



An
Bord
Pleanála

Inspector's Report PL08.247566.

Development	Permission to retain a soccer pitch and entrance as completed and permission for a container to be used as changing rooms
Location	Buncurrig, Ballyheigue, Co. Kerry
Planning Authority	Kerry County Council
Planning Authority Reg. Ref.	16/827
Applicant(s)	Ballyheigue Athletics
Type of Application	Retention
Planning Authority Decision	Refuse permission
Type of Appeal	First Party
Appellant(s)	Ballyheigue Athletics
Observer(s)	An Taisce
Date of Site Inspection	6 th February, 2017
Inspector	A. Considine

1.0 Site Location and Description

1.1. The subject site is located immediately adjacent to Ballyheigue Beach in North Co. Kerry, and approximately 1km to the south of the main car park in the village. Access to the site is via the GAA grounds and a number of houses, with the final stretch a small and poorly surfaced track. The pitch itself has been constructed between the caravan park and the sand dunes, having been constructed on part of the sand dune system. Part of the dunes has been removed, flattened and seeded in order to provide the pitch, which is now essentially surrounded by the dunes. The site has a stated area of 0.532ha.

2.0 Proposed Development

2.1. Permission is sought for the retention of the soccer pitch and entrance as completed and permission is sought for a container to be used as changing rooms, all at Buncurrig, Ballyheigue, Co. Kerry.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority decided to refuse planning permission for the development for the following three reasons:

- The proposed retention of a soccer pitch at this location would contravene Objectives NE-64 of the KCDP 2015-2021 to 'Prohibit the removal of beach material, aggregates, sand and gravel, including the removal of material from sand dune ecosystems' and Objective NE-65 to 'Protect the sand dunes of the County, (which include annexed habitats), and prohibit any development that would damage the integrity (ecological and visual) of these areas'. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.
- The proposed development is located within an area zoned Secondary Special Amenity Area in the Kerry County Development Plan 2015-2021 where it is the policy of the Planning Authority as per Section 12.2.1 (Zoning Designation) that 'permission will not be granted for development which

cannot be integrated into its surroundings'. The proposed retention of the soccer pitch and entrance and proposal for a new container building at this location would seriously injure the amenities of the area by reason of its obtrusiveness and it would interfere with the character of the landscape and natural beauty of the area, which is necessary to preserve. Therefore, the proposed development would be contrary to the proper planning and sustainable development of the area.

- The proposed access road serving the soccer pitch is substandard and inadequate in terms of surface and width. The vehicular traffic generated by the proposed development would therefore endanger public safety by reason of a traffic hazard. The proposed development would be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planning Officer considered the proposed development in terms of the information presented in support of the planning application, together with the planning history associated with the subject site, the Development Plan requirements, internal submissions and third party objections. The report concluded, that the subject proposal has expanded the previous refused application to include a container for use as a changing room. In addition, the development has occurred within a sand dune system which has had a significant and negative impact on the system at this location. As such, the development contravenes the KCDP in relation to the protection of sand dunes. The report further considers that the development would constitute a traffic safety issue having regard to the substandard access to the proposed site. The report agrees with the Biodiversity Officer that the site should be re-instated to sand dune habitat. The Planning Officer recommends that permission be refused.

3.2.2. Other Technical Reports

The Fire Services Department raises no objection to the proposed development but advises that a Fire Safety Certificate and a Disability Access Certificate will be required.

The Bio-Diversity Officer of Kerry County Council presented a report in relation to the proposed development stating that 'sand dunes including those outside designated sites are protected under the KCDP. The works carried out have damaged marram dune and fixed dune habitat to the landward side of the dune system at this location in Ballyheigue. It is recommended that the site of the soccer pitch be re-instated to sand dune habitat.

The County Archaeologist has advised that there are no recorded monuments in the immediate area of the proposed development and the site is previously disturbed. No mitigation is required.

3.3. Prescribed Bodies

An Taisce has submitted an objection to the proposed development and raises the following objections:

- An Taisce has previously written to KCC in relation to the previous application.
- Development began without planning permission, and continued after an Enforcement Notice was served.
- The works have undermined the coastal protection function of the dunes and has put inland areas at risk from coastal flooding.
- The fixed dune system at Buncurrig Sandhills is connected to a larger fixed dune system [2130] which is protected under the EU Habitats Directive as part of the Akeragh, Banna and Barrow Harbour SAC (Site Code 000332). This system sustains protected Dune Slacks [2190] and Mobile Dunes [2120], all of which are qualifying interests for the SAC.
- It is also considered that the development could be associated with considerable levels of disturbance to the protected bird species within the area during the construction and operational phase.

