



An  
Bord  
Pleanála

## Inspector's Report

### ABP-315785-23

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<b>Development</b>	House and associated site works.
<b>Location</b>	Addergown, Ballyduff, Tralee, Co. Kerry
<b>Planning Authority</b>	Kerry County Council
<b>Planning Authority Reg. Ref.</b>	221182
<b>Applicant(s)</b>	Aidan Harrington.
<b>Type of Application</b>	Outline Planning Permission.
<b>Planning Authority Decision</b>	Refuse Outline Permission.
<b>Type of Appeal</b>	First Party
<b>Appellant(s)</b>	Aidan Harrington.
<b>Observer(s)</b>	None.
<b>Date of Site Inspection</b>	3 November 2023.
<b>Inspector</b>	Claire McVeigh

## 1.0 Site Location and Description

- 1.1. The 0.4ha site is located in the townland Addergown, approximately 2km to the west of the village of Ballyduff, 14km west of Listowel and 18 km north of Tralee. The subject site forms part of a larger field on the agricultural landholding and fronts onto a narrow rural roadway with some grass growing in the centre of the carriageway. The ground level of the site rises from the roadway and there is a natural low hedgerow/sod boundary to the western boundary and the southern boundaries. Openings exist between the subject site western boundary and the adjoining field to allow for agricultural vehicular movements and there is an agricultural access to the subject site from the southern boundary.
- 1.2. There are two houses on the opposite side of the road southwest of the subject site and positioned close to the junction with the road leading to the townland of Slievawaddra. To the east of the subject site is the applicant's aunt house (Margaret Fowley) comprising an attractive ivy covered two storey detached dwelling which is heavily screened with mature trees and hedgerows surrounding the boundaries. The applicant's parents (Michael and Mary Harrington) live further east of the subject site in a two-storey detached dwelling with a significant set back from the roadway.

## 2.0 Proposed Development

- 2.1. Outline permission is sought for a dwelling house serviced with a mechanical treatment system and soil polishing filter along with all associated external works. A new connection is proposed to the existing public mains water supply. A surface water soakpit is also proposed (as stated on application form no design details submitted).
- 2.2. A proposed landscape plan illustrating retention of the existing hedge and tree to the southern boundary of the site with new planting to the east and west boundaries and a wildflower meadow to the rear of the proposed dwelling (prepared by Down To Earth Design & Landscaping) has been submitted to supplement and support the application along with the appeal documentation and cover letter submitted by SKJ Engineering & Surveying Ltd dated 10 February 2023 that "works to planting works on the boundary lines can [sic] undertaken as a priority during the first year of construction of the proposed dwelling".

## 3.0 Planning Authority Decision

### 3.1. Decision

On the 18 January 2023, the planning authority decided to refuse outline permission for the proposed development for one reason relating to the lack of integration with the landscape.

**Reason:** Having regard to the relatively open and exposed nature of the site, it is considered that the proposed development would not integrate into the landscape and would contravene the following objectives of the Kerry County Development Plan 2022-2028:

- KCDP 11-77: Protect the landscapes of the County as a major economic asset and an invaluable amenity which contributes to the quality of people's lives.
- KCDP 11-78: Protect the landscapes of the County by ensuring that any new developments do not detrimentally impact on the character, integrity, distinctiveness, or scenic value of the area. Any development which could unduly impact upon such landscapes will not be permitted.

The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports

- The site's access is off a very narrow local public road bound on each side by a natural sod fence.
- Sightlines are required to be indicated in both directions.
- The applicant lives with his parents and is working part time in farming with his father and brother, and is working full-time at North Campus, Tralee. The planning authority would consider a planning application by the applicant at an alternative location within the family landholding close to the homestead and farm that the applicant works at on a part time basis.

- Visually the site is very open and exposed, the ground levels of the site appear higher on the north side of the road. There is little natural screening on the current site. A refusal is recommended on visual grounds.

