



An  
Bord  
Pleanála

## Inspector's Report

### ABP-318430-23

<b>Development</b>	Full planning permission for 5 no. self-contained glamping pods with on-site services and all associated site works.
<b>Location</b>	Sunrise View B&B, Ballinlena, Carrowmore-Lacken, Ballina, Co. Mayo.
<b>Planning Authority</b>	Mayo County Council
<b>Planning Authority Reg. Ref.</b>	2360248
<b>Applicant(s)</b>	Michaela Abego Sunrise View B & B
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant Permission
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Thomas Vincent & Karen Murphy Susan Day Beverely and Brendan Murphy
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	29/04/2024
<b>Inspector</b>	Darragh Ryan

## **1.0 Site Location and Description**

- 1.1.1. The existing site and B & B is located on a local country road L-5181-0 in the townland of Carrowmore, Lacken Ballina. The site is 7.02km north of Killala town centre. There is an existing bungalow dwelling on site. The total site area is 1.130ha
- 1.1.2. The area has a number of one-off dwellings, interspersed with agricultural land. The front of the site has low boundary wall, with laurel hedging to the front and side and side of the site. There is a large garage recently constructed on site. The site has views from the rear of the site of the coastline and Killala Bay area.. There is a mobile home immediately adjacent to the site on the property to the north.

## **2.0 Development Description**

- 2.1.1. The proposal includes for the following:
- Provision of 5 glamping pods to rear of existing property, 3.8m in height and 20.052sqm in gross floor area.
  - Close up existing entrance and provide new entrance to the site. Provision of new permeable drive way to the rear of existing dwelling house/ B & B and provision of 5 parking spaces
  - Installation of 300sqm of free-standing solar panels
  - Installation of new onsite wastewater treatment system
  - Proposed reception area within existing building and all associated site works.

## **3.0 Planning Authority Decision**

- 3.1.1. Decision

The planning authority issued a decision to grant permission following a request for further information. The conditions of note include the following:

C3 – Any new wall shall be at least 3.0m from the nearer edge of the surface carriageway. The new wall be reconstructed of local dry stone from the wall to be removed.

- C5 – Roadside drainage shall be maintained at all times. A suitably sized pipe shall be installed along the whole frontage of the site to maintain existing drainage. D
- C7 – Prior to construction the applicant to provide written evidence from Uisce Eireann that the existing domestic water connection has been upgraded to a business connection.
- C8 – The applicant shall pay a contribution of 282.50 to Mayo County Council prior to commencement of development.

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

#### **3.2.1. Planning Reports**

There are two planning reports on file, the first planning report sought a further information to outline the following in greater detail:

- Full plans and particulars having regard to the level of detail with respect to solar panels.
- Submit photomontages of the development proposal to indicate what it will look like from the local road and surrounding area. One or more of the photographs should be taken from the perspective of the local road.

#### **3.2.2. Having reviewed the further information submission it was determined that the development complies with the provisions of the Mayo County Development Plan 2022-2028 in particular policy TRO 16.**

In terms of visual impact, it was concluded that the development is modest in scale and that its visual impact from the perspective of the surrounding roads/ areas would be limited.

The proposal would not appear to adversely affect environmental protection so as to impact negatively on the visual or residential amenity of the area.

#### **3.2.3. Other Technical Reports**

- Report received from water services and conditions for planning recommending the applicant upgrade water connection from domestic water connection to a business connection.
- Report received from Senior Archaeologist who concurs with the findings of the Archaeological pre-development testing report on the development site.
- Report received from roads section who recommend conditions with regard to roadside boundary and onsite drainage and percolation and septic tank area.

