



An
Bord
Pleanála

Inspector's Report ABP-302045-18

Development

Upgrading of the Cliffs of Moher Visitor Centre Car Park including new surfacing, kerbing, footpaths and all ancillary works.

Location

Cliifs of Moher Visitor Centre, Doolin, Co. Clare.

Planning Authority

Clare County Council

Applicant(s)

Diamrem Ltd.

Type of Application

EIAR Direction.

Type of Appeal

Third Party

Referred By

Diamrem Ltd.

Observer(s)

None.

Date of Site Inspection

11th of September 2018

Inspector

Karen Hamilton

1.0 Introduction

1.1. Under the provisions of Article 120(3)(b) of the Planning and Development Regulations 2001 (as amended), Diamrem Ltd is seeking a determination from An Bord Pleanála, as to whether or not its proposal to upgrade a car park associated with the Cliffs of Moher Visitor centre, would be likely to give rise to significant effects on the environment, and thereby require the preparation of an Environmental Impact Assessment Report (EIAR). Clare County Council are of the opinion that the works did not require an EIAR and the proposal was subject to a Part VIII application (17/8001).

2.0 Site Location and Description

2.1. The subject site is a car park associated with the Cliffs of Moher Visitor Centre and is located to the east of the R478 regional road (designated scenic route), Lislorkan North, Co. Clare.

2.2. The car park is 1.6 ha and is currently accessed from the northern end on the opposite side of the road from the main entrance into the Cliffs of Moher Visitor Centre and walks. The car park is linked across the main road with a pedestrian crossing. There are currently temporary toilets and payment cabins within the site. Whilst the existing car park is surfaced it does not have a final wearing course and the edges etc. remain unfinished.

3.0 Proposed Development

3.1. The proposed development will comprise of the following:

- Upgrade of the existing carpark to include surfacing, kerbing, footpaths and paving, signage and lining, fencing, ducting, e-car charging points, raised uncontrolled internal crossing points and a defined overflow coach parking area.
- Regrade the existing internal footway,

- Install a surface water drainage system,
- All other associated works.

4.0 Planning Authority Decision

4.1. Decision

A Part VIII application was adopted by way of Resolution by the Elected Members of Clare County Council at the meeting of Clare County Council on the 15th of May 2017 subject to 2 no conditions as summarised below:

C 1- Works carried out in accordance with the plans and particulars.

C 2- Submission of details for the agreement of the Planning Authority including a:

- Construction and Environmental Management Plan,
- Storage facilities and management proposals for effluent from the proposed toilets,
- Revised road side boundary treatment adjacent to the proposed manhole to the west of the R478 regional road,
- Landscaping plan which includes earthen embankment to the west of the proposed staff car park area.
- Details of any proposed lighting to serve the parking and circulation area.
- Details of information signage to be erected on site outlining “*Leave no Trace*” principles.

4.2. Planning Authority Reports

4.2.1. Planning Reports

The report of the Senior Planner reflects the decision to grant permission and refers to the following:

- The report of the Environmental Assessment Officer stating that no EIA is required and that the proposal will not have a significant negative impact on any surrounding European Sites.

- The submissions by prescribed bodies and third parties.
- The planning history and impact of the proposed development on the surrounding area.

4.2.2. Other Technical Reports

Environmental Assessment Officer- Screening for Environmental Impact Assessment and Screening for Appropriate Assessment

Roads Department- No objection subject to condition.

4.3. Prescribed Bodies

Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs- No objection.

An Taisce- No objection subject to condition.

4.4. Third Party Observations

One observation submitted from the referrer which may be summarised as follows:

- The development is contrary to the granted permission PL03.128695 which permitted the car park as temporary.
- Representation from Diamrem in relation to the Park and Ride was accepted by the Board.
- The Part VIII application should be accompanied by an Environmental Impact Assessment.
- The development should be subject to a Stage 1 and Stage 2 Assessment under the Habitats Directive 92/43/EU.
- The proposal to transform a temporary car park into a permanent use interferes with Diamrem's existing proceedings under Section 160 of the Planning and Development Act and seeks to adversely affect and prejudice those Proceedings

5.0 Planning History

Reg Ref 178001

Part VIII granted for upgrade of the Cliffs of Moher Visitor Centre Car park.