- In addition, the visual impact of the proposal needs to be assessed.
- The objection supports the recommendation of the Biodiversity Officer and recommends that the site of the football pitch be reinstated to sand dune habitat.

3.4. **Third Party Observations**

Bradley & Sinead Deutrom have submitted an objection to the proposed development¹. The issues raised are similar to those raised by An Taisce and are summarised as follows:

- Planning History and development carried out without planning permission.
- Visual impact of the proposed development and the location of the site within an area identified as Secondary Special Amenity area and Views and Prospects.
- Coastal erosion issues and the weakening of the integrity and coastal protection function of the sand dunes could lead to flooding.
- Roads & traffic issues
- The construction of the dressing room containers will result in further destruction of sand dunes and the importation of concrete and stone to act as hard standing.
- The development is inappropriate in principle.
- Ecological impacts and impacts on protected sites.

4.0 **Planning History**

PA ref 14/426: Permission was sought to retain the soccer pitch and entrance as completed. Kerry County Council refused permission for the development for three reasons, in line with the current reasons for refusal.

¹ The Board will note that page 2 of this submission is missing from the file. I viewed this page on the Kerry County Council web site - page 59 of 97 of documents.

5.0 Policy Context

5.1. Development Plan

The Kerry County Development Plan, 2015-2021 is the relevant policy document relating to the subject appeal. Ballyheighe is identified as a district town that serves the rural hinterland as a service centre and market town. The site is located outside the development boundary of Ballyheigue and within a coastal area of the County which has been designated as a Rural Secondary Special Amenity and for which the following section of the CDP applies:

5.1.1. 3.3.2.2 Secondary Special Amenity - Areas of Secondary Special Amenity constitute sensitive landscapes which can accommodate a limited level of development. The level of development will depend on the degree to which it can be integrated into the landscape.

5.1.2. Chapter 9 of the CDP deals with Social Infrastructure & Community Development and Section 9.3 deals with Community Facilities / Infrastructure. The following objectives are considered relevant:

Objective SC-14: Support the sustainable provision and distribution of a range of social infrastructure facilities in accordance with the Settlement and Core Strategies of this Plan.

Objective SC-15: Ensure as far as practicable that all social infrastructure and local services be located at central village/neighbourhood locations within settlements, which will facilitate pedestrian access, social inclusion, growth in community vibrancy, safety and accessibility for the greatest number of people. Where alternative sites are proposed, applications shall demonstrate why a central location cannot be achieved.

In terms of sporting and leisure facilities, the following is relevant:

Objective SC-15: Ensure as far as practicable that all social infrastructure and local services be located at central village/neighbourhood locations within settlements, which will facilitate pedestrian access, social inclusion, growth in community vibrancy, safety

and accessibility for the greatest number of people. Where alternative sites are proposed, applications shall demonstrate why a central location cannot be achieved.

5.1.3. Chapter 10 of the Plan deals with Natural Environment & Flood Risk Management and the following sections are considered relevant:

10.11 Habitat Loss and Fragmentation

10.13 Biodiversity and Planning Applications - and in particular

Objective NE-51: Ensure that flood and coastal protection works are designed, implemented and managed in a manner which takes into account biodiversity considerations and shall in all cases be compatible with Natura 2000 nature conservation objectives. As part of this, where coastal protection works are proposed cognisance shall be given to the potential impacts of coastal squeeze on vulnerable habitats (e.g. saltmarsh, mud flats and beaches).

10.15 Marine – and in particular

Objective NE-53: Take an ecosystems-based approach to the assessment of the potential impact of development proposals on coastal and maritime areas. In assessing the impact that development would have on coastal and maritime natural heritage values, the Council will take a precautionary approach and proposals will be required to demonstrate that there will be no likely significant adverse impact on key environmental attributes. Development proposals shall comply with all relevant objectives and standards of this plan including those relating to biodiversity and environmental assessment.

10.16.1 Coastal Development Zone – and in particular

Objective NE-57: Prohibit development: In those parts of the Coastal Development Zone where such development could not be adequately safeguarded over the lifetime of the

development without the construction of coastal defences.

or

Where existing coastal defences, properly maintained, would not provide an acceptable standard of safety over the lifetime of the development.