### 3.2.2. Other Technical Reports

- Environment Department Site Assessment Unit (SAU) – A detailed site layout drawing to illustrate the proposed layout for the treatment system including separation distance along with the locations of the percolation test holes.

### 3.3. Prescribed Bodies

None.

### 3.4. Third Party Observations

None.

## 4.0 Planning History

Relevant planning history on family lands:

Planning Register Reference 16/391 permission granted to Tommy Harrington on the 21 June 2016 to construct an easy feed slated cattle house complete with underground slatted slurry tank, slurry duct, feed barriers, canopy and dungstead and all associated ancillary site works at Addergowan, Ballyduff, Tralee, Co. Kerry.

## 5.0 Policy Context

### 5.1. Development Plan

Under the Kerry County Council Development Plan 2022-2028 the site is unzoned but within a rural area designated as 'Rural Area Under Urban Influence'.

#### Rural Housing

Chapter 5 set out the policies required for the continued sustainable development of rural County Kerry, in a manner that is consistent with the guidance, strategies and

policies at National and Regional level and are based on the following important principles:

1. The specific land use requirements of agricultural activity will be accommodated as a first priority.
2. A focus on supporting vibrant rural communities centred on a network of rural village settlements is a cross cutting theme of this Plan.
3. Rural Kerry is an important national and international tourism and heritage asset, and its environmental and socio-cultural assets will be protected.
4. Encouragement and support for restoration and refurbishment of the existing built fabric in rural areas.
5. The requirement to transition to a low carbon and climate resilient society, necessitates consideration of the spatial pattern of development focusing on elimination of unnecessary trips, more efficient use of resources and opportunities to provide centralised and communal public services.

**Section 5.5** outlines that to ensure rural housing complies with all National policy documents greater emphasis on the following:

- (a) Establishing that there is a genuine economic or social need for permanent occupation.
- (b) Prioritising the reduction of residential vacancy rates in all the Rural Areas in preference to new residential development.
- (c) The renovation or modification of existing structures in rural areas for residential use.
- (d) Encouraging people who wish to reside in the countryside to live in existing villages or small village settlements where there are services available.

**Section 5.5.2.1** outlines in respect to Rural Areas Under Urban Influence that: In these areas, population levels are generally stable within a well-developed town and village structure and in the wider rural areas around them. This stability is supported by a traditionally strong rural/agricultural economic base.

**KCDP 5-15** In Rural Areas under Urban Influence applicants shall satisfy the Planning Authority that their proposal constitutes an exceptional rural generated

housing need based on their social (including lifelong or life limiting) and / or economic links to a particular local rural area, and in this regard, must demonstrate that they comply with one of the following categories of housing need:

- a) Farmers, including their sons and daughters or a favoured niece/nephew where a farmer has no family of their own who wish to build a first home for their permanent residence on the family farm.
- b) Persons taking over the ownership and running of a farm on a full-time basis, who wish to build a first home on the farm for their permanent residence, where no existing dwelling is available for their own use. The proposed dwelling must be associated with the working and active management of the farm.
- c) Other persons working full-time in farming or the marine sector for a period of over seven years, in the local rural area where they work and in which they propose to build a first home for their permanent residence.
- d) Persons who have spent a substantial period of their lives (i.e., over seven years), living in the local rural area in which they propose to build a first home for their permanent residence.
- e) Persons who have spent a substantial period of their lives (i.e., over seven years), living in the local rural area in which they propose to build a first home for their permanent occupation and currently live with a lifelong or life limiting condition and can clearly demonstrate that the need to live adjacent to immediate family is both necessary and beneficial in their endeavours to live a full and confident life whilst managing such a condition and can further demonstrate that the requirement to live in such a location will facilitate a necessary process of advanced care planning by the applicants immediate family who reside in close proximity.

Preference shall be given to renovation/restoration/alteration/extension of existing dwellings on the landholding before consideration to the construction of a new house.