Reg Ref 14.8002

Part VIII granted for the upgrade of the Cliffs of Moher Visitor Centre Car Park and construction of a new coach park attendants cabin and associated works.

Reg Ref 04.08

Part VIII granted for ESB substation, first aid room, internal alterations, provision of a temporary toilet facilities and retail building in the temporary carpark, temporary access to the cliffs during construction, new pedestrian crossings, modifications to cliff edge works and viewing platform (condition No 5 of the PL03.128695)

PL03.128695 Reg Ref 01/333

Permission granted for the demolition of an existing visitor centre, develop a new visitor centre, retail unit, car and coach park, together with entrances and associated works.

330 no. car parking spaces and 18 no. car parking spaces were included in the temporary car park.

Condition No 7 required the submission of detailed proposals, including full particulars of the temporary carpark to be submitted to an agreed with the planning authority prior to commencement of development. The report of the Senior Planner notes compliance.

Park and Ride Car Parking Serving the Cliffs of Moher

PL03.231074 (Reg Ref 08.1129)

Permission granted for the construction of a Park and Ride Facility to service the Cliffs of Moher Visitor Centre- Liscannor.

PL03.231075 (Reg Ref 08.1133)

Permission granted for the construction of a Park and Ride Facility to service the Cliffs of Moher Visitor Centre- Coogyulla, Doolin.

6.0 Policy Context

6.1. Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment (DoHPLG, 2018).

6.2. Clare County Development Plan 2017-2023

The site is located in an area defined as a “*Settled Landscape*”

CDP 13.2 Settled Landscapes

To permit development in areas designated as ‘settled landscapes’ that sustain and enhance quality of life and residential amenity and promote economic activity subject to conforming with other provisions of the plan and minimise visual impacts and not intrude on scenic routes or shorelines.

CDP 13.7 Scenic Routes

It is an objective to protect sensitive areas from inappropriate development taking into consideration their effects on views from the public road towards scenic features or areas and are designed and located to minimise their impact.

CDP9.24 Tourism in North Clare and The Burren

It is an objective to maintain the Cliffs of Moher as one of the country’s premier tourist attractions and harness its potential as a driver of tourism in North Clare facilitating improvements, if necessary, to the tourist offer and experience.

6.3. Natural Heritage Designations

The site is located to the east of the Cliffs of Moher SPA (004005) . The features of Interest include:

- Fulmar (*Fulmarus glacialis*) [A009]
- Kittiwake (*Rissa tridactyla*) [A188]
- Guillemot (*Uria aalge*) [A199]

- Razorbill (*Alca torda*) [A200]
- Puffin (*Fratercula arctica*) [A204]
- Chough (*Pyrrhocorax pyrrhocorax*) [A346]

7.0 Request for Determination

The request for determination is made by Diamrem Ltd under Article 120(3)(b) of the Planning and Development Regulations 2001, as amended. The letter lodged with the Board on 11th of July 2018 requests determination whether the proposed works to the car park at the Cliffs of Moher would have a significant effect on the environment. The submission is summarised as follows:

Use of the site as a temporary car park

- The existing car park does not have the benefit of permission.
- The previous permissions refer to the use of temporary carpark on the site and the use of the site was never fully assessed.
- Extracts from the Oral Hearing for PL03.128695 are included which indicate queries in relation to the temporary car park.
- Compliance documentation submitted to the planning authority indicates the temporary car park will be used until a full assessment of the park and ride scheme is undertaken.
- There is no reference to the temporary carpark on the site notices for this application (178001).

