. Planning and Development Regulations 2001, as amended

Article 6 – Exempted Development

(1) Subject to article 9, development of a class specified in column 1 of Part 1 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1.

Schedule 2, Part 1

Class 33 – Development consisting of the laying out and use of lands-

(c) for athletics or sports (other than golf or pitch and putt or sports involving the use of motor vehicles, aircraft or firearms), where no charge is made for admission of the public to the land.

Article 9(1) – Restrictions on Exemption

Development to which article 6 relates shall not be exempted development for the purposes of the Act-

(a) if the carrying out of such development would-

(i) contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act,

(viiB) comprise development in relation to which a planning authority or An Coimisiún Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site,

(x) consist of the fencing or enclosure of any land habitually open to or used by the public during the 10 years preceding such fencing or enclosure for

recreational purposes or as a means of access to any seashore, mountain, lakeshore, riverbank or other place of natural beauty or recreational utility,

(xi) obstruct any public right of way,

9.0 Assessment

The Question of Development

9.1. Section 3(1) of the Planning and Development Act 2000, as amended (herein referred to as *"the Act"*) defines "development" as the carrying out of any works in, on, over or under land, or the making of any material change in the use of any land. Section 2(1) of the Act defines works to include any act or operation of construction, excavation and alteration.

9.2. The Commission should note that it has previously determined that the matter in question constitutes development in decision 29S.RL.3803. This related to the replacement of a natural grass rugby pitch with an artificial grass pitch at The High School, Zion Road, Rathgar. As the development comprises the replacement of a grassed pitch with an all-weather (astro) pitch, and thus, involves the carrying out of works in, on, over or under land, I consider that it constitutes "development" within the meaning of Section 3(1) of the Act.

The Question of Exempted Development

9.3. The Commission should note that development can be exempted under the Act or the Planning and Development Regulations 2001, as amended (herein referred to as *"the Regulations"*). It should be noted that the PA has raised Section 4(1)(h) of the Act as a potential exempted development provision. However, I do not consider this provision to be relevant in determining the matter in question as I consider that the existing grassed pitch is not a structure as defined by Section 2(1) of the Act.

Act

9.4. The Commission should note that under Section 4(4) of the Act no development can be exempted development if it requires an Environmental Impact Assessment (EIA) or an Appropriate Assessment (AA). Therefore, prior to any examination of the relevant

exempted development provisions within the Regulations, I will begin my examination of the matter in question on the basis of whether an EIA and/or AA are required by reference to Section 4(4) of the Act.

EIA

9.5. I refer the Commission to Appendix 1 of my report in this regard. The development in question is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Regulations (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. Accordingly, I consider that Section 4(4) of the Act, in terms of EIA, does not apply to the matter in question.

AA

9.6. I have considered the project in light of the requirements of Section 177U of the Act. The subject site is located approximately 5km from Cork Harbour SPA (Site Code 004030) and approximately 12km from Great Island Channel SAC (Site Code 001058). The development in question will involve the replacement of an existing natural grass soccer pitch with an all-weather (astro) soccer pitch.

9.7. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because the development in question could not have any effect on a European site. The reason for this conclusion is as follows:

- The nature and scale of the development.
- The location of the development, separation distance to European sites and urban nature of intervening lands between the sites in terms of ex-situ effects.
- The absence of any hydrological connections between the site and European sites, having reviewed the Environmental Protection Agency's (EPA) Mapping Tool.
- Taking into account the screening determination of the PA set out in its referral report (notwithstanding the 'integrity' terminology).

9.8. 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, therefore, excluded, and AA under Section 177V of the Act is not required. Accordingly, I consider that Section 4(4) of the Act, in terms of AA, does not apply to the matter in question.

9.9. I will now proceed to assess the matter in question against the exempted development provisions within the Regulations.

Regulations

9.10. The Commission should note that Article 6(1) of the Regulations provides an exemption for a development of a class specified in column 1 of Part 1 of Schedule 2, provided it complies with conditions and limitations of the class in column 2. I consider Class 33(c) of Part 1 to be the relevant class with regards to the matter in question. I note that there are no conditions or limitations related to this class outlined in column 2. The Commission should note that Class 33(c) states that the following development is exempted development:

- **The laying out and use of the land for athletics or sports (other than golf or pitch and putt or sports involving the use of motor vehicles, aircraft or firearms), where no charge is made for admission of the public to the land.**

9.11. I note that the PA has questioned this provision on the basis that the applicant is a membership club and the public do not currently have access to the land (whether for matches or general use). I note that the applicant in its response to the referral states that no charge is made for admission of the public to the land.

9.12. It is my view that the replacement of an existing natural grass soccer pitch with an all-weather (astro) soccer pitch would consist of the laying out and use of the land for athletics or sports. On the basis of the information on file, there is no grounds to suggest that any charge will be made for the public being admitted to watch matches on the astro pitch. Therefore, I consider that the development in question falls within the Class 33(c) exempted development provision. It should be noted that this is consistent with the Commission's conclusions and decision in RL29S.RL3803.

Article 9(1) Restrictions on Exempted Development

9.13. Article 9(1) of the Regulations applies to restrictions on exemptions of development to which Article 6 of the Regulations relates. On the basis of the information on file, I consider that 4 no. categories are relevant to the matter in question.

(i) contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act,

9.14. The Commission should note that there is an extensive planning history associated with the site which I have summarised in Section 5 of this report, together with the relevant conditions attached to each previous grant of permission. The PA's grounds for referral of the application to the Commission included a reason of "*issues surrounding the planning status of the grounds*".

9.15. I note that the natural grass soccer pitch in question did form part of the proposals for previous approved applications ACP ref. PL 04 130788/PA ref. S/00/3131 and PA ref. 03/4050. I note that there is no information on file to suggest that the soccer pitch has not been constructed in accordance with the approved plans. The PA's uncertainty appears to relate to the issue of public access to the pitch and wider sports facility.