Relevant policies include:

**KCDP 5-4** Ensure that future housing in all rural areas complies with the Sustainable Rural Housing Guidelines for Planning Authorities 2005 (DoEHLG), circular PL2/2017, National Planning Framework (NPOs 15 & 19) and the Development Management Guidance of this Plan.

**KCDP 5-19** Ensure that the provision of rural housing will not affect the landscape, natural and built heritage, economic assets, and the environment of the county.

**KCDP 5-20** Ensure that all permitted residential development in rural areas is for use as a primary permanent place of residence and subject to the inclusion of an Occupancy Clause for a period of 7 years.

**KCDP 5-21** Ensure that all developments are in compliance with normal planning criteria and environmental protection considerations.

**KCDP 5-22** Ensure that the design of housing in rural areas comply with the Building a house in Rural Kerry Design Guidelines 2009 or any update of the guidelines.

**Volume 6 of the Kerry County Development Plan 2022-2028** contains development standards for residential development on rural and non-serviced sites sections 1.5.10.1-1.5.10.10.

### Landscape

The subject site is located within Landscape Character Area 4 Kerry Head and Ballyduff.

**KCDP 11-77** Protect the landscapes of the County as a major economic asset and an invaluable amenity which contributes to the quality of people's lives.

**KCDP 11-78** Protect the landscapes of the County by ensuring that any new developments do not detrimentally impact on the character, integrity, distinctiveness or scenic value of their area. Any development which could unduly impact upon such landscapes will not be permitted.

There are two types of landscape designation:

1. Visually Sensitive Areas
2. Rural General

The subject site is located within the 'Rural General' designation:

#### 11.6.3.2 Rural General

Rural landscapes within this designation generally have a higher capacity to absorb development than visually sensitive landscapes. Notwithstanding the higher capacity of these areas to absorb development, it is important that proposals are designated to integrate into their surroundings in order to minimise the effect on the landscape and to maximise the potential for development. Proposed developments should, in their designs, take account of the topography, vegetation, existing boundaries and features of the area. Permission will not be granted for development which cannot be integrated into its surroundings.

- 5.2. **Sustainable Rural Housing Guidelines for Planning Authorities** (2005) These guidelines outline a key objective for the local planning system to deliver sustainable rural settlements. The guidelines differentiate between Urban Generated Housing and Rural Generated Housing. This distinction acknowledges the fact that demands for housing in rural areas arise in different circumstances and also differentiates between the development needed on rural areas to sustain rural communities and development tending to take place in the environs of villages, towns and cities which would be more appropriately located in these places.

For applications in areas under significant urban influence section 4.1 of the guidelines sets out how applicants should outline how their proposal is consistent with the rural settlement approach in the development plan and should supply supporting information where appropriate.

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

The application site is not located in or immediately adjacent to a European site. The closest European sites are the Kerry Head SPA (Site Code: 004189) within 3.2km and within approximately 3km of the Lower River Shannon SAC (Site Code:002165).

The site is approximately within 11km of the Tralee Bay Complex SPA (Site Code:004188) and the pNHA Akeragh, Banna and Barrow Harbour and Akeragh, Banna and Barrow Harbour SAC (Site Code:000332). The site is within 15km from



the pNHA Illaunnabarnagh Island (Site Code: 001359), and the Magharee Islands SAC (Site Code 002261) and Magharee Islands SPA (Site Code: 004125).

#### 5.4. **Environmental Impact Assessment (EIA) preliminary examination screening**

See completed Form 2 on file. Having regard to the nature, size and location of the proposed development and to the criteria set out in Schedule 7 of the Regulations I have concluded at preliminary examination that there is no real likelihood of significant effects on the environment arising from the proposed development. EIA, therefore, is not required.