### **3.3. Prescribed Bodies**

None

### **3.4. Third Party Observations**

There are 11 third party submissions on the file in relation to the proposed development. The issues raised in the observations are largely reflected in the appeal. The issues raised in the observations can be summarised as follows:

- The commercial nature of the development will change the character of this quite rural area.
- The local road network is not capable of accommodating this extra development raises concerns with regard to traffic safety
- There are zero facilities in the area to allow for this type of activity, shops, pubs and restaurants are all at a significant distance away from the site. The nearest shop is 12km away by public road. The development proposal is a car borne in nature, without the availability of any public transport.
- Concerns with regard to noise levels and impact on residential amenity as a result of nighttime activity.
- There will be a negative impact on birds and other wildlife as a result of the proposal. There is also a local lake which is important for all wildlife. ( A number of bird species listed)
- The area is of high scenic amenity and to allow the development will have a significant negative impact on the visual amenity of the area.

- Concerns regarding capacity of proposed septic tank and proliferation of septic tanks in the local rural area. The development is for 5 one-bedroom units with a max occupancy of 20 people and not a single house as stated in the report.
- Housing has been refused for local people in the local rural area, and allowing this development for the benefit of strangers does not make sense.
- The proposal would depreciate the value of property in the local rural area.
- The new site will be built as a business not an extension to the existing building.
- The proposal would set a precedent for additional pods into the future, the development will change the dynamic to a large commercial venture akin to a caravan park.
- The development will disrupt views from neighbouring properties.
- The AA screening report submitted with the application is inaccurate. The Turlough (Karst feature) on the site is of relevance and used for various bird species listed.

## 4.0 Planning History

- PA reference 97/102 – permission granted April 1997 to construct a dwelling house and septic tank
- PA reference 00/1901 – permission granted to construct an extension to the side of existing dwelling house.
- PA reference 22/117 – retention permission granted on 14<sup>th</sup> of October 2022 to retain existing domestic garage, existing ground and first floor extension to the southeast elevation of the B&B and revised site boundaries from previous planning ref P00/1901 and all associated site works.
- PA reference 23/60036 – Planning permission refused on 13/04/2023 for 7 glamping pods. The refusal reason is as follows:

*“The proposed development is located in the rural area outside a settlement boundary, on unzoned lands. It is therefore considered that the development*

*would contravene materially a development objective (TRO 16) of Volume 1 of the Mayo County Development Plan 2022-2028, for Tourism and Recreation. Therefore, if permitted, the proposed development would, seriously injure the amenities and depreciate the value of property in the vicinity and would be contrary to the proper planning and sustainable development of the area.”*

## **5.0 Policy Context**

### **5.1.1. Development Plan -Mayo County Development Plan 2022 - 2028**

**TRO 16** – To ensure that tourism related accommodation such as holiday homes, hotels, caravan/camping parks, glamping etc. are primarily located within existing settlements where there is existing infrastructure provision to service the development and where they can contribute to maintenance of essential rural services.

Certain forms of low-impact tourist accommodation such as Camping and Glamping/Pod sites may also be considered outside of existing settlements where it is:

- Proposed to incorporate the reuse an existing structure as an integral part of the development.
- Adjacent to, and capable of availing of, an existing appropriate commercial enterprise or community facility or located on an existing farm.

In all cases the facility shall be of an appropriate scale for the location and shall have a high standard of design, layout, landscape, including Sections 6.2 and 6.3 of the Development Management Standards (Volume 2), and environmental protection so as not to impact negatively on the visual and residential amenity of the area or have significant adverse effects on the environment, including the integrity of the Natura 2000 network.

- 5.1.2. **TR02** - To enable, facilitate and encourage the growth and sustainability of the tourism sector, through supporting the provision of tourism enterprise developments in rural areas including open farms, subject to the provision of adequate infrastructure and compliance with normal planning considerations.

5.1.3. **TRP 7** - To encourage the clustering of tourism products and services within identified hubs, to facilitate the sharing of infrastructure and services where possible, to increase linkages within and reduce leakage from the local economy.

5.1.4. **INO 8** - To require development in unsewered areas which includes a septic tank/proprietary effluent treatment unit and percolation area to be rigorously assessed in accordance with the accepted EPA Code of Practice Wastewater Treatment and Disposal Systems Serving Single Houses or the EPA Wastewater Treatment Manuals Treatment Systems for Small Communities, Business, Leisure Centres and Hotels, taking into account the cumulative effects of existing and proposed developments in the area.