Requirement for EIS

- The Department of Arts, Heritage and Gaeltacht submitted an observation to a similar previous development 140008 to state that the proposal would have a significant impact on the breeding Chough population in the SPA and a full Appropriate Assessment was required.
- Having regard to the ecological sensitivity on the site an EIS and NIS is required as per Article 120 (1) and 120 (7) of the Regulations which states refers to “*Criteria for Determining whether a Development would or would not be likely to have Significant Effects on the Environment*”

Appendices

- A- Letter from Reddy O’Riordan Staehli Architects (RORSA) in relation to Reg Ref LA 04-08 referencing the temporary car park.
- B- Compliance submission from RORSA in respect of Reg Ref 04-08, modifications to the parent permission.
- C- Submission by DAHG in respect of screening report prepared by the planning officer for Clare County Council for 14/8002.
- D- Email from the Divisional ecologist from DAHG.
- E- Report from DAHG in relation to a Screening Assessment in March 2015.
- F- Clare County Council Manger’s Report to Elected Members, May 2015.

8.0 Planning Authority Response

The response from the planning authority may be summarised as follows:

- The request for determination is submitted some 14 months after the Part VIII was permitted.
- The submission includes commentary in relation to 14/8002 which is a separate development and comments from the Department of Arts, Heritage and the Gaeltacht in relation to Appropriate Assessment is not relevant to the query before the Board for EIA.
- The DAHG did not submit any observations to the proposed development.
- The Local Authority support the initial contention that the proposed development (17/8001) is not likely to have significant effects on the environment.
- Based on the criteria as set out in the Planning and Development Regulations 2001, there is no requirement for either a mandatory or sub-threshold EIS.
- There are currently High Court proceedings relating to the Cliffs of Moher involving the referrer of the determination, in relation to the unauthorised use of the temporary car park, a submission from the Council’s legal team accompanied the application.

- The submission from the Council's legal team suggests that the decision by Clare County Council to grant a Part VIII can only be challenged by a Judicial Review to the High Court to Section 50 of the Act.
- Whilst no time limits are provided in Section 120(3) (b) for a referral to the Board, the Regulations are only the secondary legislation, therefore it would appear no such referral can come before the Board once a decision has been made.
- It is the view of the legal team that the Board can only consider the Part VIII made under 1780001.
- Copy of High Court proceeding submitted with the response.

9.0 Legislation

9.1. Planning and Development Act 2000 (as amended)

Section 172(1) states-

An environmental impact assessment shall be carried out by the planning authority or the Board, as the case may be, in respect of an application for consent for proposed development where either-

(a) the proposed development would be a class specified in-

(i) Part 1 of Schedule 5 of the Planning and Development Regulations 2001, and either-

(I) such development would exceed any relevant quantity, area or other limit specified in that Part, or

(II) no quantity, area or other limit is specified in that Part in respect of the development concerned,

or

(ii) Part 2 of Schedule 5 of the Planning and Development Regulations 2001, and either-

(I) such development would exceed any relevant quantity, area or other limit specified in that Part, or

(II) no quantity, area or other limit is specified in that Part in respect of the development concerned,

Or

(b)

i) the proposed development would be of a class specified in Part 2 of Schedule 5 of the Planning and Development Regulations 2001 but does not exceed the relevant quantity, area or other limit specified in that Part, and

(ii) the planning authority or the Board, as the case may be, determines that the proposed development would be likely to have significant effects on the environment.

9.2. **Planning and Development Regulations 2001 (as amended)**

Article 120(3) states-

(a) The Board shall, where it considers that sub-threshold development proposed to be carried out by a local authority would be likely to have significant effects on the environment, require the local authority to prepare, or cause to be prepared, an EIS in respect thereof.

(b) Where any person considers that a development proposed to be carried out by a local authority would be likely to have significant effects on the environment, he or she may apply to the Board for a determination as to whether the development would be likely to have such significant effects and the Board shall make a determination on the matter as soon as possible.

