



An
Coimisiún
Pleanála

Inspector's Report ABP-322401-25

Development

Retention permission to retain (a) existing dwelling on site (b) existing workshop on site (c) to retain existing garage which is being used as a self-contained private single bedroom unit, all within revised boundaries.

Location

Dromultan, Castleisland, Co. Kerry.

Planning Authority

Kerry County Council

Planning Authority Reg. Ref.

2560076

Applicant(s)

Donal Kelly.

Type of Application

Retention permission

Planning Authority Decision

Split Decision

Type of Appeal

First Party

Appellant(s)

Donal Kelly.

Observer(s)

None.

Date of Site Inspection

15th July 2025

Inspector

Jennifer McQuaid

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1.0 Site Location and Description

- 1.1. The subject site is located in a rural area set back off a public road and to the approximately 3km northeast of Currow Village, Co. Kerry. The site contains an existing dwelling with a detached garage which is currently being converted to a self-contained living unit. There is also a workshop/shed to the rear of the garage. There are no dwellings directly adjacent to the subject site.

2.0 Proposed Development

- 2.1. The retention permission consists of:
- (a) existing dwelling
 - (b) existing workshop
 - (c) existing garage conversion as a self-contained private single bedroom unit.
- All within revised boundaries.

3.0 Planning Authority Decision

3.1. Decision

A split decision was granted. Retention permission was granted to retain the existing dwelling on site within revised boundaries.

Retention permission was refused for the existing workshop and for the conversion of the existing garage for use as a self-contained private single bedroom unit, all within the revised boundaries.

The refusal reasons are as follows:

1. The proposed retention of the detached garage currently used as self-contained private single bedroom unit would result in overdevelopment of the rural site and would materially contravene section 1.5.6.4 of the Kerry County Development Plan 2022-2028 as the proposal would.
 - Be a separate detached unit, where it is not possible to provide direct access to the remainder of the house, and

- Not be an integral part of the main dwelling unit capable of reintegration for single family use. The proposed development would set an unwanted precedent for similar such development and would be contrary to the proper planning and sustainable development of the area.
2. The proposed retention of the existing workshop, when taken in conjunction with existing such structures on site would materially contravene Section 1.5.10.9 of the Kerry County Development Plan 2022-2028 which deals with Sheds/Garages/Ancillary Structures and states that the cumulative area of all structures on site shall not exceed 70m² for private domestic use and storage only. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.
 3. Based on the information submitted the Planning Authority is not satisfied that the effluent arising from the proposed development could be adequately disposed of on site. The proposed development would, therefore, be prejudicial to public health. Therefore, the proposed development would be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The proposal is contrary to the principles section 1.5.10.9 as taking into account the existing garage and the sheet metal workshop for retention, the total area exceeds 70m². The metal shed exceeds 70m² by itself. The proposed self-contained unit is contrary to section 1.5.6.4 as the unit is a separate detached unit.
- Further information required in relation to wastewater however, as the proposal will be refused, the reason will “based on the information submitted”.
- The proposed separate unit would result in substandard residential development contrary to both section 1.5.10.9 and 1.5.6.4 and would constitute over development of a rural site and set an unwanted precedent for similar type development in the rural countryside.

- Split decision, grant the existing dwelling on site within the revised boundaries.
- Refuse permission for the workshop and the converted garage to self-contained unit.

3.2.2. Other Technical Reports

- Site Assessment Unit, Environment Department: Further information requested.
- County Archaeologist: No mitigation required.

3.3. Prescribed Bodies

- None

3.4. Third Party Observations

- None

4.0 Planning History

PA ref: 051383: Permission granted for a single storey dwelling and domestic garage.

5.0 Policy Context

5.1. Development Plan

Kerry County Development Plan 2022-2028

Volume 6 Development Management Standards & Guidelines, Section 1.5.10.9 relates to Sheds/garages/ancillary structures: Notwithstanding those developments listed under Class 3, Schedule 2 Part 1 (P&D regs 2001 as amended), the cumulative area of all structures shall not exceed 70m² for private domestic use and storage only.