## 6.0 **The Appeal**

### 6.1. **Grounds of Appeal**

The grounds of appeal can be summarised as follows:

- The applicant is the son of the landowner and works part time on the farm to assist with farm duties. The application is for a permanent place of residence and meets with the requirements of rural placement in compliance with the County Development Plan (KCDP 5-12). Supporting letter from the applicant Aidan Harrington submitted to provide further detail in respect to his strong links to the area, current full-time employment in Tralee as Technical Support Manager and his involvement in the day to day running of the farm and outline of future farm business plans being discussed.
- Rebuttal of the planning authority's opinion in respect to the site being elevated. The site location is low level ground and not visible from the main public [sic]. Layout drawing with the contours of the site, the levels of the access road and the finished floor level of the neighbouring dwellings as constructed identified. The site is only 1.9m higher than the main junction that it is located close on 200m away.
- Disagree with the planning authority's assessment that the proposed dwelling would not integrate into the landscape. A Landscape Plan (Drawing reference A3-1-350 File Name Planning) and 'Landscape Proposal' has been submitted,

as prepared by Down To Earth Designs & Landscaping, to integrate the site into the surroundings.

- There are some neighbouring properties in the area which have been constructed in accordance with property design guidelines.

## 6.2. **Planning Authority Response**

- None.

## 6.3. **Observations**

- None.

## 7.0 **Assessment**

7.1. I consider the main issues in determining this appeal are as follows:

- Rural Settlement Policy
- Visual impact of the proposal on the landscape
- Appropriate Assessment

## 7.2. **Rural Settlement Policy**

7.2.1. The site for the proposed development is on land that is unzoned in the current Kerry County Development Plan 2022-2028 and falls within rural housing category 'Rural Areas under Urban Influence'. Within this rural designated area the development plan states that applicants must satisfy the planning authority that their proposal constitutes an exceptional rural generated housing need based on their social (including lifelong or life limiting) and / or economic links to a particular local rural area.

7.2.2. I consider it important in undertaking the assessment of 'exceptional rural generated housing need' to have regard to the five principles that provide the framework for the policies relating to the sustainable development of rural County Kerry, as outlined in section 5.0 of this report, these principles include a focus on supporting rural communities centred on a network of rural village settlements and the principle of transitioning to a low carbon and climate resilient society and recognition of the

necessary consideration of the spatial pattern of development focusing on elimination of unnecessary trips and more efficient use of resources.

- 7.2.3. There are five categories (a-e) of rural housing need applicable to Rural Areas Under Urban Influence set out in the development plan (KCDP 5-15). The documentation submitted with the application, including the 'Supplementary Information' form, and appeal does not indicate that the applicant seeks to demonstrate compliance with one of the five specific housing need categories. The planning authority considered in the planner's report that the applicant meets the exceptional rural generated housing need test as the applicant "...is working part time on the farm". I note the letter submitted by the applicant's father confirming that his son works "...part time on the farm to assist with all the farm duties and currently lives at home". The applicant states in their letter supporting the application that they have grown up, have always lived on the land and works on the farm in the evening and weekends. No documentary evidence has been submitted to support these statements, i.e., birth certificates or letters from local schools confirming attendance. I acknowledge that the current 'Supplementary Form' and development plan do not require such evidence of an applicant's link to the area in question.
- 7.2.4. The applicant's stated full-time employment is as a Technical Support Manager in a company in Tralee (Viclarity) and that he works part time assisting with farm duties. The applicant has marked up on the form that the intended use is for occupation as a primary permanent place of residence and occupation by a farmer engaged 'part-time' (their addition to the form) in agriculture. I note the 'Supplementary Form' does not provide a category for 'part time' farmer in respect to the intended use of the proposed dwelling. The applicant in letter supporting the appeal states that he is discussing the business model for the farm and that there is a future intention to go into partnership with his brother in the tillage side of the business.
- 7.2.5. No other details have been provided in relation to the applicant's brother and their role on the farm. Having undertaken a planning history search of the immediate environs I note that planning permission was granted to a Tommy Harrington on the 21 June 2016 (planning authority register reference 16/391) for cattle shed and underground slatted slurry tank on the same farmstead lands identified as the home and shown to be in ownership of Michael and Mary Harrington in the current application documentation. Taking into account the lack of details in relation to the

