



An  
Coimisiún  
Pleanála

# Inspector's Report

**PL-501049-LH-26**

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<b>Development</b>	Retention permission for the change of use of an existing domestic garage to an independent apartment ancillary to the main house and all associated works.
<b>Location</b>	Rathdaniel, Tinure, Co. Louth.
<b>Planning Authority</b>	Louth County Council.
<b>Planning Authority Reg. Ref.</b>	2560830
<b>Applicant(s)</b>	Liam McGowan.
<b>Type of Application</b>	Permission for Retention.
<b>Planning Authority Decision</b>	Refuse Permission for Retention.
<b>Type of Appeal</b>	First Party.
<b>Appellant(s)</b>	Liam McGowan.
<b>Observer(s)</b>	None on file.
<b>Date of Site Inspection</b>	13 <sup>th</sup> June, 2026.
<b>Inspector</b>	Aiden O'Neill.

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## 1.0 Site Location and Description

- 1.1. The proposed development site is c. 0.41ha in area, and comprises an existing single-storey part two-storey domestic garage, the subject of this appeal, to the south-east (rear) of an existing single-storey part two-storey dwelling house (c. 281m<sup>2</sup>), in a rural area c. 500m to the north of the rural node of Tenure, accessed via a gated private road off the Castlelumney Road, in the townland of Rathdaniel, Tinure, Co. Louth.
- 1.2. The proposed development site is accessed via a sloped driveway from the south of the private road over which there is a wayleave. Mature trees and a post and rail fence define the southern boundary of the estate road as far as the proposed development site. The proposed development site itself is bounded by trees/hedgerows to the north, south and east. The private road services 5no. individual dwellings, including the dwelling to be retained, all within a c. 202m stretch of roadway.
- 1.3. The general area is predominantly agricultural in nature. There is a cluster of dwellings along the Castlelumney Road to the east and further north of the proposed development site. The White River is located to the north of the proposed development site.

## 2.0 Proposed Development

- 2.1. The proposed development will consist of permission for the retention of the change of use of an existing domestic garage to an independent one-bedroom apartment (c. 53.5m<sup>2</sup>) ancillary to the main house and all associated works.
- 2.2. The apartment to be retained is single-storey, part two-storey, c. 5.236m in height, and comprises a ground floor open plan living, dining area and kitchen, with separate single bedroom and separate bathroom with shower, and part first floor storage area. The apartment has a slate pitched roof, dash finish with feature quoin effect to the front and side elevations. Double glazed windows are provided at ground/first floor on three elevations, with the apartment accessed from the western side.
- 2.3. The apartment to be retained is connected to public mains and sewer, with a soakpit for surface water disposal.

## 3.0 **Planning Authority Decision**

### 3.1. **Decision**

Louth County Council refused planning permission on 13<sup>th</sup> February, 2026 for 3no. reason as follows:

1. Section 13.9.21 of the Louth County Development Plan 2021–2027 (as varied) requires that a clear rationale and demonstrated need be provided for a family flat/independent living unit. No such justification has been submitted with the application. The development for retention, therefore, fails to comply with the requirements of Section 13.9.21 of the Louth County Development Plan 2021–2027 (as amended) and would be contrary to the proper planning and sustainable development of the area.
2. The detached independent apartment unit for retention provides a substandard form of accommodation as it does not meet the minimum requirements set out in the Planning Design Standards for Apartments (2025). The development for retention materially contravenes Section 13.8.28 of the Louth County Development Plan 2021–2027 (as amended) and would be contrary to the proper planning and sustainable development of the area.
3. From a review of the planning history on site, the Planning Authority has no record of permission being granted for the subject garage structure on site, therefore, it appears that the development relates to an unauthorised structure on site. The retention permission sought under this application for a change of use of this structure would, therefore, serve to facilitate and consolidate the continued intensification of unauthorised structures and uses on the site. The development for retention is, therefore, contrary to the proper planning and sustainable development of the area.

#### 3.1.1. Conditions

N/A.