Volume 6 Development Management Standards & Guidelines, Section 1.5.6.4 relates to Dependent Relative Accommodation (Urban and Rural): The creation of an ancillary, subsidiary, dwelling unit to be occupied for habitable purposes, is generally acceptable, provided such proposals can demonstrate a bona fide need for such a unit and that:

- It is not a separate detached unit, and it is possible to provide direct access to the remainder of the house.
- There shall be no permanent subdivision of the garden.
- The unit shall not be let or sold, other than as part of the overall property, and shall revert to being part of the original house when no longer occupied.
- That the proposal does not impact adversely on either the residential amenities of the existing property or the residential amenities of the area.
- The design should ensure that the unit forms an integral part of the main dwelling unit capable of reintegration for single family use.

Volume 1 Written Statement, Section 11.6 relates to Landscape.

Objective 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.

Objective KCDP 11-78: Protect the landscape 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.

Section 11.6.3 relates to Landscape Designations. There are two landscape designations for the county. The subject site is located in the Rural General area.

Section 11.6.3.2 relates to Rural General.

Rural landscapes within this designation generally have a higher capacity to absorb development than visually sensitive landscapes. Notwithstanding the higher capacity of these areas to absorb development, it is important that proposals are designated to integrate into their surroundings in order to minimise the effect on the landscape and to maximise the potential for development. proposed developments should, in their designs, take account of the topography, vegetation, existing boundaries and

features of the area. Permission will not be granted for development which cannot be integrated into its surroundings.

5.2. Natural Heritage Designations

The subject site is not located within a designated site. However, the following are in close proximity:

- Anna More Bog NHA (site code: 000333) is located appropriately 50 metres to the west of the subject site.
- Stack's to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA (Site code: 004161) & NHA (site code:002449) is located approximately 3.7km east of the subject site.
- Dooneen Wood pNHA (site code: 001349) is located approximately 7km north of the subject site.
- Castlemaine Harbour SAC (site code: 000343) is located approximately 9km southwest of the subject site.
- Lower River Shannon SAC (site code: 002165) is located approximately 11km northeast of the subject site.
- Slieve Mish Mountains SAC (site code: 002185) is located approximately 13.5km west of the subject site.

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 the Appendices of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of the 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.

5.4. Water Framework Directive

The subject site is located in the rural townland of Dromultan, the nearest stream is located approximately 340 metres east of the subject site. The retention development comprises of dwelling unit, revised site boundaries, workshop and converted domestic garage to self-contained unit with connection to onsite wastewater treatment system and soakaway. No water deterioration concerns were raised in the planning appeal.

I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seeks 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. The reason for this conclusion is as follows.

- Scale and size of the proposed development
- Distance to the nearest waterbody at 340 metres east.

I note the wastewater treatment system is inadequate, however, given the distance to the river and the good status of the groundwater, I consider the wastewater treatment system will not have any effect on any waterbody.

Taking into account WFD screening report I conclude that on the basis of objective information, that the proposed 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.

6.0 The Appeal

6.1. Grounds of Appeal

The grounds of appeal were received from the applicant. The concerns raised were:

- Principle of Development: Retention permission refused for conversion of garage to single unit for private accommodation; it is not used for letting or Airbnb. The applicant needs accommodation every 6 weeks as he works abroad and has separated from his wife. The garage is part of the whole site and not separated. Workshop retention permission refused, it is for private use only and no intention of commercial use. It is behind the existing garage and not obstructing any views or light. The workshop is used to store old vintage cars and the applicant repairs machinery from his company. The site is set from the public road. The site was viewed on the basis of 70m² rule and not the site area in question. A similar shed was granted in Abbeydorney.
- Wastewater: the effluent tank is not satisfactory and presumed that under further information request, the applicant would have been requested to upgrade the system. The planning authority have no information to confirm if the wastewater system is adequate or not.

6.2. Applicant Response

- As above.

6.3. Planning Authority Response

- None.

6.4. Observations

- None.

6.5. Further Responses

- None.