applicant's brother and their role on the farm and the relatively recent planning history pertaining to the lands, for a Tommy Harrington, I consider that it is difficult to establish the full extent of engagement with the farm the applicant has currently. The 'Sustainable Rural Housing' Guidelines for Planning Authorities (2005) clearly set out that applicants should outline how their proposal is consistent with the rural settlement approach in the development plan and should supply supporting information where appropriate, see section 4.1. As previously noted, no documentary evidence has been submitted in line with the guidelines. Notwithstanding, on the basis of the information provided by the applicant's father it appears that, as the son of a farmer, they comply with the criteria of rural generated housing need KCDP 5-15 (a).

### **7.3. Visual impact of the proposal on the landscape**

- 7.3.1. There are two landscape designations for the county, as summarised in Section 5.0, and the landscape in which the site is located within the area defined as 'Rural General'. In the preparation of landscape designations for the County the planning authority, as stated development plan, has had regard to the Landscape Review of County Kerry which outlines the quality of a landscape itself and also considers the level of existing development and the ability of the landscape to absorb further development without altering it to an unacceptable degree. The subject site sits within landscape character area 'Area 4 Kerry Head and Ballyduff' in the Landscape Review as contained in Volume One (Appendices) of the Kerry County Development Plan 2022-2028 (pages 217-218). The landform of the area is described in the Landscape Review as a high area of ground on Kerry Head with the remainder of the area containing a number of shallow river valleys. The landform is elevated compared to the adjoining area to the south and it forms a low ridge in the landscape. In respect to landcover, it is stated that pasture covers the majority of the area and that boundaries enclosing this pasture lack tree cover resulting in an open landscape, screening is limited. It is noted that from higher ground there are extensive views. The overall landscape sensitivity is identified as Medium/High, which is defined as the key characteristics and qualities of the landscape are sensitive to change.

- 7.3.2. The 0.4 ha subject site, sitting within a larger field in total shown as 2.05ha on the submitted Site Location Map, is bounded by a low sod/hedgerow along the road frontage and another row of existing low/medium height hedgerow along the western boundary of the site, sparse in parts with a breakthrough. The lack of trees and sparse hedgerow, common to the landform identified in the Landscape Review, contributes to the openness of the landscape. I would agree with the planning authority's assessment in the planner's report which states that the site is very open and exposed. The planning authority also consider that the ground levels of the site appear higher to the north side of the local road.
- 7.3.3. The applicant rebuts the planning authority's determination that the site is elevated and has submitted a supplementary site survey indicating the finished floor levels of the neighbouring properties on the southern side of the local road and the levels of the public local road to its main junction. It is stated in appeal submission by Stephen Kearney of SJK Engineering & Surveying Ltd that "...the site is only 1.9m higher than the main junction that is located close on 200m away". Having regard to the submitted site survey I would agree the site is higher than the main junction and that this statement by SJK Engineering & Surveying Ltd. is in agreement with the planning authority's assessment that the ground levels are higher on the northern side of the local road, and, as such, I would concur with the planning authority's statement in respect to the ground levels. Given the exposed nature of the site the relatively higher ground level will, in my opinion, further accentuate its prominence and visual impact on the landscape of the development when viewed from the southern approach.
- 7.3.4. I am of the opinion that the siting and integration of the proposed dwelling is key given the context of the site, its landscape characteristics and the identified sensitivity of the landscape. The applicants have submitted, in conjunction with the appeal documentation, a landscape proposal to help integrate the site into the surroundings. The Landscape Plan (Drawing A3-1-350) and Landscape Proposal details the planting strategy. I note that the existing site observations have stated in error that the site has an existing row of mature native trees and hedgerows on the 'eastern and southern boundary'. For clarity, there is no boundary for the site to the east with exception to the existing eastern boundary of the much larger field adjacent to the aunt of the applicant's property. I note the proposal includes new hedgerows

to both the western and eastern boundaries and a total of 34 new trees, of initial 1.5m height, along with a wildflower meadow.

