



An
Coimisiún
Pleanála

Inspector's Report

ABP-322283-25

Development	Retention of partially completed single storey replacement holiday home. Completion of partially constructed replacement holiday home and all associated site works
Location	Site at Loughshinny Beach, Loughshinny, County Dublin
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	F25A/0053E
Applicant(s)	Aoife Power
Type of Application	Retention Permission and Planning Permission.
Planning Authority Decision	
Type of Appeal	First Party
Appellant(s)	Aoife Power
Observer(s)	Danien Butler and Niamh Butterly
Date of Site Inspection	3/7/25
Inspector	Ronan Murphy

1.0 Site Location and Description

- 1.1. The appeal site has a stated area of 0.037ha and is located at Loughshinny beach front which is located c. 5.3km to the south of Skerries in north County Dublin.
- 1.2. The development to which this retention and completion application pertains to is a partially constructed single storey wooden structure which is stated as being a replacement holiday home in the statutory notices accompanying this application.
- 1.3. The partially completed structure has a floor area of c. 78.18m² and has a maximum height of c. 3.8m. The site includes a static mobile home to the west of the partially completed structure and a small shed in the north-western corner. In addition to this, there is a manhole cover in proximity to the northern boundary of the site.
- 1.4. The site is located below Loughshinny Park Road to the north and is bound by a public pedestrian access to Loughshinny Beach immediately to the east (and a single storey building further to the east) and a beach front public walkway to the immediate south (with Loughshinny Beach further south) and a one / two storey dwelling to the west.

2.0 Proposed Development

- 2.1. The proposal seeks retention planning permission for the partially completed single storey replacement holiday home and planning permission for the completion of partially constructed replacement holiday home and all associated site works.
- 2.2. The works for which retention planning permission is sought comprises of a single storey chalet style building with an area of c.78.18m². The structure is partially constructed and includes the external walls, internal timber joists and stud partition frames and the roof to truss level. The building has a height of c. 3.8m.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1 By order dated 19th March 2025 the Planning Authority decided to refuse planning permission for 4 reasons as set out below:

1. *The proposed development seeks Permission and Permission for Retention for a new permanent holiday home on lands zoned 'HA' – 'High Amenity' under the Fingal Development Plan 2023-2029. Holiday Homes/Apartments are only permissible on 'HA' zoned lands where they involve the conversion of a Protected Structure. The proposed development would therefore materially contravene an objective of the Fingal Development Plan 2023-2029 and thus, is contrary to the proper planning and sustainable development of the area.*
2. *The proposed development is located on the seaward side of a coastal road and the applicant has failed to demonstrate the development would not be inappropriate; could be adequately safeguarded over the lifetime of the development without the need to construct additional coastal defences; or that it can be objectively established based on the best scientific information available that the likelihood of erosion at this specific location is minimal. The proposed development is therefore contrary to Section 9.7.1 and Objectives GINHO73; GINHO74; GINHO75 & GINHO76 of the Fingal Development Plan 2023-2029 and thus, is contrary to the proper planning and sustainable development of the area.*
3. *The applicant has failed to demonstrate the proposed development is connected to the public foul sewerage network and complies with the requirements of Uisce Éireann and failed to demonstrate separate foul and surface water drainage systems are provided on-site. The proposed development is therefore contrary to Objective IUO3 and Objective IUO4 of the Fingal Development Plan 2023-2029 and thus, is contrary to the proper planning and sustainable development of the area.*
4. *The proposed development would directly overlook the private living areas of the neighbouring dwelling to the east, which it sits above. The proposed development is therefore considered to result in unacceptable harm to neighbouring amenity in terms of overlooking and loss of privacy accruing to neighbouring occupiers. The proposed development is therefore contrary to the proper planning and sustainable development of the area.*

3.2. Planning Authority Reports

3.2.1. Planning Reports

3.2.1.1 There is one area planners report on file dated 19th March 2025. The area planner considers that the application being considered is for the retention to complete and construct a new permanent holiday home on the site and not for the retention of a replacement holiday home. The area planner notes that under the 'HA' land use zoning that holiday homes / apartments are permitted in principle, subject to where the development involves the conversion of a Protected Structure. As the proposal does not apply to a Protected Structure, the proposal is not permitted under the HA zone. Concerns are also raised with respect to potential impacts of climate change and flooding having regard to the proximity of the site to the sea. Additional concerns related to the fact that the applicants have not demonstrated what the existing service arrangements are with respect to connection to Uisce Eireann services and impacts on the residential amenities of adjoining properties.