7.0 Assessment

- 7.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the report/s of the local authority, and having inspected the site, and having regard to the relevant

local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Principle of Development
- Wastewater
- Appropriate Assessment

7.2. Principle of Development

- 7.3. The retention development is located within a rural area, there is an existing dormer type dwelling on site, a domestic garage which is currently being converted into a self-contained living unit and a metal clad workshop to the rear of the domestic garage. The buildings are set back from the public road at a distance of over 130 metres. The Planning Authority granted retention permission for the domestic dwelling which had the benefit of planning under planning reference 051383, minor changes were made to the dwelling along with revised site boundary. Permission was refused for the retention of the converted domestic garage and the metal workshop. The converted detached garage would result in overdevelopment of the rural site and would materially contravene section 1.5.6.4 of the Kerry County Development Plan 2022-2028 (CDP). The workshop was also refused as when taken in conjunction with existing such structures on site would materially contravene Section 1.5.10.9 of the CDP, which states that the cumulative area of all structures on site shall not exceed 70m² for private domestic use and storage only.
- 7.4. The grounds of appeal have been received from the applicant, and he has outlined his reasons for requiring the converted domestic garage as it will be used for private accommodation and not used for letting or Airbnb. The applicant needs accommodation every 6 weeks as he works abroad and has separated from his wife. The garage is part of the whole site and not separated. In regard to the workshop, it is for private use only and no intention of commercial use. It is behind the existing garage and not obstructing any views or light. The workshop is used to store old vintage cars and the applicant repairs machinery from his company. The site is set from the public road. The site was viewed on the basis of 70m² rule and not the site area in question. A similar shed was granted in Abbeydorney

- 7.5. I will assess the proposed retention development for the workshop firstly having regard to the CDP. Volume 6 Development Management Standards Section 1.5.10.9 relates to Sheds/garages/ancillary structures. The CDP explicitly states that the cumulative area of all structures shall not exceed 70m² for private domestic use and storage only in the rural area, notwithstanding those developments listed under Class 3, Schedule 2 Part 1 (P&D regs 2001 as amended). The workshop for retention has a stated floor area of 96.6m², this alone exceeds the 70m² limit for domestic private structures ancillary to a domestic dwelling. In addition, there is an existing domestic garage on site with a total floor area of 66.2m². Therefore, the two combined floor area of the workshop and the domestic garage equates to 162.8m², this is over double the allowable floor area for domestic ancillary structures. Therefore, I consider the workshop for retention does not comply with Volume 6 Development Management Standards Section 1.5.10.9 as the combined ancillary structures for a domestic dwelling exceed 70m² and retention permission shall be refused.
- 7.6. In relation to the retention of the converted domestic garage to a self-contained unit, Volume 6 Development Management Standards Section 1.5.6.4 relates to Dependent Relative Accommodation (Urban and Rural). This standard clearly outlines the criteria for the creation of an ancillary, subsidiary, dwelling unit to be occupied for habitable purposes including the unit shall not be a separate detached unit, and it is possible to provide direct access to the remainder of the house. The converted domestic garage is separate to the existing dwelling unit with a separation distance of 12.8 metres; therefore, the converted domestic garage does not comply with the first criteria of section 1.5.6.4 as the unit is a separate detached unit. Due to the separation distance it is not possible to provide direct access to the remainder of the house, therefore the proposal does not comply with the second criteria. At present, there is no permanent subdivision of the garden, however, the total site area is 0.83hectares and the internal access road divides the existing dwelling and the converted domestic garage, at present the two units appear separate with separate garden spaces. However, I consider at present, the proposal does comply with the third criteria point of section 1.5.6.4. In the appeal submission, the applicant has outlined that the converted domestic garage will not be let or sold, other than as part of the overall property and will be used by the applicant for living purposes.

Therefore, the proposal complies with point four of section 1.5.6.4. Point five requires the converted garage to revert to being part of the original house when no longer occupied, the converted garage could be converted back to domestic garage however, the change cannot be integrated to the domestic dwelling, due to the separation distance, therefore I query whether the converted domestic garage will revert back to its original use. The converted domestic garage is over 160 metres from the nearest dwelling and 12.6 metres from the adjacent on-site dwelling; therefore, I do not consider that the proposal does will impact adversely on either the residential amenities of the existing property or the residential amenities of the area and complies with point six of section 1.5.6.4. In regard to the final criteria of section 1.5.6.4 the design should ensure that the unit forms an integral part of the main dwelling unit capable of reintegration for single family use. Due to the separation distance of the converted domestic garage, it does not form an integral part of the main dwelling unit and cannot be reintegrated for single family use. Therefore, given the overall non-compliance with section 1.5.6.4, the proposal shall be refused.