5.1.5. Development Management Standards – **Sections 6.2, Section 6.3**

6.3 Camping, Glamping/Pods Facilities Certain forms of low-impact tourist accommodation such as Camping and Glamping/Pod sites may also be considered outside of existing settlements where it is:

- proposed to incorporate the reuse an existing structure as an integral part of the development.
- adjacent to, and capable of availing of, an existing appropriate commercial enterprise or community facility.
- located on an existing farm. In all cases the facility shall be of an appropriate scale for the location and shall have a high standard of design, layout, landscape and environmental protection so as not to impact negatively on the visual and residential amenity of the area or have significant adverse effects on the environment, including the integrity of the Natura 2000 network.

## 5.2. Natural Heritage Designations

- Lackan Saltmarsh and Kilcummin Head SAC 000516 – immediately adjacent to the west
- Killala Bay/ Moy Estuary SPA 004036 – 740m to the northwest
- Kilala Bay/ Moy Estuary SAC 00458 – 2.5km to the south

### **5.3. EIA Screening**

See completed form 2 on file. Having regard to the limited nature and scale of the proposed development, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

## **6.0 The Appeal**

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

There are three appeals on the file, from neighbouring residents in the immediate vicinity of the site. Some of the issues outlined in the appeals overlap with each other. The issues have been grouped together under relevant headings as follows:

#### **6.1.1. Principle of Development**

- The site is located on unzoned Agricultural Land
- A proposal to provide glamping pods at this location is unsuitable. There is no infrastructure or suitable facilities in the vicinity of the site. The nearest shop or restaurant is at Killala a distance of almost 12km by road.
- The public road is not in good condition and not capable of accommodating the additional traffic loading. Traffic movements on site could increase by 10 traffic movements per day.
- The proposal if permitted would set an undesirable precedent.

#### **6.1.2. Impact on Biodiversity, Bird Species/Natura 2000 sites**

- The proposed development is located adjacent to proposed natural heritage area and a Special Area of Conservation. The development if permitted will reduce the habitat for birds and other wildlife in the area.
- There is an established Turlough on site that the birds use throughout the year, these may well be impacted by the presence of visitors so close to the Turlough.



#### **6.1.3. Capacity of septic Tank/ proliferation of septic tanks**

- There is information omitted or the code of practice has been incorrectly applied with respect to capacity of septic tank on site. The development should be assessed on a PE of 20 and not 10, as an assessment of the B & B is also required.
- The water table is very high at this location, there is concerns regarding pollution of groundwater in the local area.
- The proposed glamping village will add to the proliferation of septic tanks in the area.

#### **6.1.4. Visual Impact/ Impact on residential amenity**

- The proposal if permitted will spoil the natural habitat and scenic views for all residents in the area.
- The glamping pods are at a height and scale that will spoil the area.
- No lighting restrictions or noise restrictions are imposed by Mayo County Council
- TRO 16 of the Mayo County Development Plan clearly states that the development must not impact negatively on the visual and residential amenity of the area.
- The pods will be 3.79m high and 4m wide, this will disrupt the views from the rear of existing properties of the sea an Ross strand

#### **6.1.5. Attachment to the local area**

All of the appellants have outlined their attachment to the local area and have refuted the assertions made by the applicant that they do not reside in the local area.

### **6.2. Applicant Response**

There are two responses on file. One from the agent for the applicant and one from the applicant themselves.