3.2.2. Other Technical Reports

- **Water Services:** Report dated 11/3/25 seeking Further Information relating to flooding and the need for the development to have a finished floor level of 4.72m AOD and the need to provide a surface water drainage proposal in compliance with the principles of the Greater Dublin Strategic Drainage Strategy Volume 2 New Development August 2005.
- **Transportation Planning Section:** Report dated 28/2/25 outlining no objection and no conditions.
- **Parks and Green Infrastructure Division:** Report dated 11/2/25 outlining no objection and no conditions.

3.3. Prescribed Bodies

- **Uisce Eireann:** Report dated 11/3/25 stating that it is not clear what the existing service arrangements are, and that Further Information is required for the applicants to submit a pre-connection enquiry.

4.0 Planning History

Appeal Site

Reg. Ref. F00A / 0807. Application to erect a single storey dwelling and associated drainage. Permission refused for 4 No. reasons:

- 1. The site is located in an area zoned 'G' – High Amenity – in the Fingal County Development Plan 1999 where it is the objective of the Planning Authority 'to protect and improve high amenity areas'. Section 7.6.3 of the Plan states that new dwellings in high amenity zoned lands are restricted to applicants employed full-time in agriculture. The applicant has not demonstrated that her employment is in farming. The proposed development would contravene materially a development objective indicated in the Development Plan for this area and therefore be contrary to the proper planning and development of the area.*
- 2. A connection to the public sewer is proposed as the means of foul drainage for the proposed dwelling. This arrangement is unacceptable as the public sewer in Loughshinny is overloaded and unable to accept further discharge. As such the proposed development would be prejudicial to public health and contrary to the proper planning and development of the area.*
- 3. Under section 7.7.17 of the Fingal County Development Plan 1999 it is an objective of the Council to prevent development which would interfere with a view which is considered to be of special amenity value. The view from Loughshinny Harbour is identified as such a Preserved View. The erection of a permanent dwelling on a beach site is considered inappropriate for this sensitive high-quality landscape and detract from the rural undeveloped nature of the harbour/beach area. It would be seriously injurious to the visual amenities of the area and the surrounding high amenity lands. Development would thereby be contrary to the proper planning and development of the area.*
- 4. The proposed development would result in an overdevelopment of this small, very confined site without provision for vehicular access, car parking, turning, private amenity space and the required sanitary services. The proposed development would create an undesirable precedent for the development of similar confined sites within the surrounding area and would, therefore, be contrary to the proper planning and development of the area.*

Reg. ref. F03B/0029. Application for a single storey granny flat extension to side of existing dwelling. Permission granted, subject to conditions.

Enforcement

Ref. 23/357: This case is currently open.

Adjacent Sites (north-east of the appeal site)

Reg. Ref F24A/1123. Application for a two-storey house with the removal of existing mobile home and wooden structure. Permission refused for 6 reasons relating to coastal flooding, erosion, lack of a site-specific flood assessment, traffic safety issues, design issues including the under provision of private open space, lack of information relating to how the proposed development would protect existing water and drainage infrastructure, wayleaves and buffer zones.

5.0 Policy Context

5.1. Development Plan

5.1.1 The *Fingal County Development Plan 2023-2029* is the operational plan for the area. The appeal site is within the 'HA'- 'High Amenity' zone with the associated land use objective '*To protect and enhance high amenity areas.*' The vision of HA zoned lands is to '*Protect these highly sensitive and scenic locations from inappropriate development and reinforce their character, distinctiveness, and sense of place. In recognition of the amenity potential of these areas opportunities to increase public access will be explored*'

5.1.2 The following policies and objectives are pertinent to the proposed development:

DMSO163 which seeks to Prohibit new development outside urban areas within the areas indicated on Green Infrastructure Maps, which are within 100m of coastline at risk from coastal erosion, unless it can be objectively established based on the best scientific information available at the time of the application, that the likelihood of erosion at a specific location is minimal.

DMSO164 which seeks to prohibit development within areas liable to coastal flooding other than in accordance with *The Planning System and Flood Risk Management – Guidelines for Planning Authorities 2009*.

GINHO58 which seeks to resist development such as houses, which would interfere with the character of highly sensitive areas.

GINHO59 which seeks to ensure that new development does not impinge in any significant way on the character, integrity and distinctiveness of highly sensitive areas and does not detract from the scenic value of the area.

