



An
Coimisiún
Pleanála

Inspector's Report

ACP-323075-25

Development	Construct a dwelling house with all associated works.
Location	Cappa, Kilrush, Co. Clare
Planning Authority	Clare County Council
Planning Authority Reg. Ref.	2560136
Applicant(s)	Richard and Fiona Glynn
Type of Application	Permission
Planning Authority Decision	Refusal
Type of Appeal	First Party
Appellant(s)	Richard and Fiona Glynn
Observer(s)	None
Date of Site Inspection	31 st October 2025
Inspector	Ciara McGuinness

1.0 Site Location and Description

- 1.1. The proposed site is located at Cappa, Kilrush. Cappa is a small village located in close proximity to Kilrush, with a strong interrelationship between the two settlements. The site comprises a grassed area located between the Cappa Road (R473) and the Shannon Estuary. The site is accessed from an existing entrance and road which serves the applicant's existing dwelling. There is a stone wall along the boundary of the site with the Cappa Road. The surrounding area is primarily residential in nature. The RNLI Lifeboat Station and children's playground is located to the southwest of the site.

2.0 Proposed Development

- 2.1. Permission was initially sought for a detached single-storey 3-bedroom dwelling with a stated floor area of 126.28sqm and an overall height of 4.6m.
- 2.2. A revised design was submitted by way of unsolicited further information on the 23rd June 2025. The revised proposal is for a single storey 3-bedroom dwelling with a floor area of 120sqm and an overall height of 4.95sqm. The revised design includes a low 'V' roof profile with a sedum roof. The proposed dwelling would be finished in timber cladding. The proposed finished floor level would be 1m lower than the level of the public road.
- 2.3. The proposed development would be connected to the public wastewater system and public surface water sewer. Water supply will be from the public mains.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority decided to refuse permission for the following reason;

1. *The subject site is located in an area that is designated as a 'Heritage Landscape' where it is an objective under CDP 14.5 of the Clare County Development Plan 2023-2029 to require that all proposed developments in Heritage landscapes demonstrate that every effort has been made to reduce visual impact from consideration of site selection to design and siting. Having*

regard to the prominent nature of the site, which is on the approach to Cappa Village, together with its location between the public road and the estuary, and having regard to the design, form and scale of the proposed dwelling, it is considered that the development as proposed would interfere with the character of the landscape at this location, would seriously injure the visual amenities of the area and would not be in keeping with the provisions of Objective CDP14.5 'Heritage Landscapes', of the County Development Plan. 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 Planner's Report dated (24th June 2025) considers that the applicants would have both a social and economic requirement to live in the area. No issues are raised with regards to traffic, residential amenity or flood risk. While the reduced height and scale, altered roof profile and revised finishes are noted, having regard to the prominent location of the site adjacent to Cappa Village, its location between the public road and the estuary and marina, and having regard to the design, form and scale of the proposed dwelling, it is considered that the development as proposed would interfere with the character of the landscape at this location, would seriously injure the visual amenities of the area and would not be in keeping with the provision of Objective CDP 14.5 Heritage Landscape. A refusal or permission is recommended on this basis.

3.2.2. Other Technical Reports

None.

3.3. Prescribed Bodies

Department of Housing, Local Government and Heritage – The development application area adjoins the Lower River Shannon Special Area of Conservation (Site Code: 002165) and is within 120m of the River Shannon & Fergus Estuaries Special Protection Area (Site Code: 004077). Clare County Council must ensure it is satisfied that the proposed development will not negatively impact on the qualifying

interests in the European sites. Of particular concern is the potential impact on water quality and the potential for disturbance during construction.

3.4. Third Party Observations

None.

4.0 Planning History

PA Reg Ref 06/31013 – Grant Permission to provide a new pitched slated roof to the flat roofed area of existing dwelling house to include for the provision of accommodation under with all necessary ancillary services

PA Reg Ref 06/31029 – Grant permission for change of use from boathouse to private dwelling and to construct new garage and associates site works

PA Reg Ref 24/60409 – Refuse permission to construct a new dwelling house, provide a new access on to an existing access road and connect to the public sewer and storm water services along with all associated works

The reasons for refusal are outlined below;