- The proposed development is supported by Mayo County Development Plan Policy TRO 16
- The proposed glamping site forms part of existing Sunrise B & B. Each pod is proposed to accommodate a maximum of two occupants. There is no capacity for families or small children. It is proposed as a peaceful, tranquil getaway which fits with surroundings.
- The proposed reception area is within existing building on site.
- The design of the structures is to fit in with existing features and contours of the site and to blend into surrounding environment and be inconspicuous from the road and surrounding areas.
- The existing entrance is to be closed and new entrance provided to allow for maximum sightlines.
- The proposed development will not be visible from the surrounding area. Photomontages provided indicating how the development will be concealed into the landscape.
- There is a detailed landscape plan to shield the solar panels and the pods in their entirety.
- There is no flood risk at this location
- Details of day to day management of the site has been set out.
- No pets are allowed on site
- The site will have no impact on any Natura 2000 site as per the AA submitted on file and planners report.

### **6.3. Planning Authority Response**

None

### **6.4. Observations**

None

## **7.0 Assessment**

7.1.1. Having examined the application details and all other documentation on file, including the appeal, and having inspected the site and having regard to the relevant national and local policy guidance, I consider the main issues in relation to the appeal are as follows:

- Principle of Development/ Site Location
- Impact on residential Amenity/ Visual Impact/ Road Network
- Waste Water Treatment
- Other Issues
- Appropriate Assessment

### **7.2. Principle of Development/ Site location**

7.2.1. The appellants indicate that the proposed development is unsuitable for the location and if permitted would set an undesirable location for similar development in the local area. Owing to the nature of the development and distance away from public amenities such as restaurants, pubs and shops (approx. 7Km as the crow flies, 12km by road) the development will be heavily dependent on car usage, the proposed intensification of the existing development therefore is unsuitable. The applicant contends that the development is a natural extension of the existing B & B business on site and that there will be no significant intensification of use and the design and layout of such is that it's a relaxing space for people to come and enjoy the countryside at this location along with local walking amenities. The applicant has provided a management report and design/landscaping statement in support of the application.

7.2.2. Having regard to principle of development, as outlined in the Mayo County Development Plan, Objective TR016 serves as a guiding policy for glamping developments. This policy underscores the importance of strategically locating glamping sites within settlements equipped with existing infrastructure to support such developments. Additionally, it emphasizes the role of glamping sites in sustaining essential rural services. Furthermore, the objective is open for the

consideration of glamping accommodations outside of settlements under specific conditions. These conditions include the incorporation of existing structures into existing development and proximity to established commercial enterprises, community facilities, or part of an existing farm. The planners report on file considered that the development as proposed was acceptable in principle owing to the existing commercial B & B on site. (I note that planning permission was sought and refused by Mayo County Council under PA ref, 23/60036 for 7 glamping pods and the planning authority considered the development proposal on unzoned land outside of any settlement would contravene Objective TRO16 of the Mayo County Development Plan.)

7.2.3. I consider the central issue in the appeal is the nature and extent of existing B & B on site and site location. The applicant has indicated that the B & B is in operation since 2019 and currently has an existing offering to provide 2 bedrooms within the home for the purposes of B & B . It is noted that planning permission was not sought for this use and the development falls under Article 10 (4) of the planning and development regulations , whereby *“Development consisting of the use of not more than 4 bedrooms in a house, where each bedroom is used for the accommodation of not more than 4 persons as overnight guest accommodation shall be exempted development...”* I consider that the existing use on site is of a small-scale home-based economic activity for which exempted development was availed and not a commercial development of scale. To avail of the exempted development regulations for a particular use of limited scale does not in my opinion give an automatic future “de facto” permission for an intensification of the use. I therefore do not agree with the applicant or the planning authority that the development is an existing commercial enterprise and therefore the applicant meets the criteria of Objective TR016 of the Mayo County Development Plan. Development Plan.

