



An  
Coimisiún  
Pleanála

## Inspector's Report

### ABP-320803-24

#### Development

House and garage with associated site works.

#### Location

Tiduff, Ballyheigue, Co. Kerry

#### Planning Authority

Kerry County Council

#### Planning Authority Reg. Ref.

24266

#### Applicant(s)

Martyn Charles Hicks

#### Type of Application

Planning Permission

#### Planning Authority Decision

Refuse Permission

#### Type of Appeal

First Party

#### Appellant(s)

Martyn Charles Hicks

#### Observer(s)

None

#### Date of Site Inspection

20<sup>th</sup> October 2025

#### Inspector

Niall Haverty

## **1.0 Site Location and Description**

- 1.1. The appeal site, which has a stated area of 0.24ha, is located in Tiduff on the northern side of a local road in a rural coastal area on Kerry Head. The site is c. 5.6km north west of Ballyheigue and c. 21km north west of Tralee. Another local road passing immediately to the north of the appeal site, at a higher level, is identified as part of the Wild Atlantic Way.
- 1.2. The site is roughly square in shape and currently comprises undeveloped greenfield lands. The site is elevated and exposed and the topography in the area slopes from north to south. There are existing houses to the west, north, east and on the opposite side of the local road to the south. There is also extensive ribbon development along local roads in the area, particularly to the west.

## **2.0 Proposed Development**

- 2.1. The proposed development comprises: a single storey 3-bedroom dwelling house with a stated floor area of 130.1 sq m; a detached garage with a stated floor area of 21.2 sq m; a mechanical aeration unit and sand polishing filter; and associated site works.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

- 3.1.1. The Planning Authority decided to **refuse** permission for the following 3 No. reasons:
  1. The Planning Authority is not satisfied on the basis of submissions made in relation to the application, that a rural housing need has been demonstrated in accordance with Objective KCDP 5-15, Rural Housing Policy of the Kerry County Development Plan 2022-2028 having regard to the location of the application site in an area designated Rural Area Under Urban Influence. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
  2. The proposal to locate a dwelling house on this prominent and exposed coastal site would seriously injure the visual amenities of the area by reason

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

3. The proposed erection of a dwelling at this location would constitute excessive density of development by virtue of its visual impact on the landscape and would interfere with the character of the landscape, which is necessary to preserve as per Objectives KCDP 11-78 and KCDP 11-79 of the Kerry County Development Plan 2022-2028. 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 Planning Officer's report can be summarised as follows:

- As the applicant is not from the location of the site, has not grown up in the area of the site and is currently living in Tralee town, they do not have a housing need at this location as required by the Rural Settlement Policy KCDP 5-15.
- History of planning refusals on the site.
- Visual impact is rated as high.
- Proposed development is not likely to impact negatively on residential amenities in the area.
- No likely potential for significant effects to Natura 2000 Sites. AA not required.
- Proposal is not one which requires EIA Screening or EIA. There is no real likelihood of significant effects on the environment arising from the proposed development.
- The site is prominent, elevated and exposed and the proposal would be visually obtrusive on the coastal landscape that is a Visually Sensitive Area and designated Views and Prospects in the Development Plan.

- Given the history of planning refusals on the site, the inability of the applicant to comply with the rural settlement policy, the visual impact generated by the proposed development and the level of housing density in the area, a refusal of permission is recommended.

### 3.2.2. Other Technical Reports

- Roads Office:** Grant, subject to conditions.
- Site Assessment Unit:** Further information sought in relation to wastewater treatment proposals.

### 3.3. **Prescribed Bodies**

3.3.1. None.

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

3.4.1. None.

## 4.0 **Planning History**

### 4.1. Appeal Site:

- Reg. Ref. 23/1112:** Refusal of permission in 2024 for a single storey dwelling and garage.
- Reg. Ref. 03/696:** Refusal of outline permission in 2003 for a single storey dwelling.
- Reg. Ref. 03/38:** Refusal of outline permission in 2003 for a single storey dwelling.
- Reg. Ref. 00/203:** Refusal of outline permission in 2000 for a dwelling house.