Objective NE-58: Prohibit development in areas of the Coastal Development Zone where the natural erosion process is likely to threaten the viability of such development.

Objective NE-59: Prohibit development in areas of the Coastal Development Zone where the impact on protected / designated landscapes, species populations, habitats or amenity areas would be significantly adverse.

Objective NE-60: Discourage the coalescence of development along the coast and between roads and coast where the visual impact would be significant.

10.16.2 Coastal Protection - this section of the Plan deals with Coastal Erosion and Sand Dunes environments. The following objectives are relevant:

Objective NE-63: Implement sustainable site specific management policies and initiatives to reduce the risk of coastal erosion, as appropriate.

Objective NE-64: Prohibit the removal of beach material, aggregates, sand and gravel, including the removal of material from sand dune ecosystems.

Objective NE-65: Protect the sand dunes of the County, (which include annexed habitats), and prohibit any development that would damage the integrity (ecological and visual) of these areas.

Objective NE-66: Regulate coastal facilities such as car parking and surf board rental services in sand dune areas so as to protect the overall integrity of the sand dunes. As part of these

proposals due regard should be paid to nature conservation, landscape designations and the objectives, policies and standards of this Plan, particularly as they relate to the Natural Environment and Flood Risk Assessment.

Objective NE-67: Ensure that due regard is given to the ICPSS reports, including coastal flood hazard and predictive coastal erosion maps, as part of flood risk assessment, development management and forward planning.

5.1.4. Chapter 12 of the Plan deals with Zoning & Landscape where it is the stated policy, in objective ZL-1, to 'protect the landscape of the County as a major economic asset and an invaluable amenity which contributes to the quality of people's lives.' In addition, and section 12.3.1, in relation to Rural Secondary Special Amenity identifies that the landscape of areas in this designation is sensitive to development. The Plan states that permission will not be granted for development which cannot be integrated into its surroundings.

Section 12.4 of the plan deals with Views & Prospects and the plan notes that development should not seriously hinder or obstruct these views.

5.2. **Natural Heritage Designations**

The subject site lies in very close proximity, approximately 10m, from the Akeragh, Banna and Barrow Harbour SAC and pNHA Site Code 000332, as well as the Tralee Bay Complex SPA, Site Code 004188, and would have constituted a fixed dune system habitat prior to the works.

6.0 **The Appeal**

6.1. **Grounds of Appeal**

This is a first party appeal against the decision of the Planning Authority to refuse permission for the retention of the development. The appeal is summarised as follows:

- The pitch has been in place for some time and the interference with the ecosystem was minor. It is not believed that the development has damaged the integrity of the area.
- The site is outside the SPA. Certain development is allowed in a secondary SPA and it is requested that the development come within this. The pitch is not obtrusive and integrates into the landscape.
- Even though the road is not 'up to scratch', the development is at the end of a cul-de-sac with limited development beyond. There is low usage of the roadway and parking is provided at the pitch.
- There are approximately 80 players, aged 11-22, many non-drivers and arrive by foot or bike. Spectator numbers exceed player numbers.
- The facility provides an amenity for young people during the winter and it is not commercial.
- The pitch has the majority of local support.

6.2. Planning Authority Response

The PA submitted no response to this first party appeal.

6.3. Observations

There is one observation noted in relation to the subject appeal from An Taisce. The submission is summarised as follows:

- The applicant has provided an inadequate assessment that would support the argument that the interference with the ecosystem was minor.
- Ireland has a legal obligation to protect Annex I and priority habitats outside of the Natura 2000 Network. Sand Dunes, including those outside of designated sites are protected under the Kerry County Development Plan.
- In terms of the argument in relation to Secondary SPA, it is assumed that the applicant is referring to the Secondary Special Amenity Areas. The applicant has not considered the impact of the container.

- It is considered that the access road, due to width and surface, would endanger road users, including pedestrians and cyclists.
- Sand Dunes are one of the best coastal defences to incoming waves and tides, especially during storm events. Restoration of the dunes should be carried out in order to resume providing the community with coastal protection.

It is considered that the development does not comply with the objectives and policies of the Kerry County Development Plan 2015-2021. It is requested that the Board uphold the decision of Kerry County Council and refuse planning permission.