### 3.2. **Planning Authority Reports**

#### 3.2.1. Planning Reports

The Executive Planner's report dated 10<sup>th</sup> February, 2026 notes the following:

- The subject site is located within the rural area (policy zone 2). Having regard to the established residential use at the subject site, the proposal which comprises of an independent living unit is a permissible form of development under this zoning category, subject to compliance with section 13.9.21 of the Development Plan.
- Section 13.9.21 requires a clear rationale and demonstrated need to be provided for the independent living unit. No such justification has however been submitted with the application.
- The proposal is considered modest and ancillary to the main dwelling.
- The Planning Authority has no record of permission being granted for the original garage structure which would therefore be considered unauthorised development; this issue was previously raised under file.ref: 24/60452 (declared withdrawn).
- In this context, the principle of development is not considered to be acceptable. It is therefore recommended that retention permission be refuse
- The external appearance is in keeping with the main dwelling and is not considered to give rise to any undue visual amenity impacts.
- While the submitted application form (Question 12) states that the gross floor area to be retained is 53.50 sqm, the floor plans show that the independent living unit at ground floor level has an actual usable floor area of approximately 35 sqm.
- SPPR 1 of the Planning Design Standards for Apartments (2025) requires a minimum floor area of 45 sqm for a one-bedroom apartment. In addition, the internal room widths and floor areas do not comply with the minimum standards set out in 'Appendix 1 – Minimum Floor Areas and Standards'. As such, the accommodation does not meet the minimum requirements set out in Planning Design Standards for Apartments (2025) and is therefore contrary to Section 13.8.28 of the Louth County Development Plan and would result in the provision of substandard accommodation for occupants.

- The applicant has indicated that they are connected to mains water and wastewater facilities, however the original dwelling, which was granted under file.ref:74/773 appears to have been approved with a septic tank. The Planning Authority would therefore require written confirmation from Uisce Éireann verifying that the property is currently connected to mains services and that such a connection is acceptable.

The Executive Planner's report is the basis for the Planning Authority's decision to refuse planning permission.

### 3.2.2. Other Technical Reports

- The Report of the Technician, Placemaking & Physical Development, dated 4<sup>th</sup> February, 2026 states that there is no objection to the proposed development, subject to conditions. A note is attached to the Report stating that National Indicative Fluvial Mapping River Flood Data for the site shows a modelled extent of land that might be flooded by rivers during a theoretical or 'design' flood event with an estimated probability of occurrence.

### 3.3. Prescribed Bodies

None on file.

### 3.4. Third Party Observations

None on file.

## 4.0 Planning History

4.1. The following history pertains to the proposed development site.

- 24/60452: Application deemed withdrawn for retention permission for the change of use of an existing domestic garage to an independent apartment ancillary to the main house and all associated works. A Request for Further Information dated 26<sup>th</sup> September, 2024 issued on the application, seeking the following relevant details:
  - the applicant is requested to submit a strong and independent rationale demonstrating compliance with Chapter 13.9.21 of the Louth CDP.

- The applicant is requested to clarify the permission for the garage structure and if necessary, seek to retain the building with revised notices and appropriate fee.
- The submitted plans indicate the floor to ceiling height of the bedroom accommodation is substandard and below the requirement for habitable accommodation. The applicant is requested to address this matter and submit revised plans as required.
- The applicant is requested to submit written confirmation from Uisce Eireann that the dwelling house and independent unit is served by mains water and wastewater facilities. If this is not the case compliance with the requirements of the EPA Code of Practice 2021 is require
- 01/371: Permission was granted on 11<sup>th</sup> August, 2021 for a dormer dwelling and bungalow. It is noted in this application that the proposed development was to connect to public mains and the public sewer with a soakpit for surface water disposal.
- 74/773: Outline permission was granted on 24<sup>th</sup> February, 1975 for a dwellinghouse.
- Enforcement File: UD/23/058: Open enforcement file for Killoo Lodge, Rathdaniel, Tenure, Dunleer, Co. Louth, in relation to alleged non-compliance with Planning Conditions. Warning Letter issued 6<sup>th</sup> June, 2023.
- In the context of the appeal, the following is noted:
  - ABP-310935-21 (21/580): A refusal of permission was upheld by the Commission on appeal on 25<sup>th</sup> January, 2022 for development which will consist of the construction of a house, garage, waste water treatment system and polishing filter percolation area, vehicular entrance on an undeveloped site further west along the private road. Permission was refused for 3no. reasons, including that the applicant had not demonstrated a rural housing need including in respect of any of the relevant qualifying criteria set out in section 3.17.4 of the Louth County Development Plan 2021-2017.