## 5.0 Policy Context

### 5.1. National Planning Framework, First Revision 2025

5.1.1. Section 5.3 of the NPF relates to 'planning for the future growth and development of rural areas. It states that:

"It is recognised that there is a continuing need for housing provision for people to live and work in Ireland's countryside. Careful planning is required to manage demand in our most accessible countryside around cities and towns, focusing on the elements required to support the sustainable growth of rural economies and rural communities.

It is important to differentiate, on the one hand, between rural areas located within the commuter catchment of the five cities and our largest towns and centres of employment and, on the other hand, rural areas located outside these catchments."

5.1.2. The following National Policy Objectives (NPOs) are noted:

- **NPO 28:** Ensure, in providing for the development of rural housing, that a distinction is made between areas under urban influence, i.e. within the commuter catchment of cities and large towns and centres of employment, and elsewhere:
  - In rural areas under urban influence, facilitate the provision of single housing in the countryside based on the core consideration of demonstrable economic or social need to live in a rural area and siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements;
  - In rural areas elsewhere, facilitate the provision of single housing in the countryside based on siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements
- **NPO 29:** Project the need for single housing in the countryside through the local authority's overall Housing Need Demand Assessment (HNDA) tool and county development plan core strategy processes.

## 5.2. **Kerry County Development Plan 2022 – 2028**

5.2.1. The appeal site is located within an area designated as a ‘Rural Area under Urban Influence’. Section 5.5.1.2 of the Development Plan states 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. The key challenge in these areas is to maintain a reasonable balance between development activity in the extensive network of smaller towns and villages and housing proposals in wider rural areas.”

5.2.2. Rural Settlement Policy Objective KCDP 5-15 states:

“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.”

5.2.3. The appeal site is also located within a designated ‘Visually Sensitive Area’. The following Objectives are noted:

- **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.

5.2.4. Section 11.6.3.1 relates to ‘Visually Sensitive Areas’ and states that these areas comprise the outstanding landscapes throughout the County which are sensitive to alteration. It states that, in these areas, development will only be considered subject to satisfactory integration into the landscape and compliance with the proper planning and sustainable development of the area. It also states that it is imperative in order to maintain the natural beauty and character of the County, that these areas be protected.

5.2.5. Section 11.6.4 notes that landscapes and scenery are not just of amenity value but constitute an enormous economic asset to the County. It states that development is not precluded in visually sensitive landscapes, however development proposals will

be required to demonstrate that they integrate and respect the visual quality of the landscape.

5.2.6. The following provisions apply to development in Visually sensitive landscape areas:

- There is no alternative location for the proposed development in areas outside of the designation.
- Individual proposals shall be designed sympathetically to the landscape and the existing structures and shall be sited so as not to have an adverse impact on the character, integrity and distinctiveness of the landscape or natural environment.
- Any proposal must be designed and sited so as to ensure that it is not unduly obtrusive. The onus is, therefore, on the applicant to avoid obtrusive locations. Existing site features including trees and hedgerows should be retained to screen the development.
- Any proposal will be subject to the Development Management requirements set out in this plan in relation to design, site size, drainage etc.
- The new structure shall be located adjacent to, or a suitable location as close as possible to, the existing farm structure or family home. Individual residential home units shall be designed sympathetically to the landscape, the existing structures and sited so as not to have an adverse impact on the character of the landscape or natural environment. Existing site features including trees and hedgerows shall be retained to form a part of a comprehensive landscaping scheme. Consideration must also be given to alternative locations.
- Extending development into unspoilt coastal areas is to be avoided.

5.2.7. 'Views & Prospects' are also identified along the local road immediately to the north of the site, which follows the coast and forms part of the Wild Atlantic Way. The identified views are in both directions.

5.2.8. Section 11.6.5 states that County Kerry contains views and prospects of outstanding natural beauty which are recognised internationally and that there is a need to protect and conserve these adjoining public roads throughout the County. It states

that any development which hinders or materially affects these views/prospects will not be permitted.