(c) An application for a determination under paragraph (b) shall, in order to be considered by the Board, state the reasons for the forming of the view that the development would be likely to have significant effects on the environment and shall indicate the class in Schedule 5 within which the development is considered to fall.

(d) Where the Board makes a determination under paragraph (b) that a development would be likely to have significant effects on the environment it

shall require the local authority to prepare, or cause to be prepared, an EIS in respect thereof.

(e) For the purposes of paragraphs (a) and (b), a local authority shall provide information requested by the Board in relation to a sub-threshold development proposed to be carried out by the local authority.

Schedule 5 – Development for the purposes of Part 10

Part 1 – Development classes subject to mandatory EIA.

Part 2 – Development classes subject to EIA where they exceed a certain threshold in terms of scale.

Schedule 7 – Criteria for determining whether a development would or would not be likely to have significant effects on the environment, under three headings-

- (a) Characteristics of the Proposed Development.
- (b) Location of the Proposed Development.
- (c) Characteristics of Potential Impacts.

9.3. European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018

These Regulations transpose the requirements of Directive 2014/52/EU, amending previous Directive 2011/52/EU, on the assessment of the effects of certain public and private projects on the environment (the EIA Directive) into planning law.

10.0 Assessment

I note at the outset that Article 120 of the Planning and Development Regulations was amended by the EU (Planning and Development) (Environmental Impact Assessment) Regulations 2018 on the 1st of September 2018. These Regulations introduce a new process for development by a Local Authority. However given that Part VIII process was completed and the referral submitted prior to the 01st of September I intend to consider the referral under the provisions prior to the 01st of September but have regard to the requirements of the 2014 Directive where relevant.

The following issues are considered relevant in the assessment of the requirement for the submission of an EIAR:

- Background to Referral
- Requirement for Environmental Impact Assessment
- Class 10 (b) (ii)- Construction of a Car Park
- Class 10(b)(iv)- Urban Development
- Consideration of Sub- Threshold Development

Background to Referral

- 10.1. The Cliffs of Moher Visitor Centre and associated works were granted planning permission under PL03.128695 (Reg Ref 01/333). The proposed development includes the demolition of an existing visitor centre, construction of a new visitor centre, retail unit, car/coach park, entrance and associated works. The car park permitted was to be located adjacent to the visitor centre, along the west of the R478 and include space for 249 car and coach 24 parking spaces. The parent permission included the use of an area to the east of the R478, within the ownership of Clare County Council, as a temporary car park until completion of the car park for a period of approximately two “summer periods”. Condition No 7 required detailed proposals, including full particulars of the temporary car park to be provided during the period of construction to be submitted and agreed with the planning authority prior to commencement of development.
- 10.2. The current car park, accommodating parking for the visitor centre, is located on an area which was proposed as the temporary car park in the parent permission. The proposed development to be carried out by the local authority in the Part VIII include only for works to upgrade the existing car park including;
- Surfacing, kerbing, footpaths and paving, signage and lining, fencing, ducting, e-car charging points, raised uncontrolled internal crossing points and a defined overflow coach parking area, regrade the existing internal footway,
 - Install a surface water drainage system,

- 10.3. The referrer raises the issue of unauthorised use of the current carpark and non-compliance with the plans and particulars of the parent permission in relation to the location of the car park. I note the proposed development does not relate to any amendments to any previous permission or include the retention of use of the car park. The referral has been submitted under Article 120 (3) which relates only to a determination by the Board on the requirement for EIA where a Local Authority proposes to carry out sub- threshold development, which this assessment is restricted to considering. I note the response by the Planning Authority to the referral, references other legal proceedings, in particular Part VIII of the Regulations in respect of the proposed continuation of the car park associated with the Cliffs of Moher car park.
- 10.4. Therefore, having regard to the referral under Article 120 (3) and those works permitted by the Council under the Part VIII application, I have based my assessment solely on the works to upgrade the existing car park.