## 5.0 Policy Context

### 5.1. Development Plan

The provisions of the Louth County Development Plan 2021-2027 (as varied) refer.

Table 2.15 of Chapter 2 notes that the 2016 population of the rural area is 35,986, projected to increase to 38,039 by 2027.

The proposed development site is located in Rural Policy Zone 2 as illustrated in Map 3.2 of the Plan.

Section 3.7 of Chapter 3 of Volume 1 of the Plan sets out the policies for rural housing.

Table 3.3 defines the Rural Policy Zone 2 as an area under strong urban influence.

Table 3.5 sets out the qualifying criteria to demonstrate local housing need. Section 3.17.4 stated that applicants will be required to demonstrate to the Planning Authority that they qualify with one of the criteria in the relevant Rural Policy Zone. Accordingly, policy objective HOU 43 seeks to manage the development of rural housing in the open countryside by requiring applicants to demonstrate compliance with the Local Needs Qualifying Criteria relative to the Rural Policy Zone set out in Tables 3.4 and 3.5.

Policy objective HOU 48 seeks to require applications for one off rural housing to comply with the standards and criteria set out in Section 13.9 of Chapter 13 Development Management Guidelines 'Housing in the Open Countryside'.

Section 13.8.28 of the Plan refers to the Design Standards for New Apartments 2023.

Section 13.9.5 of the Plan in relation to Ribbon Development states that Ribbon development does not necessarily have to be served by individual accesses nor have a continuous or uniform building line. In cases where a development would create or extend ribbon development, the proposal will not be favourably considered.

Section 13.9.6 of the Plan in relation to backland development states that the Planning Authority will not generally favour proposals which involve development located to the rear of established buildings, located along a private lane off public roads and which introduce a piecemeal form of backland development.

Section 13.9.19 in relation to rural generated housing need states that applicants for one-off rural housing will be required to demonstrate compliance with the criteria

relevant to the specific Rural Policy Zone in which the application site is to be located. The qualifying criteria for each policy zone is outlined in Section 3.17.4 of Chapter 3 'Housing'.

Section 13.9.21 defines a family flat or independent living unit as a separate unit of living accommodation on the site of an existing dwelling unit used to accommodate an immediate family member of the main household on the site. The conversion of a garage/outbuilding to a family flat or independent living unit, shall comply with the following requirements:

- Rationale – The need for the development must be clearly set out.
- Scale – The family flat shall be ancillary to the main dwelling and shall be modest in size and scale with a floor space that shall generally not exceed 50m<sup>2</sup>.
- Integration – If attached to the main dwelling an internal link shall be provided.
- Ownership – It shall not be sold or let as an independent unit and shall remain in the same ownership as the main dwelling on the site.
- Access – It shall not have a separate vehicular access.
- Services – If the property is served by an individual onsite wastewater treatment system this system must have the capacity to accommodate any additional loading in accordance with the requirements of the EPA Code of Practice: Domestic Waste Water Treatment Systems (p.e. ≤10) (2021). This may result in the requirement for existing on-site systems to be upgraded to the current standards.

Tinure is designated as a Rural Node in Table 2.4 of Chapter 2 of Volume 1 of the Plan and Map 5.23 of Volume 2 Section 3 of the Plan. Section 2.3.2 of Chapter 2 of the Plan describes Rural Nodes as being characterised by residential development with limited services and facilities with an emphasis on strengthening their fabric and creating sustainable rural communities, suitable to meet rural generated housing needs.