7.2.4. Having regard to site location, I share the concerns raised by the appellants regarding the suitability of the proposed development in relation to available amenities. It is evident that the proposed site lacks proximity to essential facilities such as restaurants and shops, with the nearest village, Killala, situated approximately 7.2 kilometers away. This distance raises legitimate concerns regarding the dependency on car usage, potentially undermining the viability of the development and offering minimal economic benefit to the rural area. The policy

Objective TR016 of the Mayo County Development Plan 2022 – 2028 emphasizes the consolidation of tourism and glamping initiatives within established towns and villages, with exceptions granted only under specific conditions. It is my assessment that the proposed development fails to meet these exceptional conditions for several reasons:

- The scale of the existing B & B development does not align with the parameters of a commercial venture that already possesses planning permission. Rather, it represents a small-scale, home-based economic activity consistent with exempted development regulations.
- The remoteness of the site from ancillary facilities essential for the sustenance of both the local rural economy and the proposed development is noteworthy. The considerable distance of 7.2 kilometers to the nearest village or town underscores this inadequacy.
- The proposal does not include for the repurposing of older farm structures, the proposed development involves the conversion of a recent retention permission-obtained garage structure, which does not fulfill the criteria for adaptive reuse in the context of agricultural buildings.

Considering the aforementioned factors, it is my opinion that the proposed development fails to adhere to the objectives outlined in TR016 of the Mayo County Development Plan 2022 – 2028.

### **7.3. Impact on Residential Amenity/ Visual Impact/ Road Network**

#### **7.3.1. Visual Impact**

As part of the application process, the applicant has provided a comprehensive design statement outlining the construction methodology and management plan for the proposed glamping pods. Additionally, a photomontage has been submitted to illustrate the potential visual impact, along with a detailed section depicting the site's configuration in relation to the adjoining public roads. The design of the glamping pods incorporates a strategy aimed at harmonizing with the natural landscape, featuring grass roof coverings and a maximum height of 3.2 meters, intended to

seamlessly blend into the surroundings. A landscaping plan has also been submitted with a proposed boundary hedging to be planted to a height of 2m.

7.3.2. Upon examination of the submitted details, it is evident that considerable care has been taken in the design process to ensure a high standard of aesthetic quality and minimal visual intrusion. The proposed glamping pods exhibit a sensitivity towards their environment, with measures in place to mitigate any potential adverse visual effects. Particularly noteworthy is the deliberate integration of the pods into the topography of the site, which naturally slopes away from the public road towards the sea. This topographical feature acts as a natural buffer, significantly reducing the visual impact on neighbouring residential properties to the north.

7.3.3. From the perspective of visual amenity, the construction methodology and design features employed in the project are commendable. Based on the information submitted with the application, it is my assessment that the finished glamping pods and associated infrastructure are unlikely to result in a significant negative impact on the visual amenity of neighbouring properties.

7.3.4. Residential Amenity

In consideration of the potential impact on residential amenity, the applicant has responded to the concerns raised in the appeal with several clarifications. Notably, the design of the glamping pods accommodates a maximum occupancy of two individuals, with a strict no-pet policy in place. Furthermore, the applicant has stipulated that stag/hen parties will not be permitted, and the development is not intended for children or young families, but rather caters to couples seeking a retreat. The applicant's clarification addresses concerns regarding noise levels and potential disturbances caused by pets. The management plan and design of the facility emphasize a quiet atmosphere conducive to relaxation, explicitly prohibiting large gatherings or parties.

7.3.5. Road Network

Having regard to the increase in the level of traffic entering and leaving the site, I consider the potential addition of 5 cars on top of the existing three cars on site to be significant. The character and nature of the area are quite rural roads with low trafficked access and egress points to domestic dwellings and farmyards. I note the applicant's submission in relation to expected car journeys to and from the site,

however I do consider the additional traffic movements that will be generated by this development may cause a significant nuisance to the amenity and enjoyment of the area. The substandard nature of the road in terms of width and alignment presents a significant constraint. This limitation, coupled with the car centric nature of the development at distance removed from basic amenities, suggests that the proposed development is not well-matched to its surroundings. In essence, the road's inadequacies render it unsuitable for accommodating the traffic demands of the proposed venture, highlighting the potential adverse effects on residential amenity and the area's overall character.