#### 5.2.9. The following Objectives are noted:

- **KCDP 11-79:** Preserve the views and prospects as defined on Maps contained in Volume 4.
- **KCDP 11-81:** Prohibit developments that have a material effect on views designated in this plan from the public road or greenways towards scenic features and/or public areas.

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

#### 5.3.1. The appeal site is not located within or adjacent to any sites with a natural heritage designation. The Kerry Head SPA (Site Code 004189) is located c. 530m to the south, at its closest point. The Lower River Shannon SAC (Site Code 002165) is located c. 740m to the north west, at its closest point.

### 5.4. **EIA Screening**

#### 5.4.1. The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

## 6.0 **The Appeal**

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

#### 6.1.1. A first party appeal was submitted on behalf of Mr Hicks by Brendan O'Connell & Associates. It can be summarised as follows:

- Decision is unfair to clients, who wish to live and work at this site, which is owned by the clients parents who live next door.

- They are from and need to live here. They rent in Tralee and work in Tralee town, which is the nearest town.
- It is untrue that the site is exposed, as the design is for a single storey lower dwelling nestled between existing dwellings. It is not on the coast side of the road and will not interfere with views or the landscape.
- Proposal is not excessive development. The site is on the grounds of an existing cottage and the proposed dwelling is close to this which will have no impact on the rural area or look excessive.
- Appellant does not accept the local authority decision. They have a right to live in this area.

6.1.2. A number of documents were submitted with the appeal. This included a letter from the appellant, dated 9<sup>th</sup> April 2024, setting out his personal circumstances and connection with the local area.

## **6.2. Planning Authority Response**

6.2.1. None.

## **6.3. Observations**

6.3.1. None.

## **6.4. Further Responses**

6.4.1. None.

## **7.0 Assessment**

7.1. I consider that the issues arising can be assessed under the following headings:

- Compliance with rural housing policy (refusal reason 1).
- Landscape and visual impact (refusal reasons 2 and 3).
- Wastewater treatment.

## 7.2. Compliance with Rural Housing Policy (Refusal Reason 1)

7.2.1. As noted above, the appeal site is within an area designated as a 'Rural Area under Urban Influence' and thus the proposed development is subject to the provisions of Rural Settlement Policy Objective KCDP 5-15 of the Development Plan. This requires applicants to 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. Proposed development in such areas must comply with one of a number of categories of rural housing need. These categories, and my assessment of the applicant's compliance with each category, are as follows:

Objective KCDP 5-15 Rural Housing Need Category	Assessment
(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.	The applicant is not a farmer and has not claimed that the site is on a family farm. This category is not satisfied.
(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.	The applicant is not a farmer or taking over a farm. In his letter enclosed with the appeal, he states that he and his father are looking at options of setting up a 'Social Farming Scheme' and are looking for suitable land and funding. No evidence of farming activity was submitted. This category is therefore not satisfied.
(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	The applicant does not work full-time in farming or the marine sector. The applicant states that he works as a Health Care Support Worker and his

propose to build a first home for their permanent residence.	wife works in a hospital in Tralee. This category is therefore not satisfied.
(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.	The applicant is originally from the UK and does not live in the local rural area. It is stated that the applicant and his family are renting a house in Tralee. The applicant states that his parents bought the adjacent cottage and land and have spent most of the last nine years in Ireland and that they intend to retire to Ireland. No evidence has been provided that the applicant has lived in the local rural area for a substantial period of his life. This category is therefore not satisfied.
(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.	As noted above, the applicant does not currently live in the local rural area and has not provided any evidence that he has spent a substantial period of his life in the local rural area. This category is therefore not satisfied.

- 7.2.8. Having regard to the assessment set out above, I conclude that the appellant has not satisfactorily demonstrated that he comes within the scope of any of the rural housing need criteria set out in Objective KCDP 5-15 for housing proposals in a 'Rural Area under Urban Influence'.
- 7.2.9. In the absence of a demonstrated rural generated housing need, as required by the Development Plan, I consider that the proposed development would militate against the preservation of the rural environment and be contrary to the proper planning and sustainable development of the area.