## 5.2. Relevant National or Regional Policy / Ministerial Guidelines

National Policy Objective 28 of the NPF First Revision 2025 seeks to ensure, in providing for the development of rural housing, that a distinction is made between areas

under urban influence, i.e. within the commuter catchment of cities and large towns and centres of employment, and elsewhere:

In rural areas under urban influence, facilitate the provision of single housing in the countryside based on the core consideration of demonstrable economic or social need to live in a rural area and siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements.

Appendix A of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, 2024 define an apartment as a self-contained residential unit that forms part of a multi-unit building with horizontal divisions(s) between it and at least one other unit that is an apartment or other non-residential use. Access to individual apartments is generally via grouped access or communal areas. However, ground floor units may have direct 'own door' access from public or semi-public areas.

The Sustainable Rural Housing Guidelines for Planning Authorities 2005 seek to promote rural generated housing need and to manage the growth of areas that are under urban influence in order to avoid over-development and to ensure that the provision of single housing in rural areas under urban influence are provided based upon demonstrable economic or social need to live in a rural area. The Guidelines define ribbon development as five or more houses on any one side of a given 250 metres of road frontage.

### **5.3. Natural Heritage Designations**

The proposed development site is c. 2.38km to the east of the Mellifont Abbey Woods pNHA (Site Code: 001464) and c. 7.01km north of the River Boyne and River Blackwater SAC (Site Code: 002299) and the King William's Glen pNHA (Site Code: 001804).

## **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**

The First Party appeal sets out the following grounds:

- In relation to refusal reason no. 1, we understand that we should have provided a rationale and demonstrated a need for the family flat/independent living unit, however the Council could have requested further information and we would have addressed the absence of justification.
- The independent living unit has been used as an apartment for over 9 years.
- The applicant's daughter resides in the unit while saving for a mortgage. The applicant's daughter had previously applied for permission on a site on her father's land in 2021 but was refused permission. The apartment was previously occupied by the daughter's brother.
- The living accommodation was always meant to be a temporary measure for the daughter. She has formed a new planning application for a dwelling house on the father's land to be submitted in mid March, 2026 (no application appears to have been submitted to date).
- In relation to refusal reason no. 2, the garage was converted prior to the introduction of the Design Standards for Apartments 2025 and is not a logical reason for refusal.
- In relation to refusal reason no. 3, planning permission was obtained on the site under PA Ref. No. 01/371, however, the location of same is different to that granted. The garage structure granted was at the front of the house. An excerpt of a Site Location Map is attached as an appendix to the appeal. This refusal reason is unwarranted.

## 7.2. **Applicant Response in the case of a 3<sup>rd</sup> Party Appeal**

- N/A.

## 7.3. **Planning Authority Response**

- None on file.

## 7.4. **Observations**

- None on file.

## 7.5. **Further Responses**

- N/A

## 8.0 **Assessment**

8.1. Having examined all the application and appeal documentation on file, and having regard to relevant policy, I consider that main issues which require consideration in this appeal are those raised in the grounds of appeal.

8.2. The main appeal issue is, therefore, as follows:

- Compliance with rural housing policies.
- Application of the Apartment Guidelines 2025
- Unauthorised Development.

8.3. Compliance with rural housing policies

8.3.1 The proposed development to retain a change of use of a domestic garage to an apartment has been refused permission primarily because the applicant had not demonstrated rural housing need as required by section 13.9.21 of the Louth County Development Plan 2021–2027 (as varied).

8.3.2 The development to be retained is located in Rural Policy Zone 2, an area under strong urban influence, as illustrated in Map 3.2 of the Plan. In addition to section 13.9.21, section 3.17.4, policy objective HOU 43, and policy objective HOU 48 all require an applicant to demonstrate rural housing need.

8.3.3 The application contained no such information, but the appeal refers to the use of the apartment by the applicant's daughter, and previously the daughter's brother. It is stated

that the applicant's daughter is residing in the apartment pending an application for a dwelling on the applicant's landholding.