GINHO73 which seeks to prevent inappropriate development along the coast, particularly on the seaward side of coastal roads.

GINHO74 which seeks to strictly control the nature and pattern of development within coastal areas and ensure that it is designed and landscaped to the highest standards and sited appropriately so as not to detract from the visual amenity of the area.

GINHO75 which seeks to prohibit development along the coast outside existing urban areas where such development could not be adequately safeguarded over the lifetime of the development without the need to construct additional coastal defences.

GINHO76 which seeks to prohibit new development outside urban areas within the areas indicated on Green Infrastructure maps, which are within 100m of coastline at risk from coastal erosion unless it can be objectively established that the likelihood of erosion at a specific location is minimal.

Green Infrastructure Maps

- The subject land is located within a Highly sensitive coastal location.
- The subject land is in an area within 100m of coastline vulnerable to coastal erosion.
- The site abuts an area within Flood Zone B (to the east of the site).
- The site is in proximity to an 'Annex 1 Habitats' and 'Irish Geological Heritage Sites'.

5.2. Natural Heritage Designations

- 5.2.1. The subject site is located within 31m of the North-West Irish Sea cSPA (Site Code 004236) and c. 933m from the Rockabill to Dalkey Island SAC (Site Code 003000). A screening exercise will be undertaken in Section 8 below.

5.3. EIA Screening

5.3.1 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 has been received from Michael Halligan Planning Consultant on behalf of Aoife Power. The grounds of appeal can be categorised and summarised as follows:

- The appeal site has a long-established residential use for over 50 years, and the mobile home has been a permanent structure on the site. The objectors accept that since the late 1960's there was always a caravan or mobile home on the site.
- The site is serviced by mains water and sewerage.
- There is no limitation on the period of occupancy of the mobile home on the site and many such structures are occupied for long periods of time.
- The proposed chalet will have a positive impact on amenities and will be visually more in keeping with adjacent development, this is a planning gain for adjacent dwellings.
- The planning application does not use the word permanent. The proposed one bed chalet will be no different in status to the in-situ mobile home.
- The holiday home has been handed down through generations and the applicant wishes to continue this longstanding holiday home use but, in a chalet, as the existing mobile home is in disrepair.

- The applicant refutes that the chalet overlooks the private open space of the dwelling to the east. The chalet is separated from the property to the east by two side gardens and a public right of way to the beach. There is also boundary hedging along the western boundary of the neighbouring property. The applicant is happy to provide additional screening along the eastern boundary of the land.
- The chalet replaces an existing mobile home and is not a new construction and is set back from the seashore behind a public footpath and a 1.2m high stone wall which will prevent erosion. The applicant will incorporate any additional erosion prevention materials as directed including blocking up existing beach side entrances and raising site levels.
- Section 3.5.15.11 and Objective DMSO47 relate to chalets and seasonal huts and distinguishes them from permanent homes or dwellings. The proposal is to convert the existing static mobile home to a chalet and not a dwelling.
- The chalet is a replacement structure with connections to mains services and screening for AA is not necessary. EIA not required.
- No additional flood risk applies.

The appeal includes Appendix A ‘Historical Documents.’

6.2. Planning Authority Response

- 6.2.1 Letter dated 7th May 2025 stating that the Planning Authority has no further comment to make and refers to planner’s report for assessment. If the appeal is successful provision should be made for conditions requiring Section 48 financial contributions.

6.3. Observations

- 6.3.1 A third party observation has been received from Damien Butler and Niamh Butterly which can be summarised as:

- There was never a chalet or permanent structure for permanent residential use on the site, only a caravan or mobile home.

- What is being applied for is not a chalet but a permanent structure which is three times larger than what was there before.
- Neighbours were not given an opportunity to review any plans until an enforcement order was issued and planning permission was applied for.
- The construction will adversely affect the value of adjoining properties.
- All other observations as per the original objection also stand.