- 7.3.5. The planning authority's Environment Department Site Assessment Unit (SAU) had requested a detailed site layout drawing to illustrate the proposed layout for the treatment system and the planner's report notes the requirement to show sightlines from the proposed vehicular access in both directions. In the absence of this information, it is difficult to determine what implications if any there are in respect to the existing hedgerow to the south and the landscape proposals. From the details submitted I am not able to assess the extent to which the landscaping proposals take into account the provision of the 90 sq.m soil polishing filter and the proposed soakpit as noted in the application form. I note that the development management standards for rural sites, as contained in Volume 6 of the Kerry County Development Plan (section 1.5.10.10), encourages where feasible nature-based solutions to management water run-off. I am of the view that as the subject site is a greenfield of sufficient size there is scope for the landscape proposals to better integrate with the proposed vehicular entrance works and wastewater tertiary treatment proposals for the site and to also inform the management of water run-off in this proposal. These matters can be addressed at permission consequent stage and subject to condition, as necessary, to ensure that integration is achieved.
- 7.3.6. I note objective KCDP 5-22, as referred to in section 5.0 of this report, requires that the siting and design of housing in rural areas comply with the 'Building a House in Rural Kerry Design Guidelines'. The subject site is remote from and segregated from the main farmstead which does not help to assimilate the development within this exposed site. I consider that the proposed siting of the new dwelling centrally within the proposed subject site does not adequately integrate or respect the natural hedgerows and landscape characteristics of the area consistent with the design guidelines. Furthermore, I am of the opinion that the landscape proposals as submitted will not sufficiently mitigate against the detrimental impact of the development on the landscape character of the area by reason of the expansive lawn areas and extensive hard-surfaced car-parking area to the front and side of the proposed dwelling.
- 7.3.7. In conclusion, given the relatively higher level of the site on the northern side of the local road taken in conjunction with the open nature of the established landcover the

proposed development would form a discordant and obtrusive feature on the landscape at this location, would seriously injure the visual amenities of the area, would fail to be adequately absorbed and integrated into the landscape, would militate against the preservation of the rural environment and would set an undesirable precedent for other such prominently located development in the vicinity.

#### 7.4. **Appropriate Assessment**

- 7.4.1. The site does not lie within any designated European sites. The closest European sites are the Kerry Head SPA (Site Code: 004189) within 3.2km and the Lower River Shannon SAC (Site Code:002165) also within approximately 3km.
- 7.4.2. The distances between the site of the development and the nearest European sites are considered to be too great and there is no information indicating any hydrological link or other pathway with any of these sites. Having regard to the limited nature of the proposed one-off rural house and location of the development and distance from the nearest European sites, it is concluded that no Appropriate Assessment issues arise as the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

### 8.0 **Recommendation**

- 8.1. I recommend that permission is refused in accordance with the following reasons and considerations.

### 9.0 **Reasons and Considerations**

1.	The site of the proposed development is located within an open landscape with limited screening, defined as landscape character area 'Area 4 Kerry Head and Ballyduff' in the Landscape Review as contained in Volume One of the Kerry County Development Plan 2022-2028, is of medium/high sensitivity where the key characteristics and qualities of the landscape are sensitive to change and where emphasis is placed on the importance of designing with the landscape and of siting of development to minimise visual intrusion as set out in the 'Building a House in Rural Kerry' Design
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	<p>Guidelines (2009), which Guidelines are considered to be reasonable. Having regard to the topography of the site, the relatively elevated positioning of the proposed development, together with its central siting and the extensive hard-surfaced car parking area to front and side of the house, it is considered that the proposed development would form a discordant and obtrusive feature on the landscape at this location, would seriously injure the visual amenities of the area, would fail to be adequately absorbed and integrated into the landscape. The proposed development would, therefore, militate against the preservation of the rural environment and would set an undesirable precedent for other such prominently located development in the vicinity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.</p>
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I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