7.7. Having regard to Volume 6 Development Management Standards Section 1.5.10.9 and section 1.5.6.4 of the CDP, the proposed retention of the metal workshop and converted domestic garage does not comply with the explicit criteria set out, therefore, the proposed retention is not acceptable and should be refused.

7.8. Wastewater

7.9. There is an existing wastewater treatment system on site which currently serves the existing dwelling, the applicant proposes to connect the converted garage for a self-contained unit to the existing wastewater treatment system. The Planning Authority refused permission as based on the information submitted, they are not satisfied that the effluent arising from the proposed development could be adequately disposed of on site. The proposed development would, therefore, be prejudicial to public health.

7.10. The grounds of appeal state that the effluent tank is not satisfactory and they presumed that under further information request, the applicant would have been requested to upgrade the system. The planning authority has no information to confirm if the wastewater system is adequate or not.

7.11. I note from the information submitted as part of the planning application, that no information was submitted in relation to the wastewater treatment system on site. I

also further note that the appellant has stated that the wastewater treatment system is not satisfactory and that this will be rectified, however, no information was submitted with the appeal documentation to outline how the appellant intends to address this issue. I note the comments received from the Site Assessment Unit of Kerry County Council which requested a certificate from a suitably qualified person, confirming that the existing on-site wastewater treatment system is fully compliant with the original grant of planning permission and with the requirements of SI. No. 223 of 2012 (Water Services Acts 2007 and 2012 (Domestic Wastewater Treatment Systems) Regulations 2012) and the existing on-site wastewater treatment system is capable of treating and disposing of wastewater from the development. The report further details a survey of the effluent treatment system is required and includes a suggested survey format. No information was provided with the appeal submission, and I note on site that the lid of the wastewater treatment system was lifted and appears not be in full working order. Therefore, in my opinion, the appellant has failed to supply the necessary information regarding the current wastewater treatment system, or the proposed upgrades required, and I cannot determine based on the information submitted that the existing wastewater treatment system is satisfactory and can adequately deal with the converted garage for a self-contained unit.

7.12. Having regard to the lack of information submitted regarding the on-site wastewater treatment system and my recommendation for refusal on the principle of development, I recommend refusal in regard to the adequacy of the current wastewater treatment system to deal with the conversion of the domestic garage to a self-contained unit.

7.13. **Material Contravention**

7.14. I note that the Planning Authorities reason for refusal which states material contravention of Volume 6 Development Management Standards Section 1.5.10.9 and section 1.5.6.4 of the CDP as the workshop and cumulative buildings are above the 70m² allowance in the rural area and the converted garage to self-contained unit is a separate unit and cannot be an integral part of the existing dwelling and is in my view, is sufficiently specific so as to justify “materially contravene” in terms of normal planning practice.

7.15. I will consider Section 37(2)(b) of the Planning and Development Act, as amended and outline why I consider that the Coimisiún may not grant permission. Section 37 (2) (b) of the Planning and Development Act, as amended, states that “where a planning authority has decided to refuse permission on the grounds that a proposed development materially contravenes the development plan, the Coimisiún may only grant permission in accordance with paragraph (a) where it considers that—

- (i) the proposed development is of strategic or national importance,

I consider that the proposed development is not of strategic importance as the retention development relates to a converted garage for single occupancy use and the provision of a workshop for domestic use.

- (ii) there are conflicting objectives in the development plan, or the objectives are not clearly stated, insofar as the proposed development is concerned,

I do not consider that there are conflicting objectives in the development plan.

Section 1.5.10.9 and section 1.5.6.4 of the CDP are very explicit and clearly state the criteria for such development.

- (iii) permission for the proposed development should be granted having regard to regional planning guidelines for the area, guidelines under section 28, policy directives under section 29, the statutory obligations of any local authority in the area, and any relevant policy of the Government, the Minister or any Minister of the Government,

Not Applicable in this case.

- (iv) permission for the proposed development should be granted having regard to the pattern of development, and permissions granted, in the area since the making of the development plan.”

Not applicable in this case.