Requirement for Environmental Impact Assessment

- 10.5. The classes of development for the purposes of Part 10 are detailed in Schedule 5 of the Regulations. The case submitted by the referrer of this determination does not state the class of development considered relevant for the proposed development. The proposal includes the upgrade of a car park for 481 spaces.

Class 10 (b) (ii)- Construction of a Car Park.

- 10.6. A Screening Determination for Environmental Impact Assessment (EIA) by the Council solely considers Part 1, Class 10 (b) (ii) "*Construction of a car-parking providing more than 400 spaces, other than a car-park provided as part of, and incidental to the primary purpose of, a development*" the most relevant class of development for consideration. It was noted that the number of spaces provided in the car park is to remain consistent with those spaces provided in PL03.128695 (Reg Ref 01-333) which included an Environmental Impact Statement (EIS). The EIS did not detail the Class of development for the purpose of the EIA. The submission on behalf of referrer states that the car park was only ever permitted as a temporary facility and therefore does not have the benefit of permission as a car park.

- 10.7. The proposed development includes the provision of 482 spaces which is greater than the threshold set for mandatory EIA. The car park clearly forms part of the overall facility for the Cliffs of Moher Visitor Centre which is the primary purpose of the development. Therefore, Class 10 (b) (ii), as detailed above, is not relevant as the parking at this location is incidental to the primary purpose of a development.
- 10.8. The Part VIII report from the Senior Planner noted the inclusion of an EIS with parent planning permission PL03-128695 (Reg Ref 01.333). However, having regard to the conclusion above that the existing car park at the site is incidental to the visitor centre, the provisions of an extension to Class 10 (b) (ii) do not apply.

Class 10(b)(iv)- Urban Development

- 10.9. I note that an EIS was carried out for the visitor centre and having regard to the characteristics of that development I consider that the relevant class of development in that case would be Class 10(b)(iv)- Urban Development. 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 is required for mandatory EIA. The site is located within the rural area of County Clare outside any village or settlement and based on the character of the area the site would fall into the category of 20 hectares for elsewhere. The car park is 1.6 ha in size and may be deemed as sub-threshold.

Consideration of Sub- Threshold Development

- 10.10. The criteria for determining whether a development would or would not be likely to have significant effects on the environment falls under three main headings in accordance with Annex III of the 2014 (2014/52/EU).

- Characteristics of proposed development
- Location of Proposed Development
- Type and Characteristics of potential impact.

I have assessed the proposed development under these headings as follows:

Type and Characteristics of Potential impact arising from the Proposed Development.

10.11. The proposed development is 1.6ha in size and includes an upgrade of the existing Cliffs of Moher car park for resurfacing, surface water drainage, pedestrian connectivity, reconfiguration of the parking spaces and alteration of the entrance from one to two traffic lanes. The impact of the proposed works on the receiving environment are assessed below.

Significant difference in character or scale to the existing surrounding or environment: The proposed development is for works to an existing car park, no increase in size is proposed. As stated above, the use of the site as a temporary car park was included within the parent permission.

Physical changes to the locality by construction or operation: During construction there will most likely be associated construction traffic and adjoining areas will be used for construction compounds and the proposal includes the restoration of any disturbed areas immediately following construction. The changes in surface materials on the car park and works for treating the surface water will have a positive impact on the surface water.

Use of natural resources such as land, soil, water, materials/ minerals or energy, especially resources which are non-renewable or in short supply: The carpark is within a rural location surrounded by agricultural fields and is currently surfaced, all proposed works will be undertaken within the footprint of the existing development and therefore the use of additional natural resources is not a requirement of the development.