- 7.3.6. In conclusion, the design approach applied to the glamping pods demonstrates a commendable effort to harmonize the development with its surroundings sensitively. The proposed construction methods, combined with the strategic placement of the pods and adherence to design principles aimed at minimising visual disruption, mitigate potential negative visual impacts on neighbouring residential amenities. While acknowledging the appellants' concerns regarding noise disturbance and possible pet-related disruptions to residential amenity, I find that the proposal is unlikely to result in a significant level of impact in these regards.

However, concerns persist regarding the heightened traffic levels and the capacity of the road network to accommodate the anticipated increase in traffic. The substandard width and alignment of the road pose substantial challenges to accommodating the additional traffic load generated by the development. As outlined in section 7.2, I deem the chosen development location unsuitable, primarily due to its remote rural setting and the predominantly car-centric nature of the proposed development. Consequently, I recommend refusal of the application based on these grounds.

#### **7.4. Site Suitability Assessment**

- 7.4.1. The Site Characterisation Report submitted with the application identifies that the subject site is located in an area with a Regionally Important Aquifer where the bedrock vulnerability is High. A ground protection response to R1 is noted. Accordingly, I note the suitability of the site for a treatment system (subject to normal good practice, i.e. system selection, construction, operation and maintenance). The

applicant's Site Characterisation Report identifies that there is no Groundwater Protection Scheme in the area.

- 7.4.2. The trial hole depth referenced in the Site Characterisation Report was 2.1 metres. Bedrock was not encountered, the water table was encountered at 1.4m. The soil conditions found in the trial hole are described as comprising clay, silt/clay. Percolation test holes were dug and pre-soaked. A T value/sub-surface value of 14.86 was recorded. A P test provided a value of 14.31
- 7.4.3. The applicant proposes to install a tertiary treatment system with a discharge to four Tier 3 packaged Tertiary unit with a minimum PE of 16. The distribution attenuation layer of 86.25sqm (minimum size) is proposed. Having consulted table 6.1 and 6.2 of the EPA CoP 2021 all separation distances as proposed can be achieved. The site sections of system design provide for a minimum depth of 600mm as required under table 6.3. Having regard to the Karst feature located to the very east of the site, table 6.2 outlines separation distances and requirements for separation distance from Karst features. The distance of the proposed percolation area to this Karst feature is in excess of 15m and therefore complies with the EPA code of practice. Having reviewed the site photographs and details supplied in this regard, the Karst feature appears to be a natural hollow on the topography of the land where a number of fields in the area drain away to.
- 7.4.4. I note points raised in the appeal with respect to the calculation for population equivalency. The proposed development will adhere to the EPA Wastewater Treatment Manuals for Small Communities, Business, Leisure Centres, and Hotels, with a maximum design population of 19 persons for hydraulic loading and 16 for organic loading. The accommodation comprises a house with four bedrooms, two allocated for domestic use and two designated for bed and breakfast purposes. Additionally, five glamping pods will be situated on the site, each accommodating two guests. The actual PE of the site is correctly calculated at 15.
- 7.4.5. Having regard to the detail submitted with regard to site suitability, I am of the opinion that the development is unlikely to pose any adverse impact on groundwater quality at this location, provided that correct installation procedures are followed, and ongoing maintenance is carried out.

## **7.5. Other Issues**



#### **7.5.1. Karst Feature/ Lake**

Concerns are raised by the appellants regarding the Karst feature on site and the potential flooding caused by same. I note report on file from Environment Department indicating that there is some potential for pluvial flooding, however owing to distance from this Karst/Lake area of the treatment system and pods, it was deemed that the development was not likely to contribute to flooding of other properties in the vicinity of the site. Having regard to bird species using this feature, this will be dealt with as part of the Appropriate Assessment Screening under point 8.0 below.

#### **7.5.2. Validity of objectors**

The submission on file from the applicant in relation to the location or living circumstances of the appellants on file are not relevant. The appellants all made valid submissions on the original planning application made to Mayo County Council and have made an appeal within the appropriate timeframe to An Bord Pleanála. Therefore, there is no issue regarding the validity of the objectors in this instance, and the issues brought up by the applicant in this regard are not relevant to the appeal.