9.16. I note that the PA has previously determined in declaration PA ref. R955/25 that the permanent locking of gates, consequent restriction of access to the pathways surrounding the playing fields and restriction of access and use of the lands outside the playing fields by residents of Garrane Darra, was development and was not exempted development. It considered that this was in contravention of Condition No. 12 of PA ref. 03/4050. I note that this condition specified that the control of access to the recreational facilities and surrounding open space shall be to the satisfaction of the planning authority, and the planning authority was required to be advised and to agree to any subsequent changes to these arrangements.

9.17. However, the matter in question does not relate to the issue of access arrangements. The matter in question is for the replacement of an existing grassed soccer pitch with an all-weather (astro) soccer pitch. Having reviewed all the relevant conditions attached to the previous permissions (including Condition Nos. 10, 11 and 12 of PA ref. 03/4050), I consider that the development associated with the matter in question would not contravene any conditions pertaining to the site. Therefore, I consider that the matter in question would not be de-exempted in this regard.

(viiB) comprise development in relation to which a planning authority or An Coimisiún Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment

because it would be likely to have a significant effect on the integrity of a European site,

9.18. I refer the Commission to my assessment within paragraphs 9.6 to 9.8 of this report. I consider that the development associated with the matter in question would not be de-exempted in this regard.

(x) consist of the fencing or enclosure of any land habitually open to or used by the public during the 10 years preceding such fencing or enclosure for recreational purposes or as a means of access to any seashore, mountain, lakeshore, riverbank or other place of natural beauty or recreational utility,

9.19. The development associated with the matter in question does not consist of the fencing or enclosure of any land. Therefore, I consider that the development would not be de-exempted in this regard.

(xi) obstruct any public right of way,

9.20. The development associated with the matter in question does not encompass an obstruction of any public right of way. Therefore, I consider that the development would not be de-exempted in this regard.

Overall Conclusion

9.21. To conclude, on the basis of the documentation on file, the planning history pertaining to the site and relevant precedent referrals, I consider that the matter in question is development and is exempted development by reference to Class 33(c) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended. I consider that there are no restrictions on exemption set out within Section 4(4) of the Act or Article 9(1) of the Regulations, that would de-exempt the development.

10.0 Recommendation

I recommend that the Commission should decide this referral in accordance with the following draft order:

Planning and Development Act 2000, as amended

Planning Authority: Cork City Council

Planning Authority Reference Number: R1029/26

WHEREAS a question has arisen as to whether the replacement of an existing natural grass soccer pitch with an all-weather (astro) soccer pitch at Wilton United Park, Garranedarragh, Cork, is or is not development or is or is not exempted development,

AND WHEREAS Wilton United AFC requested a declaration on this question from Cork City Council and the Council did not issue a declaration,

AND WHEREAS Cork City Council referred this matter for review to An Coimisiún Pleanála on the 24th day of April, 2026,

AND WHEREAS An Coimisiún Pleanála, in considering this referral, had regard particularly to:

(a) Sections 2(1), 3(1), 4(1) and 4(4) of the Planning and Development Act, 2000, as amended;

(b) Articles 6(1) and 9(1) of the Planning and Development Regulations 2001, as amended,

(c) Class 33(c) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended,

(d) the documentation on file,

(e) the planning history pertaining to the site,

(f) relevant precedent referrals, and

(g) the report and recommendation of the Inspector

AND WHEREAS An Coimisiún Pleanála has concluded that:

(a) the replacement of an existing natural grass soccer pitch with an all-weather (astro) soccer pitch is development as it involves the carrying out of works in, on, over or under land;
(b) the works in question come within the scope of Class 33(c) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended;

NOW THEREFORE An Coimisiún Pleanála, in exercise of the powers conferred on it by section 5(4) of the Planning and Development Act 2000, as amended, hereby decides that the replacement of an existing natural grass soccer pitch with an all-weather (astro) soccer pitch at Wilton United Park, Garranedarragh, Cork, is development and is exempted development.

Declaration

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 me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.

Gary Farrelly
Planning Inspector

20th October 2026

Appendix 1: EIA Pre-Screening

Case Reference	ACP-324243-26
Proposed Development Summary	The project involves the replacement of an existing natural grass soccer pitch with an artificial grass (astro) soccer pitch
Development Address	Wilton United Park, Garranedarragh, Cork City
IN ALL CASES CHECK BOX / OR LEAVE BLANK	
1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?	☒ Yes, it is a 'Project'. Proceed to Q.2.
	☐ ~~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.**	
☒ 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.**	I have had regard to Class 10(b)(iv) of Part 2 of Schedule 5 which relates to urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere. I have reviewed the European Commission's (EC) publication 'Interpretation of definitions of project categories of annex I and II of the EIA Directive' (*available on the EC's website*). This document details the interpretations of certain projects including 'urban development' projects. It is outlined that this includes 'sports stadiums', and I note that it is stated that one member state introduced a threshold of 'football pitches and stadiums with a capacity greater than 2,000 seats'. However, the Commission should note that in this case, a sports stadium or seating is not proposed, and the development consists of the replacement of an existing grassed soccer pitch with an artificial pitch. Therefore, I do not consider the project falls under Class 10(b)(iv) – Urban Development, or any other class within Schedule 5.
~~☐ 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 sub-threshold. **Preliminary examination required. (Form 2)** **OR** **If Schedule 7A information submitted proceed to Q4. (Form 3 Required)**	

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☐	**Screening Determination required (Complete Form 3)**
No ☐	**Pre-screening determination conclusion remains as above (Q1 to Q3)**