7.0 **Assessment**

Having regard to the nature of the proposed development and the details submitted with the planning application and appeal documents, I conclude that issues arising for consideration should be addressed under the following headings:

1. The principle of the development & the compliance with the County Development Plan & Visual Impact
2. Roads & Access
3. Appropriate Assessment

7.1. **The principle of the development & the compliance with the County Development Plan.**

7.1.1. The subject site is located outside the established built up area of Ballyheigue, to the south of the town. The site is located within the dune system which runs along the coastline in a north to south direction and is accessed over a narrow local cul-de-sac road. The site itself is located on the seaward side of the sand track and in an area designated in the County Development Plan, 2015-2021, as a Secondary Special Amenity Area. The pitch has been constructed without the benefit of planning permission and it is required to consider the visual impacts associated with the works to date.

7.1.2. Chapter 12 of the Plan deals with Zoning & Landscape where it is the stated policy, in objective ZL-1, to 'protect the landscape of the County as a major economic asset

and an invaluable amenity which contributes to the quality of people's lives.' In addition, and section 12.3.1, in relation to Rural Secondary Special Amenity identifies that the landscape of areas in this designation is sensitive to development. The Plan states that permission will not be granted for development which cannot be integrated into its surroundings. The appellant has advised that the pitch has been in place for some time, while a third party advises that it was constructed during the summer of 2014. Having regard to the receiving environment, and notwithstanding the limited obvious development works, I would not be satisfied that the pitch has been adequately integrated into the sand dune system in which it lies. The green level pitch represents an incongruous element in this Secondary Special Amenity area.

7.1.3. The proposed development also seeks to erect a container to be used as changing rooms for the pitch as well as establishing a car park for 22 cars and a bike stand. The details of the proposed works to provide the car park surface have not been provided. Having undertaken a site visit, I am concerned that the information presented in support of the application and the appeal does not adequately reflect the works proposed. In particular, I am concerned that the works required to provide the facilities as proposed will result in the loss of additional dune habitat and no Appropriate Assessment has been presented as part of the planning application. Overall, I am not satisfied that the development, if permitted, would accord with the requirements of objective ZL-1 of the County Development Plan.

7.1.4. Further to the above, Chapter 10 of the Plan deals with Natural Environment & Flood Risk Management and deals with a number of issues which I considered to be relevant including Habitat Loss and Fragmentation, Biodiversity and Planning Applications, Coastal Development Zone and Coastal Protection. In particular, I consider that the following objectives are notable:

Objective NE-59: Prohibit development in areas of the Coastal Development Zone where the impact on protected / designated landscapes, species populations, habitats or amenity areas would be significantly adverse.

Objective NE-64: Prohibit the removal of beach material, aggregates, sand and gravel, including the removal of material from sand dune ecosystems.

Objective NE-65: Protect the sand dunes of the County, (which include annexed habitats), and prohibit any development that would damage the integrity (ecological and visual) of these areas.

Objective NE-66: Regulate coastal facilities such as car parking and surf board rental services in sand dune areas so as to protect the overall integrity of the sand dunes. As part of these proposals due regard should be paid to nature conservation, landscape designations and the objectives, policies and standards of this Plan, particularly as they relate to the Natural Environment and Flood Risk Assessment.

7.1.5. In terms of the above, it is clear that the Development Plan seeks to explicitly protect sand dune systems, and to prohibit the removal of beach material, aggregates, sand and gravel, including the removal of material from sand dune ecosystems. In order to establish the soccer pitch, material from the sand dune ecosystem has been removed. I am entirely satisfied that a grant of planning permission in this instance would materially contravene policy objectives NE-64 and NE-65 and as such, would be contrary to the proper planning and sustainable development of the area.

7.2. Roads & Access

7.2.1. Access to the site is over a small and narrow road, and ultimately, over a sand track which is inadequate in terms of surface, and indeed width, to accommodate the level of traffic generated by a soccer pitch. The surface is such that I would not consider it acceptable even for a push bike, let alone vehicular traffic. I note the submission of the appellant that the majority of the people using the pitch arrive by bicycle or on foot. The Board will also note the proposed level of car parking to be provided at the site, where it is proposed to provide 22 car parking spaces. I consider that the existing road and track is significantly substandard in terms of surface and width, and would not be acceptable or appropriate to support the traffic associated with the proposed development. In addition, I consider that the road is inadequate to serve the pitch in terms of pedestrian safety and if permitted, would endanger public safety by reason of traffic hazard.