7.16. I note that the Planning Authority’s reason for refusal states that the proposed development materially contravenes Section 1.5.10.9 and section 1.5.6.4 of the Kerry County Development Plan 2022-2028. This policy refers to retaining the rural character of the area and is, in my view, sufficiently specific so as to justify the use of the term “materially contravene” in terms of normal planning practice. The Coimisiún

should, therefore, consider itself constrained by Section 37(2)(a) of the Planning and Development Act having regard to the criteria in section 37(2)(b).

8.0 AA Screening

8.1. I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended.

The proposed site is not located within a designated site, Stack's to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA (Site code: 004161) is located approximately 3.7km east of the subject site.

The retention development comprises of an existing dwelling, workshop and converted garage to a self-contained unit and all associated site works. No nature conservation concerns were raised in the planning appeal.

Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.

The reason for this conclusion is as follows:

- Scale and size of the proposed development
- Distance to the nearest European site at over 3.7km to Stack's to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA (Site code: 004161).
- The lack of connections to the SPA.
- I note the wastewater treatment system is inadequate, however, given the distance to the SPA, I consider the wastewater treatment system will not have any effect on the European site.

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

9.0 Recommendation

- 9.1. I recommend that retention permission should be refused for the workshop and for the converted domestic garage to a self-contained unit for the reasons and considerations as set out below.
- 9.2. As no issues were raised in the first party appeal in relation to the retention of the existing dwelling and the revised boundaries, I recommend a grant of permission subject to the conditions as set out below.

10.0 Reasons and Considerations

1. It is considered that the retention of the converted garage as a self-contained unit by reason of its location separate to the existing dwelling with no direct link between the two unit, not an integral part of the main dwelling unit and not capable of being integrated into the existing dwelling unit, the retention would materially contravene Volume 6, Development Management Standards & Guidelines section 1.5.6.4 of the Kerry County Development Plan 2022-2028. The retention development would constitute overdevelopment of the site and would set precedence for similar type development and therefore would be contrary to the proper planning and sustainable development of the area.
2. It is considered that the retention of the existing workshop, would result in overdevelopment of the rural site when take in conjunction with existing such structures on site would materially contravene Section 1.5.10.9 of the Kerry County Development Plan 2022-2028 which states that the cumulative area of all structures on site shall not exceed 70m² for private domestic use and storage only. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.
3. Based on the information submitted it is considered that the effluent arising from the retention development may not be adequately disposed of on site. The retention development would, therefore, be prejudicial to public health. Therefore, the retention development would be contrary to the proper planning and sustainable development of the area.

11.0 Conditions

1. The retention development of the existing dwelling and revised site boundaries shall be retained in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 12th day of February 2025.

Reason: In the interest of clarity.

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.

Jennifer McQuaid
Planning Inspector

29th July 2025

Appendix 1: Form 1 - EIA Pre-Screening

Case Reference	ABP-322401-25
Proposed Development Summary	Retention permission to retain (a) existing dwelling on site (b) existing workshop on site (c) to retain existing garage which is being used as a self-contained private single bedroom unit, all within revised boundaries.
Development Address	Dromultan, Castleisland, Co. Kerry.
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2. <input type="checkbox"/> No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
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?	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed	

<p>type of proposed road development under Article 8 of the Roads Regulations, 1994.</p> <p>No Screening required.</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p>EIA is Mandatory. No Screening Required</p>	
<p><input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p>Preliminary examination required. (Form 2)</p> <p>OR</p> <p>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	<p>Schedule 5, Part 2, Class 10b(i) Construction of more than 500 dwelling units.</p>

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)?	
Yes <input type="checkbox"/>	Screening Determination required (Complete Form 3)
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ Date: _____

Appendix 1: Form 2 - EIA Preliminary Examination

Case Reference	ABP-322401-25
Proposed Development Summary	Retention permission to retain (a) existing dwelling on site (b) existing workshop on site (c) to retain existing garage which is being used as a self-contained private single bedroom unit, all within revised boundaries.
Development Address	Dromultan, Castleisland, Co. Kerry.
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (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>The retention development consists existing dwelling, revised site boundaries, workshop and converted domestic garage to self-contained apartment.</p> <p>The development consisted of typical construction and related activities and site works. The works did not result in the production of significant waste, emissions or pollutants.</p> <p>Surface water will be discharged to an on-site soakaway. Wastewater will be discharged to an on-site wastewater treatment system, however works are required to the wastewater treatment system, although this is not envisaged to cause a significant environmental impact.</p>
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).	<p>The proposed site is located within a rural area; there are no significant sensitivities in the immediate area.</p> <p>The subject site is not located within a designated site, the nearest are as follows:</p> <ul style="list-style-type: none"> • Anna More Bog NHA (site code: 000333) is located appropriately 50 metres to the west of the subject site. • Stack's to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA (Site code: 004161) & NHA (site code:002449) is located approximately 3.7km east of the subject site. • Dooneen Wood pNHA (site code: 001349) is located approximately 7km north of the subject site. • Castlemaine Harbour SAC (site code: 000343) is located approximately 9km southwest of the subject site.