6.4. Further Responses

6.4.1 There are no further responses on file.

7.0 Assessment

7.1 Having examined the appeal documents I note that the first party appeal states that there are two reasons for refusal in this case. However, having regard to the Notification to Decision to Refuse Planning Permission dated 19th March 2025, I note that there are four reasons for refusal. Having considered all documentation on file, including submissions / observations, the reports of the local authority, consultees and inspected the site, I consider that the substantive issues in this appeal to be considered are as follows:

- Principle of Development / Zoning
- Coastal Management – including Coastal Erosion & Coastal Flooding
- Connection to services
- Impact on residential amenities
- Water Framework Directive
- Appropriate Assessment

7.2 Principle of Development / Zoning (Reason for Refusal No.1)

7.2.1 The appeal site is zoned 'HA' 'High Amenity.' The vision for the High Amenity zone is to *'Protect these highly sensitive and scenic locations from inappropriate development and reinforce their character, distinctiveness, and sense of place. In recognition of the amenity potential of these areas opportunities to increase public access will be explored.'* Under the land use matrix for the High Amenity zoning, 'Holiday Home /

Apartments' is a use which is 'Permitted in Principle' with a footnote specific to that use class that reads '*Only permitted where the development involves conversion of a protected structure.*'

- 7.2.2 The First Part Appeal states that the land has a long-established residential use which has been passed down from generations to the applicant. In addition to this, the chalet will not impact on the amenities in the area, except in a positive way.
- 7.2.3 The Planning Authority in its report considered that the application being considered is for the retention and completion of a new permanent holiday home on the site and not for the retention and completion of a replacement holiday home.
- 7.2.4 The third-party observer states that at no stage was a chalet or permanent structure on the site for residential use.
- 7.2.5 I have considered all the material on file. In addition to this I have considered historic aerial photography (Google Maps, Google Earth, and An Coimisiún Pleanála's internal GIS system) of the site which shows that there has been a mobile home on the site from at least 1995.
- 7.2.6 I accept that this site has had a mobile home on it from at least 1995 and potentially longer than that. However, I cannot find evidence of a grant of permission for the replacement of a mobile home over time. The current mobile home has an area of c. 40m². The chalet for which retention and completion permission is sought is substantially bigger. Therefore, I do not consider this to be a like for like replacement.
- 7.2.7 Having regard to the foregoing, I consider that the development, by reason of its use as a new build holiday home, materially contravenes the requirement of the High Amenity Zone which only permits holiday homes where the development involves conversion of protected structure. The proposal does not provide for the conversion of a protected structure.
- 7.2.8 In my opinion, there is no compelling reason for the Coimisiún to materially contravene the *Fingal County Development Plan 2023-2029* in this instance as the holiday home would not integrate with the character of the area in a successful manner.

7.2.9 I recommend, therefore, that the development to be retained and completed is refused permission on this basis.

7.3 Coastal Management – including Coastal Erosion & Coastal Flooding (Reason for Refusal No.2)

7.3.1 The second reason for refusal relates to the development could not be adequately safeguarded over the lifetime of the development without the need to construct additional coastal defences as set out in Section 9.7.1 of the *Fingal County Development Plan 2023-2029*.

7.3.2 The first-party appeal states that the chalet will be set back from the seashore behind a public pedestrian pathway and a 1200mm high stone wall which would prevent any site erosion. In addition to this, it is stated that the applicant will incorporate any additional erosion prevention materials as directed by the Board.

7.3.3 Section 9.7.1 of the *Fingal County Development Plan 2023-2029* outlines that proposal for coastal development must consider the need for coastal defence and that development will only be permitted where the Council is satisfied that the development will not add to the requirement, if any, for any coastal defence works in the area over the lifetime of the development. Objective GINHO75 prohibits development along the coast where such development could not be adequately safeguarded without the need to construct additional coastal defences. The first party has not, in my opinion, provided any compelling information which demonstrates that the development could be adequately safeguarded over the lifetime of the development without the need to construct additional coastal defences. The proposal would, therefore, be contrary to Objective GINHO75 of the *Fingal County Development Plan 2023-2029*.

7.3.4 The Green Infrastructure Map 2 (Sheet 15) of the *Fingal County Development Plan 2023-2029*, demonstrates that the site is contained within an 'Area within 100m of Coastline Vulnerable to Erosion'. I have reviewed Green Infrastructure Map 2 and note that the 'Vulnerable to Erosion' designation which is applied to the appeal site and the proximity of the subject site to the coastline, and in the absence of scientific information or evidence put forward by the applicant, I am of the opinion that the proposal is be contrary to Objectives GINHO76 and DMSO163 of the *Fingal County Development Plan 2023-2029*. As such, I recommend that permission be refused in this regard.

7.3.5 In addition to this, Green Infrastructure Map 3 (Sheet 16) the site is shown to be within a coastal area subject to flood risk. Table 6.4 of the Strategic Flood Risk Assessment for the *Fingal Development Plan 2023-2029* sets out minimum freeboard requirements which in this case would be +0.25m. The report of the Water Services Department states that the floor level of the development should be 4.72 AOD. The plans submitted with the application do not show the finished floor level at this height. This matter could be dealt with by way of condition if the Coimisiún are of a mind to grant retention planning permission and planning permission for completion.