Use of storage, transport, handling or production of substance which would be harmful to human health or the environment: Condition No 2 (a) of the Part VIII permission includes a requirement for a detailed Construction and Environmental Management Plan which will ensure traffic management and control of substances during construction. The alterations to the car park surface will improve the risk of surface water contamination and all works will be covered with dense bitum macadam to relevant design standards (TII/NRA). On site petrol inceptors will protect the groundwater from potential contamination.

Lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea: The existing surface materials (dense bitumen and gravel zones) will be improved to control

surface water runoff and channels and gullies will connect to a new gravity pipe network and into a new surface water attenuation tank in the south west end of the car park. A bypass interceptor connects downstream to treat the surface water prior to connection to the existing culvert which drains to the Beaghy Stream which eventually discharges at the coast and is not connected to any European Site. The report of the Senior Planner for the Part VIII notes the lack of sufficient information on the treatments of effluents at the temporary toilets in the existing car park. I note the Design Report which accompanied the Part VIII application states the 2 no visitor toilets will have internal sealed tanks for collection off site.

Increase in noise and vibration or release of light, heat, energy or electromagnetic radiation: The site is within a rural area along County Clare's coastline and is accessed from the main R478 road. The car park has been in use from the construction and operation of the Cliffs of Moher Visitor centre in c. 2007 and the proposed upgrade will not significantly alter the traffic movements in the vicinity outside the construction period.

Risk of major accidents or human health: The area is already heavily used by traffic associated with the existing Cliffs of Moher Visitor Centre and the proposal will not increase the traffic for this tourist activity. Any accidental spill from construction will be minor in nature and will be mitigated against within a detailed Construction and Environmental Management Plan required under Condition No 2 (a) of the Part VIII permission. The proposed development will not result in any risk of a particular accident and is not of a scale to impact human health.

Impact of the social environments: The generation of additional noise and or dust will be restricted to the construction phase, 12 weeks, and having regard to the nature of the works the impact will be minor in nature.

Part of a wider large scale change that would result in the cumulative effects on the environment: The car park is incidental to the use of the Cliffs of Moher Visitor Centre. The Part VIII application was accompanied by a Screening for Appropriate Assessment which lists other completed projects and land use activities. The list includes the provision of a new coach park at the visitor centre, alterations to the existing footpath, coach attendance cabin and other tourism activity associated with the Cliffs of Moher visitors centre. I do not consider these activities, in combination

with the proposed development, have a significant negative impact on the receiving environment. It has not been indicated if there are any further proposals associated with the visitor centre and I am not aware of any further developments in the vicinity which would give rise to any cumulative impacts.

Type and Characteristics of Potential Impacts arising from the Location of Proposed Development

10.12. The car park is located c. 0.5km from the coastal edge and accessed off the R478 a busy regional route which is designated scenic route. The car park is located along the east of the road whilst the coastline and visitor centre are located to the west. The main structures within the car park include small cabins and toilet facilities which do not cover a large area. The impacts of the location of the development on the receiving environment are assessed below.

Location of proposal on, in or adjoining any European site or other place, site or feature of ecological interest: The Cliff of Moher Visitor SPA is located on the opposite side of the regional road and the species of special conservation interest include Chough, Fulmar, Kittiwake, Guillemot, Razorbill and Puffin. The site synopsis for the SPA¹ list the cliffs, cliff edge (inland for 300m) and marine waters as foraging for these breeding seabirds. A Screening for Appropriate Assessment accompanied the Part VIII application which considered the site of the car park was unsuitable for breeding or foraging of those species of interest, which I consider reasonable.

Could any protected, important or sensitive species of flora or fauna use the areas on or around the site: The Screening for Appropriate Assessment includes an in depth analysis of the impact of the proposal on the Chough. It notes the area is dominated by stands of rushy wetland (*Juncus* species) wet grassland, which are not representative of preferred Chough foraging habitat. Reference to scientific study of the Chough population (Trewby, 2011) confirmed that the breeding Chough nested in the cliffs to the west of the visitor centre and continued to do so during the tourist season. The study also provided analysis of the habitat adjacent to the carpark and confirms the absence of any ecological interest for any breeding Chough population.