### **7.3. Landscape and Visual Impact (Refusal Reasons 2 and 3)**

- 7.3.1. The appeal site is located in an elevated coastal area, which is designated as a Visually Sensitive Area. The site is close to a Y-junction, with a higher road to the north and a lower road to the south, from which the site is accessed. The higher road to the north is part of the Wild Atlantic Way and is identified as having 'Views & Prospects' in both directions.
- 7.3.2. The appeal contends that the site is not exposed and not on the coast side of the road and that it will not interfere with views or the landscape. However, while the house is not on the coast side of the road from which it is accessed, it is sandwiched between two roads and is on the coast side of the higher road.
- 7.3.3. Further to this, I note Section 11.6.3.1 of the Development Plan which states that 'Visually Sensitive Areas' comprise the outstanding landscapes throughout the County which are sensitive to alteration and that development in these areas will only be considered subject to satisfactory integration into the landscape and compliance with the proper planning and sustainable development of the area. The Development Plan also states that it is imperative that these areas be protected in order to maintain the natural beauty and character of the County.
- 7.3.4. The appeal notes the single storey design of the proposed dwelling and that it nestles between existing dwellings. Notwithstanding this existing relatively high level of ribbon development in the area, the site is clearly a sensitive site from a landscape and visual impact perspective.

7.3.5. While the proposed development comprises a relatively modestly scaled single storey dwelling house with a maximum height of c. 5.5m, it would be located on a prominent and exposed sloping site between the coast and the Wild Atlantic Way, which offers expansive views over the coastline and natural landscape in this area. I consider that the sensitivity of the site is such that the proposed development, by virtue of its visual impact and positioning within the landscape would detract from the rural character and scenic amenities of the area and thus would be contrary to Objectives KCDP 11-78 and KCDP 11-79, which seek to protect the sensitive landscapes of the County and preserve designed 'Views & Prospects'.

#### **7.4. Wastewater Treatment**

- 7.4.1. A mechanical aeration unit and sand polishing filter are proposed to serve the proposed dwelling. No detailed drawings or specifications for these were submitted with the application or appeal and neither was a Site Characterisation Form submitted, as per the EPA Code of Practice for Domestic Waste Water Treatment Systems. The Site Assessment Unit of Kerry County Council, in their internal report, had recommended that further information be sought in relation to this matter.
- 7.4.2. As I am recommending refusal on other substantive grounds as detailed above, I have not addressed the wastewater treatment proposals further. This issue did not form one of the Planning Authority's reasons for refusal and therefore may be considered to constitute a new issue.
- 7.4.3. If the Commission is minded not to accept my recommendation to refuse permission on the basis of the substantive issues addressed above, then I recommend that it should consider seeking further information regarding the design and suitability of the wastewater treatment proposal prior to making a decision.

#### **8.0 AA Screening**

- 8.1. I have considered the proposal for the construction of a house and garage with all associated site works in light of the requirements S177U of the Planning and Development Act 2000 as amended.
- 8.2. The proposed development comprises, in effect, a relatively minor development as outlined in Section 2 of this report. 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: the nature of the development, the distance to designated sites and the absence of pathway to these sites.

8.3. 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 and likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

#### 8.4. **Water Framework Directive**

8.4.1. The subject site is located on a sloping site within a rural area, c. 915m from the coastline. A small watercourse flows along the verge of the upper road to the north of the site (i.e. at a higher gradient to the appeal site) and then southward to discharge to the sea. There are a number of similar watercourses flowing from north to south in the area and all of these are collectively designated as Doonamontane\_010. The WFD status of this waterbody is 'Moderate'. The groundwater body is Kerry Head, which has a 'Good' WFD Status. The relevant coastal waterbody is the Outer Tralee Bay, which has a 'Good' WFD Status.

8.4.2. The subject development comprises the construction of a dwelling and no water deterioration concerns have been raised.