7.4 Connections to services (Reason for Refusal No.3)

7.4.1 The third reason for refusal states that the applicant has failed to demonstrate the proposed development is connected to the public foul sewerage network and complies with the requirements of Uisce Éireann and failed to demonstrate separate foul and surface water drainage systems are provided on-site.

7.4.2 The first party appeal includes an appendix which contains an application for sewer connection for the land dated 2/4/00 and a letter from Fingal County Council which states that a connection is to be made at the developers cost. This letter is dated 21/6/00. A receipt dated 3/7/00 for the stated cost of the connection is included with this letter. The drawings submitted with the application show a connection to the public sewer via a pump to the public road to the north of the site.

7.4.3 In addition to the above, on a site inspection, I noted that there is a manhole cover in proximity to the northern boundary of the land.

7.4.4 I have considered all the information available to me on file with respect to wastewater connection and I am satisfied that there is a sewer connection to the appeal site. This reason for refusal is not warranted, in my opinion.

7.5 Impact on residential amenities (Reason for Refusal No.4)

7.5.1 The fourth reason for refusal relates to the impact that the proposed development would have on the residential amenities of the property to the east by way of undue overlooking of the private open space.

7.5.2 The first party appeal states that the site / existing mobile home is separated from the property to the east by 2 side gardens, there is a public right of way to the beach

intervening and that the property to the east has boundary hedging along its western boundary.

7.5.3 The third-party observation states that the development would adversely affect the value of their primary and only residence.

7.5.4 The building for which retention permission is sought has a height of c. 3.8m and is set back by c. 2.3 from the eastern boundary of the land. There are windows serving the bedroom and living room on the eastern elevation of the building. I note that the window serving the living room would have views towards the private open space of the dwelling to the east.

7.5.5 Under normal circumstances I would have concerns that this window would cause undue overlooking, however, in this case the private open space of the property to the east is already significantly overlooked from the public realm. In this respect, the existing 1.2m high boundary wall does not prevent any views into the private open space from public areas (public walkway to the front of the site and public car park to the side). In my opinion the proposal would not increase the overlooking of the private open space of the property to the east of the site by any appreciable amount.

7.5.6 With respect to the concerns of the third-party observers, while the new holiday home is taller than the existing mobile home on site, given the topography of the area where the road to the rear of the site (L1320L) is at a higher gradient than the appeal site, I am satisfied that the development would not unduly impact on the residential amenities of properties to the north of the site.

7.6 Water Framework Directive

7.6.1 The purpose of the EU Water Framework Directive is an initiative aimed at improving water quality throughout the European Union. The Directive was adopted in 2000 and requires governments to take a new approach to managing all their waters; rivers, canals, lakes, reservoirs, groundwater, protected areas (including wetlands and other water dependent ecosystems), estuaries (transitional) and coastal waters.

7.6.2 An Coimisiún Pleanála and other statutory authorities cannot grant development consent where a proposed development would give rise to a reduction in water quality.

7.6.3 The subject site is located c.0.10m to the north-east of the Northwestern Irish Sea IE_EA_020_0000 which has a good status. In addition to this, the bathing waters at Loughshinny are included on the Register of Protected Areas for the Eastern River Basin District.

7.6.4 I have assessed the proposed dwelling 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. 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.

7.6.5 The reason for this conclusion is as follows:

- The small scale and nature of the development; and
- The land is connected to public wastewater network.

8 AA Screening

8.1 The Planning Authority concluded that due to the lack of information in the application that it could not be determined that the development would not have significant effects on any European site and that further details would be required for this application to be considered.

8.2 The first party appeal states that the site is connected to mains services and an appropriate assessment is not required. It is also stated that if the Coimisiún requires an Appropriate Assessment screening to be undertaken then the applicants would be happy to comply.

8.3 I have considered the nature and scale of the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended. The proposed development comprises of the retention of a single storey holiday home as described in section 2 of this report.

8.4 The subject site is located within 31m of the North-West Irish Sea cSPA (Site Code 004236) and c. 933m from the Rockabill to Dalkey Island SAC (Site Code 003000).