### **8.0 AA Screening**

#### **8.1.1. Stage 1 Screening**

The applicant submitted an Appropriate Assessment Screening. The report was prepared by Coyle Environmental. There are 5 no. European sites within a 15km zone of influence of the appeal site. The applicant's Stage 1 Appropriate Assessment Screening report was prepared in line with current best practice guidance and provides a description of the proposed development and identifies European Sites within a possible zone of influence of the development. Having reviewed the document, I am satisfied that the information allows for a complete examination and identification of any potential significant effects of the development, alone, or in combination with other plans and projects on European sites. I note there are some inconsistencies within the AA screening report in relation to project description and site development works, however I consider these to be minor clerical errors and not detrimental to the screening report carried out.

- 8.1.2. The proposed development comprises the provision of 5 glamping pods and 300sqm of solar panels to the rear of an existing dwelling and installation of new packaged waste water treatment system. There is no surface water runoff from the site and collected rainwater is discharged to soak pits on site. Wastewater shall be discharged to the new packaged waste water treatment system and eventually discharged to ground.
- 8.1.3. A summary of European Sites that occur within a possible zone of influence of the proposed development is presented in Table 7.1. I note that the applicant included a greater number of European sites in their initial screening consideration, with sites within 15km of the development site considered. There is no ecological justification for such a wide consideration of sites, and I have only included those sites with any possible ecological connection or pathway in this screening determination.

**Table 7.1 - Summary Table of European Sites within a possible zone of influence of the proposed development.**

European Site (code)	List of Qualifying interest /Special conservation Interest	Distance from proposed development (Km)	Connections (source, pathway receptor)	Considered further in screening Y/N
Lackan Saltmarsh and Kilcummin Head SAC 000516	<ul style="list-style-type: none"> <li>Salicornia and other annuals colonising mud and sand</li> <li>Atlantic salt meadows (Glaucopuccinellietalia maritimae)</li> <li>Mediterranean salt meadows (Juncetalia maritimi)</li> <li>Shifting dunes along the shoreline with Ammophila arenaria (white dunes)</li> <li>Fixed coastal dunes with herbaceous vegetation (grey dunes)*</li> </ul>	Immediately adjacent west of the site	The site is completely outside of the SAC. Surface water shall be managed on site and wastewater shall be managed through onsite wastewater treatment system before being discharged to groundwater. Groundwater is assumed to travel in easterly direction. There will be no direct effects as the project footprint is located entirely	N

			outside of the designated site.	
Killala Bay/ Moy Estuary SPA 004036	<ul style="list-style-type: none"> <li>• Ringed Plover (Charadrius hiaticula)</li> <li>• Golden Plover (Pluvialis apricaria)</li> <li>• Grey Plover (Pluvialis squatarola)</li> <li>• Sanderling (Calidris alba)</li> <li>• Dunlin (Calidris alpina)</li> <li>• Bar-tailed Godwit</li> <li>• (Limosa lapponica)</li> <li>• Curlew (Numenius arquata)</li> <li>• Redshank (Tringa totanus)</li> <li>• Wetland and Waterbirds</li> </ul>	740m north west	The habitat of the bird SCIs of the SPA is generally confined to the intertidal mud and sand flats, which are 770m north-west of the site. There is no hydrological connectivity between the application site and any of the habitats within the SPA. The proposed development will not result in the loss or fragmentation of any habitat used by the birds, and there is sufficient distance between the main area of construction works and the lake habitats to ensure that significant effects upon the birds arising due to noise or visual disturbance will not arise.	
Kilala Bay/ Moy Estuary SAC 000458	<ul style="list-style-type: none"> <li>• Estuaries [1130]</li> <li>• Mudflats and sandflats not covered by seawater at low tide [1140]</li> <li>• Annual vegetation of drift lines [1210]</li> <li>• Vegetated sea cliffs of the Atlantic and Baltic coasts [1230]</li> <li>• Salicornia and other annuals colonising mud and sand [1310]</li> <li>• Atlantic salt meadows (Glauco-</li> </ul>	c. 2.5km south of appeal site	The site is completely outside of the SAC. Surface water shall be managed on site and wastewater shall be managed through onsite wastewater treatment system before been discharged to groundwater. There will be no direct effects as the project footprint is located entirely outside of the designated site.	<b>N</b>