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Claire McVeigh  
Planning Inspector

11 December 2023



## Appendix 1 - Form 1

### EIA Pre-Screening

**[EIAR not submitted]**

<b>An Bord Pleanála Case Reference</b>	315785-23		
<b>Proposed Development Summary</b>	House and associated site works.		
<b>Development Address</b>	Addergown, Ballyduff, Tralee, Co. Kerry.		
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b> (that is involving construction works, demolition, or interventions in the natural surroundings)		<b>Yes</b>	√
		<b>No</b>	No further action required
<b>2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) or does it equal or exceed any relevant quantity, area or limit where specified for that class?</b>			
<b>Yes</b>		Class.....	EIA Mandatory EIAR required
<b>No</b>	√		Proceed to Q.3
<b>3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?</b>			
		<b>Threshold</b>	<b>Comment (if relevant)</b>
			<b>Conclusion</b>
<b>No</b>		N/A	
<b>Yes</b>	√	Class/Threshold Part 2 Class 10 (b) Construction of more than 500 dwelling units	Proceed to Q.4

**4. Has Schedule 7A information been submitted?**

<b>No</b>	√	<b>Preliminary Examination required</b>
<b>Yes</b>		<b>Screening Determination required</b>

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

## Form 2

### EIA Preliminary Examination

An Bord Pleanála Case Reference	315785-23	
Proposed Development Summary	House and associated site works.	
Development Address	Addergown, Ballyduff, Tralee, Co. Kerry	
The Board carries out a preliminary examination [Ref. Art. 109(2)(a), Planning and Development Regulations 2001 (as amended)] of, at least, the nature, size or location of the proposed development having regard to the criteria set out in Schedule 7 of the Regulations.		
	Examination	Yes/No/ Uncertain
<p>Nature of the Development</p> <p>Is the nature of the proposed development exceptional in the context of the existing environment?</p> <p>Will the development result in the production of any significant waste, emissions or pollutants?</p>	<p>The proposed development is for the construction of a one-off rural dwelling house and wastewater treatment system, on a greenfield site and for works to the roadside hedgerow boundary and access.</p> <p>The proposal is for the development of a detached house and site works. No significant waste, emissions or pollutants are likely.</p>	No
<p>Size of the Development</p> <p>Is the size of the proposed development exceptional in the context of the existing environment?</p> <p>Are there significant cumulative considerations having regard to other existing and/or permitted projects?</p>	<p>The size of the proposed development is notably below the mandatory thresholds in respect of a Class 10 Infrastructure Projects of the Planning and Development Regulations 2001 as amended.</p> <p>There is no real likelihood of significant cumulative considerations having regard to other existing and/or permitted projects in the adjoining area.</p>	No
Location of the	The application site is not located in or immediately adjacent to a European site. The closest European	No

<p>Development</p> <p>Is the proposed development located on, in, adjoining or does it have the potential to significantly impact on an ecologically sensitive site or location?</p> <p>Does the proposed development have the potential to significantly affect other significant environmental sensitivities in the area?</p>	<p>sites are the Kerry Head SPA (Site Code: 004189) within 3.2km and also the Lower River Shannon SAC (Site Code: 002165) within approximately 3km.</p> <p>There are no ecological sensitive locations in the vicinity of the site.</p> <p>It is considered that, having regard to the limited nature and scale of the development, there is no real likelihood of significant effect on other significant environmental sensitivities in the area.</p>	
<p>Conclusion</p>		
<p>There is no real likelihood of significant effects on the environment.</p> <p>EIA not required.</p>		

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

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

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

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

(only where Schedule 7A information or EIAR required)