7.3. Appropriate Assessment

7.3.1. The subject site is located within metres of from the Akeragh, Banna and Barrow Harbour SAC and pNHA Site Code 000332, as well as the Tralee Bay Complex SPA, Site Code 004188, and would have constituted a fixed dune system habitat prior to the works being carried out. In this regard, the Board will note that it is the policy of the planning authority, as set out in Chapter 10 of the Kerry County Development Plan, 2015, to conserve, manage and, where possible, enhance the County's natural heritage including all habitats, species, landscapes and geological heritage of conservation interest and to promote increased understanding and awareness of the natural heritage of the County. Furthermore, Objective NE 12 of the Plan states that no projects which will be reasonably likely to give rise to significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 sites, having regard to their conservation objectives, will be permitted (either individually or in combination with other plans or projects) unless imperative reasons of overriding public interest can be established and there are no feasible alternative solutions. In effect, a proposed development may only be authorised after it has been established that the development will not have a negative impact on the fauna, flora or habitat being protected through an Appropriate Assessment pursuant to Article 6 of the Habitats Directive. Accordingly, it is necessary to screen the subject proposal for the purposes of 'appropriate assessment'.

7.3.2. The Akeragh, Banna and Barrow Harbour Special Area of Conservation (and pNHA) Site Code 000332, has been designated as being of special conservation interest on the basis that it supports the following habitats and / or species:

1210 Annual vegetation of drift lines

1310 *Salicornia* and other annuals colonising mud and sand

1330 Atlantic salt meadows (*Glauco-Puccinellietalia maritima*)

1410 Mediterranean salt meadows (*Juncetalia maritimi*)

2110 Embryonic shifting dunes

2120 Shifting dunes along the shoreline with *Ammophila arenaria* (white dunes)

2130 Fixed coastal dunes with herbaceous vegetation (grey dunes)*

2190 Humid dune slacks

4030 European dry heaths

* indicates a priority habitat under the Habitats Directive

The overall aim of the Habitats Directive is to maintain or restore the favourable conservation status of habitats and species of community interest. The Conservation Objective for the site is to maintain or restore the favourable conservation condition of the Annex I habitat(s) and / or the Annex II species for which the SAC has been selected.

7.3.3. The Tralee Bay Complex SPA, Site Code 004188, has been designated as being of special conservation interest on the basis that it supports the following habitats and / or species:

A038 Whooper Swan <i>Cygnus cygnus</i>	A141 Grey Plover <i>Pluvialis squatarola</i>
A046 Brent Goose <i>Branta bernicla hrota</i>	A142 Lapwing <i>Vanellus vanellus</i>
A048 Shelduck <i>Tadorna tadorna</i>	A144 Sanderling <i>Calidris alba</i>
A050 Wigeon <i>Anas penelope</i>	A149 Dunlin <i>Calidris alpina alpina</i>
A052 Teal <i>Anas crecca</i>	A156 Black-tailed Godwit <i>Limosa limosa</i>
A053 Mallard <i>Anas platyrhynchos</i>	A157 Bar-tailed Godwit <i>Limosa lapponica</i>
A054 Pintail <i>Anas acuta</i>	A160 Curlew <i>Numenius arquata</i>
A062 Scaup <i>Aythya marila</i>	A162 Redshank <i>Tringa totanus</i>
A130 Oystercatcher <i>Haematopus ostralegus</i>	A169 Turnstone <i>Arenaria interpres</i>
A137 Ringed Plover <i>Charadrius hiaticula</i>	A179 Black-headed Gull <i>Chroicocephalus ridibundus</i>
A140 Golden Plover <i>Pluvialis apricaria</i>	A182 Common Gull <i>Larus canus</i>
	A999 Wetlands

* indicates a priority habitat under the Habitats Directive

The overall aim of the Habitats Directive is to maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for the SPA.