	<ul style="list-style-type: none"> • Lower River Shannon SAC (site code: 002165) is located approximately 11km northeast of the subject site. • Slieve Mish Mountains SAC (site code: 002185) is located approximately 13.5km west of the subject site. <p>My appropriate assessment screening concludes that the proposed development would not likely have a significant effect on any European Site.</p> <p>The subject site is located outside any flood risk area for coastal and fluvial flooding.</p>
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).	<p>The site size measures 0.83ha. The size of the development is not exceptional in the context of a rural environment.</p> <p>There are existing dwellings adjacent to the proposed site. No concerns were raised in relation to the location of the proposed dwelling to the existing dwellings.</p> <p>The retention development is a relatively small development in the rural context. There is no real likelihood of significant cumulative effects within the existing and permitted projects in the area.</p>
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.

Inspector: _____ **Date:** _____

DP/ADP: _____ **Date:** _____

(only where Schedule 7A information or EIAR required)

Appendix 2: Water Framework Directive Screening

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Bord Pleanála ref. no.	ABP-322401-25	Townland, address	Dromultan, Castleisland, Co. Kerry
Description of project		Retention permission to retain (a) existing dwelling on site (b) existing workshop on site (c) to retain existing garage which is being used as a self-contained private single bedroom unit, all within revised boundaries.	
Brief site description, relevant to WFD Screening,		<p>The site is located within the rural area of Dromultan townland, the site is set back from the public road and there are no dwellings directly adjacent to the retention development. There is an onsite wastewater treatment system and a soakaway to dispose of surface water, however the wastewater treatment system is not working properly and needs to be upgraded.</p> <p>There are no water features on site or adjacent the subject site.</p> <p>The site is not within a flood zone area.</p>	
Proposed surface water details		Surface water will be disposed of on-site via a soakaway.	

Proposed water supply source & available capacity	Public mains are available.					
Proposed wastewater treatment system & available capacity, other issues	An onsite wastewater treatment system.					
Others?						
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection						
Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body.	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)
Groundwater	The site is on the	Castlemaine groundwater	Groundwater status is described as	Groundwater is described as Not at Risk.	None identified	Potential surface water run-off and potential run

River	groundwater.	IE_SW_G_026	Good (period for GW 2016-2021)			off from the wastewater treatment system.	
	The site is located XXX distance from the river to the east.	Maine_020 Code IE_SW_22M010400.	River status is described as Good (period for GW 2016-2021)	River is described as under review.		Potential surface water run-off and potential run off from the wastewater treatment system.	
Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.							
CONSTRUCTION PHASE							
No.	Component	Water body receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if ‘screened’ in or

							'uncertain' proceed to Stage 2.
1.	Surface	River Maine_020 Code IE_SW_22 M010400.	Located appropriately 340metres east of subject site. No noted drainage ditches to river	Spillages	Standard Construct ion practice	No due to separation distance	Screened Out
2.	Ground	Castlemaine groundwater IE_SW_G_ 026	Pathways exist through drainage underground	Spillages	Standard Construct ion practice	No	Screened Out
OPERATIONAL PHASE							
3.	Surface	River Maine_020	Located appropriately 340metres east of subject site. No	Spillages	SuDs features	No	Screened Out

		Code IE_SW_22 M010400.	noted drainage ditches to river				
4.	Ground	Castlemaine groundwater IE_SW_G_ 026	Pathways exist through drainage underground & seepage from percolation area for wastewater treatment system & soakaway	Spillages/seepage	SuDs Features and installatio n of wastewater treatment system to EPA guidelines	No	Screened Out
DECOMMISSIONING PHASE							
5.	N/A						