- 8.5 The applicant has provided sufficient information to allow me to be satisfied that the appeal site is connected to the public wastewater network. I therefore conclude that there is no hydrological link between the subject site and the European sites.
- 8.6 Having considered the nature, scale, and location of the proposed development, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.
- 8.7 This determination is based on:
- Small scale and domestic nature of the development
 - The site is connected to the public main foul sewer networks.
 - No hydrological connections to the European sites.
- 8.8 I conclude, 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.
- 8.9 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 Recommendation

- 9.1 I recommend that retention permission and planning permission to complete works be refused for the reasons outlined below. I reiterate to the Coimisiún that the concerns in relation to the Water Framework Directive and Appropriate Assessment are new issues in the context of this appeal and the Coimisiún may wish to consider issuing a s.137 notice in this regard.

10 Reasons and Considerations

1. The development, for which retention and completion permission is sought, is significantly larger than the mobile home it replaces, it is therefore considered to be a new holiday home which does not benefit from the existing structure on site. Therefore, it is a new holiday home and does not come within the policy of the HA-High Amenity Zone, specifically the footnote relating to Holiday

Home use which reads '*Only permitted where the development involves conversion of a protected structure.*' By reason of the use of the land for a new holiday home which does not incorporate the conversion of a protected structure, the proposal would materially contravene the High Amenity zoning objective of the *Fingal Development Plan 2023-2029* and would be contrary to the proper planning and sustainable development of the area.

2. The development is situated in an area that is identified in the Fingal Development Plan 2023-2029 as being at risk of coastal erosion. Based on the information submitted, the applicant has failed to demonstrate the potential impact of the development on erosion or deposition and the predicted impacts of climate change on the coastline and any potential mitigation measures which could be employed to address coastal erosion in this location, contrary to the requirements of Objectives GINHO76 and DMSO163 of the Fingal County Development Plan 2023-2029, and therefore would 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.

Ronan Murphy

Planning Inspector

9th July 2025

Form 1

EIA Pre-Screening

An Coimisiún Pleanála Case Reference	ABP-322283-25		
Proposed Development Summary	Retention of partially completed single storey replacement holiday home. Completion of partially constructed replacement holiday home and all associated site works		
Development Address	Site at Loughshinny Beach, Loughshinny, County Dublin		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	X
		No	
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes	X	Class 12(c) - Holiday villages which would consist of more than 100 holiday homes outside built-up areas	Proceed to Q3.
No			
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes			EIA Mandatory EIAR required
No	X		Proceed to Q4
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			

Yes	X	Class 12(c) - Holiday villages which would consist of more than 100 holiday homes outside built-up areas	Preliminary examination required (Form 2)
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5. Has Schedule 7A information been submitted?		
No	Tick/or leave blank	Pre-screening determination conclusion remains as above (Q1 to Q4)
Yes	Tick/or leave blank	Screening Determination required

Inspector: _____ **Date:** _____

Form 2

EIA Preliminary Examination

An Coimisiún Pleanála Case Reference	ABP-322283-25
Proposed Development Summary	Retention of partially completed single storey replacement holiday home. Completion of partially constructed replacement holiday home and all associated site works
Development Address	Site at Loughshinny Beach, Loughshinny, County Dublin
<p>The Commission carried 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.</p> <p>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</p>	
<p>Characteristics of proposed development</p> <p>(In particular, the size, design, cumulation with existing/proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).</p>	<p>Proposal for retention of partially completed single storey replacement holiday home. Completion of partially constructed replacement holiday home accommodation on land zoned 'High Amenity'. However, the proposal is not considered exceptional in the context of the existing rural environment.</p> <p>It is unclear as to the site is connected to the main sewerage. an existing septic tank on site. Notwithstanding this, it is not considered that the development</p>

	would result in the production of any significant waste, emissions or pollutants.
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	The subject site is not within but is immediately adjacent the North-West Irish Sea SPA (Site Code: 004236) at c. 31m to the south. Insufficient information on wastewater and surface water run-off has been submitted to allow AA screening. Where compliance was demonstrated in both respects, it is likely that the development would not have a significant impact on an ecological site.
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	Potential wastewater discharge into an SPA. This could be mitigated by connection to the Uisce Eireann foul network.
Conclusion	

Likelihood of Significant Effects	Conclusion in respect of EIA	Yes or No
There is no real likelihood of significant effects on the environment.	EIA is not required.	No
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	Schedule 7A Information required to enable a Screening Determination to be carried out.	No
There is a real likelihood of significant effects on the environment.	EIAR required.	No

Inspector: _____

Date: _____

DP/ADP: _____

Date: _____

(only where Schedule 7A information or EIAR required)