8.4.3. I have assessed the subject development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration.

8.4.4. Notwithstanding the lack of detailed information provided in the application and appeal regarding wastewater treatment proposals, I note from the planning history file Reg. Ref. 23/1112 that the KCC Site Assessment Unit were previously satisfied that the site's characteristics were such that it could accommodate a wastewater treatment system. I also note that the watercourse in the vicinity of the site is

upgradient of the proposed house and wastewater treatment system and thus unlikely to be affected by it.

- 8.4.5. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.
- 8.4.6. I conclude that on the basis of objective information, the subject development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

## 9.0 Recommendation

- 9.1. I recommend that permission be **refused** based on the reasons and considerations set out below.

## 10.0 Reasons and Considerations

1. Having regard to the location of the site within a 'Rural Area Under Urban Influence', as identified in the Kerry County Development Plan 2022 – 2028, and in an area where housing is restricted to persons demonstrating local need in accordance with Policy Objective KCDP 5-15 of the Development Plan, it is considered that it has not been satisfactorily demonstrated that the applicant comes within the scope of the housing need criteria as set out in the Development Plan for a house at this location. The proposed development, in the absence of any identified locally based need for the house, would contribute to the encroachment of random rural development in the area and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The site of the proposed development is located within a 'Visually Sensitive Area' as set out in the Kerry County Development Plan 2022 – 2028, where

emphasis is placed on the importance of designing with the landscape and of siting of development to minimise visual intrusion. The site is also adjacent to a local road which is part of the Wild Atlantic Way with designated 'Views & Prospects' in both directions and which it is the policy of the planning authority to preserve. Having regard to the exposed nature of this coastal site, its sloping topography, and the location of the proposed development between the road subject to the designated 'Views & Prospects' and the coast, in a location where expansive coastal views are experienced from said road, it is considered that the proposed development would form an 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, and would militate against the preservation of the rural environment. 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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Niall Haverty  
Senior Planning Inspector

18<sup>th</sup> November 2025

**APPENDIX 1**  
**Form 1 - EIA Pre-Screening**

<b>Case Reference</b>		<b>ABP-320803-24</b>
<b>Proposed Development Summary</b>		House and garage with associated site works
<b>Development Address</b>		Tiduff, Ballyheigue, Co. Kerry
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b>		
<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.  <input type="checkbox"/> No, No further action required.		
<b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>		
<input type="checkbox"/> Yes, it is a Class specified in Part 1. <b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>		N/A
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3		
<b>3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?</b>		
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. <b>No Screening required.</b>		N/A
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. <b>EIA is Mandatory. No Screening Required</b>		N/A
<input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. <b>Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b>		Class 10(b)(i) Construction of more than 500 dwelling units – Sub Threshold
<b>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</b>		
<b>Yes</b> <input type="checkbox"/>		
<b>No</b> <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)	

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

## Form 2 - EIA Preliminary Examination

<b>Case Reference</b>	
<b>Proposed Development Summary</b>	House and garage with associated site works
<b>Development Address</b>	Tiduff, Ballyheigue, Co. Kerry
<b>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</b>	
<b>Characteristics of proposed development</b>	Proposed development comprises the construction of a detached single storey dwelling, garage, wastewater treatment system and all ancillary works in a rural area. The development, by virtue of its scale, design, location and characteristics does not pose a risk of major accident and/or disaster or is vulnerable to climate change. It presents no significant risks to human health.
<b>Location of development</b>	The subject site is located in a rural area close to existing one-off rural housing. The receiving environment is at a remove from designated sensitive natural habitats or sites of historic, cultural or archaeological significance. While the development is within a visually sensitive landscape with protected views and prospects, these matters can be addressed through a planning assessment.
<b>Types and characteristics of potential impacts</b>	Having regard to the scale, nature and characteristics of the proposed development, the distance of the site from sensitive habitats, likely limited magnitude and spatial extent of effects, and absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.
<b>Conclusion</b>	
<b>Likelihood of Significant Effects</b>	<b>Conclusion in respect of EIA</b>
<b>There is no real likelihood of significant effects on the environment.</b>	<b>EIA is not required.</b>

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

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

(only where Schedule 7A information or EIAR required)