¹ NPWS (2018) Conservation objectives for Cliffs of Moher SPA [004005]. Generic Version 6.0. Department of Culture, Heritage and the Gaeltacht.

Features of landscape, historic, archaeological, or cultural importance which could be affected: O' Briens Tower is located c. 500m west of the site. The tower is included on the record of protected structures (PS-292) as set out in the Clare County Development Plan 2017-2023. The tower is listed on the National Inventory of Architectural Heritage and is rated of Regional Importance. The proposed works will not adversely impact the character or setting of O'Briens Tower.

Areas around the location which contain importance, high quality or scarce resources which could be affected by the project: The areas to the north, east and south of the car park include agricultural fields. Construction activities include the temporary use of lands for construction compounds although will be restore to grassland on completion of works. The proposal does not include to increase the size of the car park.

Any water resources including surface waters, or groundwater which could be affected by the project in terms of their volume and flood risk: The site is located c. 500m from the edge of the coast and c. 75m to the southeast of the Cliff of Moher SPA. The Screening of Appropriate Assessment includes measures to manage fuels and siltation during the construction phase as per good construction practice which will reduce the risk of release of polluting substances to the surface or groundwater. The surface water and ground water quality will be improved during the operation of the car park due to the inclusion of a new drainage collection network, and petrol interceptor.

Any transport routes on or around the location which are susceptible to congestion or which cause environmental problem, which could affect the project: The R478 runs along the west of the site and is the only mode of vehicular access to the site. The construction phase of the works is 12 weeks. The R478 is already heavily traffic by visitors to the centre and it is not envisaged the increase in construction traffic will cause any additional significant environment impact.

Any sensitive land uses or community facilities which could be affected: The car park currently serves the Cliffs of Moher Visitor Centre as a tourism destination, no further proposals are detailed.

Relative Abundance/ quality and regenerative capacity of the natural resources of the area: The surrounding area is characterised by rolling agricultural fields to the

north, east and south and to the west on the opposite side (c. 115m) of the R478 is the Cliffs of Moher SPA. The site is currently surfaced and proposal to upgrade will not alter the size of the site or include any additional land take.

Other

Cumulative Effects: Potential impacts may arise during the construction phase which are likely to be limited in both scale and duration and not likely to significantly impact on the environment. In the longer term the impact on water quality and biodiversity is likely to be beneficial due to the treatment of the surface water run-off. The EIA undertaken for the visitor centre concludes that the proposed development would not be likely to have significant effects on the environment. Having regard to the above and the potential for cumulative effects arising from the upgrade works to the car park it is therefore considered unlikely.

Transboundary Effects: The proposed development will have no trans boundary effects.

11.0 Recommendation

Having regard to the nature and scale of the proposed development to upgrade an existing car park, the nature of the receiving environment, and to the nature, extent, characteristics and likely duration of potential impacts, I conclude that the proposed development is not likely to have significant effects on the environment and that the submission of an Environmental Impact Assessment Report is not required.

Reasons and Considerations

Having regard to:

1. the criteria set out in Schedule 7, in particular
 - (a) the limited nature and scale of the proposed upgrade of a carpark currently associated with the Cliffs of Moher Visitor Centre,
 - (b) the absence of any significant environmental sensitivity in the vicinity and the location of the car park outside the areas designated as the Cliffs of Moher SPA,

2. the results of other relevant assessment of the effects on the environment submitted by the applicant including the Screening for Appropriate Assessment undertaken by Clare County Council as part of the Part VIII application,
3. the features and measures proposed by the applicant envisaged to avoid or prevent what might otherwise have been significant effects on the environment, in particular the treatment of surface water,

it is considered that the proposed development would not be likely to have significant effects on the environment and that an environmental impact report is not required.

Karen Hamilton
Planning Inspector

22nd of October 2018