- 8.3.4 It is noted that the applicant's daughter was previously refused permission for a dwelling on the applicant's landholding as she did not comply with the applicable rural housing policies.
- 8.3.5 Notwithstanding, the application before the Commission on appeal is in the name of Liam McGowan, and no information has been provided to demonstrate the applicant's rural housing need or that he qualifies with one of the criteria for Rural Policy Zone 2 as set out in Table 3.5 of the Plan.
- 8.3.6 In this context, and based on the available information in the application and appeal, the retention permission for the change of use of an existing domestic garage to an independent apartment ancillary to the main house and all associated works is contrary to section 13.9.21, section 3.17.4, policy objective HOU 43, and policy objective HOU 48 of the Louth County Development Plan 2021–2027 (as varied) with respect to housing in the open countryside.
- 8.3.7 Furthermore, the development to be retained is contrary to National Policy Objective 28 of the NPF First Revision 2025, and the Sustainable Rural Housing Guidelines for Planning Authorities 2005 as there has been no demonstrable economic or social need to live in the rural area of Rathdaniel, Tinure, Co. Louth.
- 8.3.8 A refusal of permission is recommended in this context.
- 8.3.9 In addition, the development to be retained constitutes a separate dwelling, resulting in 5no. dwellings on one side of a given 250m of road frontage. In this context, the provisions of the Sustainable Rural Housing Guidelines for Planning Authorities 2005 and Section 13.9.5 of the Louth County Development Plan 2021–2027 (as varied) with respect to Ribbon Development may arise. The Commission may determine that this is a new issue in the consideration of the appeal and may not warrant a refusal on this basis.
- 8.3.10 Furthermore, and noting its location to the south-west (rear) of the existing dwelling, the development to be retained may be considered to constitute backland development as defined by section 13.9.6 of the Plan. The Commission may also determine that this is a

new issue in the consideration of the appeal and may not warrant a refusal on this basis.

#### 8.4 Application of the Apartment Guidelines 2025

8.4.1 In relation to the second reason for refusal, and noting that the structure to be retained does not meet the definition of an 'apartment' as set out in the Sustainable and Compact Settlements Guidelines, 2024, I note that the Design Standards for Apartments 2025 and section 13.8 of the Plan relates to housing in urban areas, and would not be applicable in this instance. Conversely, section 13.9.21 of the Plan in relation to a family flat or independent living unit in the open countryside applies, which supports a modest unit, with a floor space that shall generally not exceed 50m<sup>2</sup>. The gross floor area to be retained in this instance is 53.50 sqm, which is marginally over the general limit of 50m<sup>2</sup>, and is therefore acceptable.

8.4.2 It is recommended that the Commission should set aside this reason for refusal.

#### 8.5 Unauthorised Development

8.5.1 The Planning Authority's third reason for refusal is predicated on there being no record of permission for the garage structure subject to the retention of a change of use.

8.5.2 However, as noted in the appeal, and cited in the planning history section above, permission is in place for the garage structure, albeit that the permitted garage was located forward of the dwelling. While it is noted that there is an open enforcement file on the site, this relates to non-compliance with conditions. It is not clear which conditions this relates to. Notwithstanding, enforcement remains a matter for the Planning Authority and is outside the scope of powers of the Commission.

8.5.3 It is recommended that the Commission should set aside this reason for refusal.

### 9.0 **AA Screening**

9.1. I have considered the retention permission for the change of use of an existing domestic garage to an independent apartment ancillary to the main house and all associated works on a site at Rathdaniel, Tinure, Co. Louth.in light of the requirements S177U of the Planning and Development Act 2000 as amended.

- 9.2 The proposed development site is c. 7.01km north of the River Boyne and River Blackwater SAC (Site Code: 002299).
- 9.3 The proposed development consists of retention permission for the change of use of an existing domestic garage to an independent apartment ancillary to the main house and all associated works on a site at Rathdaniel, Tinure, Co. Louth.
- 9.4 No nature conservation concerns were raised in the planning appeal.
- 9.5 In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on the River Boyne and River Blackwater SAC (Site Code: 002299) in view of the conservation objectives of this site and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- The modest scale of the works and the nature of the development
- Location - distance from nearest European site and lack of connections

- 9.6 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.
- 9.7 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 proposed development site is located in a rural area to the north of Tinure in Co. Louth. The nearest relevant water body is the White River (Louth), code IE\_NB\_06W010100, c. 0.08km to the north, the status of which is 'At Risk'.