	Puccinellietalia maritima) [1330] <ul style="list-style-type: none"> <li>• Embryonic shifting dunes [2110]</li> <li>• Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120]</li> <li>• Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]</li> <li>• Humid dune slacks [2190]</li> <li>• <i>Vertigo angustior</i> (Narrow-mouthed Whorl Snail) [1014]</li> <li>• <i>Petromyzon marinus</i> (Sea Lamprey) [1095]</li> <li>• <i>Phoca vitulina</i> (Harbour Seal) [1365]</li> </ul>			
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Having considered the nature, scale, and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European Site. The reason for this conclusion is as follows:

- scale and nature of the development]
- Location-distance from nearest European site and lack of connections

I conclude that on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

## 9.0 Recommendation

I recommend planning permission be refused for the following reasons:

## 10. Reasons and Considerations

It is considered that the proposed development providing for glamping pods located on a site remote from services including retail and social facilities does not comply with Policy Objective TR016 and Development Management Standard Section 6.2, 6.3 of the Mayo County Development Plan. The proposal as set out would contribute to the encroachment of random rural development in the area and would be contrary to current Mayo County Development Plan Policy objective TR016 in terms of siting of glamping accommodation which should be primarily located within existing settlements where there is existing infrastructure provision to service the development and where they can contribute to maintenance of essential rural services. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

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Darragh  
Planning Inspector

7<sup>th</sup> of May 2024

## Appendix 1 - Form 1

### EIA Pre-Screening

[EIAR not submitted]

<b>An Bord Pleanála Case Reference</b>	318430-23		
<b>Proposed Development Summary</b>	Construction of 5 glamping pods, new entrance, provision of 300sqm of solar panels, installation of waste water treatment system		
<b>Development Address</b>	Sunrise View B&B, Ballinlena, Carrowmore-Lacken, Ballina, Co. Mayo.		
<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>	X
		<b>No</b>	
<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) and does it equal or exceed any relevant quantity, area or limit where specified for that class?</b>			
<b>Yes</b>			
<b>No</b>	X		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>No</b>	X	N/A	No EIAR or Preliminary Examination required
<b>Yes</b>			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	318430 -23	
Proposed Development Summary	Construction of 5 glamping pods, new entrance, provision of 300sqm of solar panels, installation of waste water treatment system	
Development Address	Sunrise View B&B, Ballinlena, Carrowmore-Lacken, Ballina, Co. Mayo.	
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
Nature of the Development Is the nature of the proposed development exceptional in the context of the existing environment?	The site is located in a predominately rural interspersed with one off type housing and low level agriculture. There is an existing dwelling/ B & B on site. The proposed development is not exceptional in terms of scale in the context of existing environment.	No
Will the development result in the production of any significant waste, emissions or pollutants?	Waste generated on site can be managed through standard Waste management Planning. Localised construction impacts will be temporary.	
Size of the Development Is the size of the proposed development exceptional in the context of the existing environment?	No the red line boundary of the site remains the same. There is no extension to boundary as a result of proposed development. The site area is 1.13ha.	No
Are there significant cumulative considerations having regard to other existing and/or permitted projects?	There are no other developments under construction in proximity to the site. All other development are established uses.	
Location of the		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>Lackan Saltmarsh and Kilcummin Head SAC 000516 – immediately adjacent to the west The proposal includes standard best practices methodologies for the control and management of surface water on site. Lough Rea NHA is also 600m to the South.</p> <p>There are no other locally sensitive environmental sensitivities in the vicinity of relevance.</p>	
<p style="text-align: center;"><b>Conclusion</b></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)