- 7.3.4. On the basis that the proposed development site is located almost immediately adjacent to a designated Natura 2000 site, in an area where certain protected habitats are evident, the proposed development must be screened for the purposes of Appropriate Assessment pursuant to the requirements of Article 6 of the Habitats Directive. Notwithstanding the fact that this is a second application for the retention of the soccer pitch, the Board should note that in response to Question No. 17 of the application form the applicant has indicated that the proposal does not *'relate to work within or close to a European Site (under S.I. No. 94 of 1997) or a Natural Heritage Area'*. It appears that during the submission of the both planning applications the applicant (or agent) was unaware of the site location within proximity to a designated Natura 2000 site and the associated obligations arising from same. There is no effort to address issues in relation to AA by the first party.
- 7.3.5. The Board will note that the Planning Authority undertook AA screening and I refer to the reports of the Planning Officer and the Biodiversity Officer, which also refers to the previous application for retention. The Biodiversity Officer determined that *'the works which were carried out in the development of the soccer pitch, damaged the marram dune and fixed dune habitat to the landward side of dune system at this location in Ballyheigue.'* The Board will note that the Biodiversity Officer has recommended that the site of the football pitch be re-instated to sand dune habitat. The PAs AA concludes that, as the development is outside a Natura 2000 site, there will be no direct loss of habitat in the cSAC and that no interference with dune systems designated as part of the cSAC is likely. The screening exercise included in the Planner's Report concluded that the proposed development would be unlikely to have any significant impact on the Natura 2000 site.
- 7.3.6. In terms of the submission of An Taisce, the Board will note that the conclusion of this submission is the opposite, and An Taisce considers that any development which would interfere with the sand dunes may potentially impact on the broader coastal dynamics within the bay and on bird species and such *'impacts would certainly have triggered an Appropriate Assessment under Article 6(3) of the Habitats Directive.'*

- 7.3.7. Having considered all of the available information, I would have serious reservations as regards the likely impacts arising from the retention of the soccer pitch, with particular reference to those works carried out to date which have involved the removal of and damage to the marram dune and fixed dune habitat. I have further concerns in terms of the proposed development works and in particular the lack of any real detail pertaining to same. The provision of a container for use as dressing rooms and the 22 car parking spaces will require ground works to provide appropriate hard standing to support these elements. These works will further damage / remove dune systems and absolutely no information is presented to mitigate their impact.
- 7.3.8. In light of the above, I consider that in the absence of clear and relevant environmental information, it is not possible to conduct a comprehensive appropriate assessment of the effects of the development proposed for retention (i.e. the soccer pitch) on the European site. In addition, given the lack of information relating to the proposed provision of the container and car parking area, it cannot be established that the proposed development would not have a significant adverse effect on the integrity of the protected habitats associated with the Akeragh, Banna and Barrow Harbour SAC and pNHA Site Code 000332, or the Tralee Bay Complex SPA, Site Code 004188, in light of the conservation objectives afforded to the sites.

8.0 Recommendation

- 8.1. It is recommended that planning permission for the retention and development as proposed be **Refused** for the following reasons and considerations.

9.0 Reasons and Considerations

1. The proposed development is located within an area zoned Secondary Special Amenity Area in the Kerry County Development Plan 2015-2021 where it is the policy of the Planning Authority as per Section 12.2.1 (Zoning Designation) that 'permission will not be granted for development which cannot be integrated into its surroundings'. The proposed retention of the soccer pitch and entrance together with the proposed container building for use as changing rooms and the car parking proposed at this location would

represent a significant incongruous element in this sensitive coastal landscape, would seriously injure the amenities of the area and would interfere with the character of the landscape and natural beauty of the area, which is necessary to preserve. The proposed development, therefore, would be contrary to the proper planning and sustainable development of the area.

2. An Bord Pleanála is satisfied that the proposed retention of the soccer pitch at this location would materially contravene Objective NE-64 of the Kerry County Development Plan 2015-2021 which seeks to 'Prohibit the removal of beach material, aggregates, sand and gravel, including the removal of material from sand dune ecosystems' and Objective NE-65 which seeks to 'Protect the sand dunes of the County, (which include annexed habitats), and prohibit any development that would damage the integrity (ecological and visual) of these areas'. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.
3. The existing road and track serving the soccer pitch is substandard and inadequate in terms of surface and width, and would not be acceptable or appropriate to support the traffic associated with the proposed development. It is further considered that the road is inadequate to serve the pitch in terms of pedestrian safety and if permitted, would endanger public safety by reason of traffic hazard. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
4. On the basis of the information provided with the planning application and the appeal, and in the absence of a Natura Impact Statement or Environmental Statement, the Board is not satisfied that the proposed development, individually and in combination with other plans or projects, would not be likely to have an adverse effect on the integrity of the Akeragh, Banna and Barrow Harbour SAC and pNHA Site Code 000332, or the Tralee Bay Complex SPA, Site Code 004188, in light of the site's conservation objectives.

A. Considine
Planning Inspector
16th February, 2017