10.2 The proposed development comprises Retention permission for the change of use of an existing domestic garage to an independent apartment ancillary to the main house and all associated works on a site at Rathdaniel, Tinure, Co. Louth.

10.3 No water deterioration concerns were raised in the planning appeal. I have assessed the proposed development of retention permission for the change of use of an existing domestic garage to an independent apartment ancillary to the main house and all associated works on a site at Rathdaniel, Tinure, Co. Louth, 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.

10.4 The reason for this conclusion is as follows:

- The nature and scale of the development proposed.

10.5 Conclusion

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 for is refused for the following reasons and considerations.

## 12.0 Reasons and Considerations

1. Based on the available information in the application and appeal, the retention permission for the change of use of an existing domestic garage to an independent apartment ancillary to the main house and all associated works fails to comply with sections 13.9.21 and 3.17.4, and policy objectives HOU 43 and HOU 48, of the Louth County Development Plan 2021–2027 (as varied) with respect to housing in the open countryside. The development to be retained also fails to comply with National Policy Objective 28 of the NPF First Revision 2025, and the Sustainable Rural Housing Guidelines for Planning Authorities 2005, as there has been no demonstrable economic or social need to live in the rural area of Rathdaniel, Tinure, Co. Louth. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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.

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Aiden O’Neill  
Planning Inspector

13<sup>th</sup> June, 2026

## Appendix 1: Form 1 EIA Pre-Screening

<b>Case Reference</b>	PL-501049-LH-26
<b>Proposed Development Summary</b>	Retention permission for the change of use of an existing domestic garage to an independent apartment ancillary to the main house and all associated works.
<b>Development Address</b>	Rathdaniel, Tinure, Co. Louth.
<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.
(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)	
<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>	<b>State the Class here</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) of Part 2 of Schedule 2. Threshold is 500 dwelling units.
<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>	
<b>Yes</b> <input type="checkbox"/>	
<b>No</b> <input checked="" type="checkbox"/>	

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

Date: 13<sup>th</sup> June, 2026

## Appendix 2: Form 2 - EIA Preliminary Examination

<b>Case Reference</b>	<b>PL-501049-LH-26</b>
<b>Proposed Development Summary</b>	Retention permission for the change of use of an existing domestic garage to an independent apartment ancillary to the main house and all associated works.
<b>Development Address</b>	Rathdaniel, Tinure, Co. Louth.
<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> <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).</b>	The site is located to the south-east of an existing dwelling in a rural area characterised by individual rural dwellings. The proposed development would therefore not be exceptional in the context of the existing environment in terms of its nature. The development would not result in the production of any significant waste, emissions, pollutants or nuisance due to the nature of the proposed residential use. The development does not require demolition works. The development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change. It presents no risks to human health.
<b>Location of development</b> <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).</b>	The proposed development is situated to the south-east of an existing dwelling in a rural area. The site is not located within, or immediately adjoining, any protected areas, or other areas of heritage or cultural interest. The development is located in a serviced rural area and would not have the potential to significantly impact on an ecologically sensitive site or location. There is no hydrological connection present such as would give rise to significant impact on nearby water courses (whether linked to any European site or other sensitive receptors). The site is not considered to be an environmentally sensitive site.
<b>Types and characteristics of potential impacts</b>	Having regard to the modest nature of the proposed development, its location removed from sensitive

<p><b>(Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).</b></p>	<p>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. There are no significant cumulative considerations having regard to other existing and/or permitted projects.</p>
<p><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>EIA is not required.</p>
<p><b>There is significant and realistic doubt regarding the likelihood of significant effects on the environment.</b></p>	
<p><b>There is a real likelihood of significant effects on the environment.</b></p>	

Inspector: \_\_\_\_\_ Date: 13<sup>th</sup> June, 2026

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

(only where Schedule 7A information or EIAR required)