1. The subject site is located in an area that is designated as a 'Heritage Landscape' where it is an objective under CDP 14.5 of the Clare County Development Plan 2023-2029 to require that all proposed developments in Heritage Landscapes demonstrate that every effort has been made to reduce visual impact from considerations of site selection to design and siting. Having regard to the prominent nature of this site, which is on the approach to Cappa Village, together with its location between the public road and the estuary, and having regard to the design, form and scale of the proposed dwelling, it is considered that the development as proposed would interfere with the character of the landscape at this location, would seriously injure the visual amenities of the area and would not be in keeping with the provisions of Objective CDP 14.5 'Heritage Landscapes', of the County Development Plan. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

2. As per the provisions of the Clare County Development Plan 2023-2029, the subject site is located in an area that is designated as being outside of any settlement and is designated as a Rural Area under Strong Urban Influence and as a Heritage Landscape where the provisions of CDP4.14 of the County Development Plan apply. Under this CDP 4.14 it is an objective to permit a new single house for the permanent occupation of an applicant who meets the necessary criteria of having an economic or social need as set out in the County Development Plan.

Based on the details as submitted with the application to date, the Planning Authority are not satisfied that the applicants have demonstrated an economic or social need to live at this location and therefore do not meet the rural housing provisions set out under CDP4.14 of the Development Plan. The development as proposed therefore would contravene the aforementioned objective, would be contrary to the Sustainable Rural Housing Guidelines and would be contrary to the proper planning and development of the area.

5.0 Policy Context

5.1. Clare County Development Plan 2023-2029

- 5.1.1. The site is located outside of the settlement boundary of Kilrush. The development is therefore located in the countryside. Section 4.2.6 of the Clare County Development Plan 2023-2029 deals with Single Houses in the Countryside. It states that *‘the Council will ensure that development of the open countryside takes place in a manner that is compatible with the policy objectives of the NPF and the RSES, whilst ensuring the protection of key economic, environmental, biodiversity and cultural / heritage assets such as the road network, water quality and important landscapes.’*
- 5.1.2. The site is situated in a rural area under strong urban influence as identified on Map H10 of the County Development Plan. While the mapping is not conclusive the Planning Authority have confirmed that the site is within this area. In these areas, the key objectives of the Council are:
 - a) To facilitate the genuine housing requirements of persons with a demonstrable economic or social need to live in these rural areas.

b) To direct urban-generated development to areas zoned for new housing development in the adjoining urban centres, towns, villages and clusters as identified in the County Settlement Strategy and to seek to enhance the vitality and viability of these settlements.

5.1.3. The following objectives are also considered relevant to the subject site;

Development Plan Objective: Heritage Landscapes CDP14.5 It is an objective of Clare County Council:

To require that all proposed developments in Heritage Landscapes demonstrate that every effort has been made to reduce visual impact. This must be demonstrated for all aspects of the proposal - from site selection through to details of siting and design. All other relevant provisions of the Development Plan and the RSES must be complied with. All proposed developments in these areas will be required to demonstrate;

- I. That sites have been selected to avoid visual prominence
- II. That site layouts avail of existing topography and vegetation to minimise visibility from scenic routes, walking trails, public amenities and roads;
- III. That design for buildings and structures minimises height and visual contrast through careful choice of forms, finishes and colour and that any site works seek to reduce the visual impact of the development.

Development Plan Objective: New Single Houses in the Countryside within the 'Areas of Special Control' CDP 4.14 It is an objective of Clare County Council:

- i. In the parts of the countryside within the 'Areas of Special Control' i.e.:
 - Areas Under Strong Urban Influence
 - Heritage Landscapes
 - Sites accessed from or abutting Scenic Routes

To permit a new single house for the permanent occupation of an applicant who meets the necessary criteria as set out in the following categories. (Category A – Economic Need and Category B – Social Need)

- ii. To ensure compliance with all relevant environmental legislation as outlined in Objective CDP3.1 and to have regard to the County Clare House Design Guide, with respect to siting and boundary treatments.

The policy goes on to provide a definition for 'Economic Need' and 'Social Need'.

Development Plan Objective: Seascape Character Areas CDP14.6 requires that it be demonstrated that every effort has been made to visually integrate any proposed development within a Seascape Character area. This must be demonstrated by assessing the proposal in relation to:

- Views from land to sea;
- Views from sea to land;
- Views along the coastline.

And to ensure that appropriate standards of location, siting, design, finishing and landscaping are achieved.

Development Plan Objective: European Sites CDP15.3 seeks to afford the highest level of protection to all designated European sites in accordance with the relevant Directives and legislation on such matters; and to require all planning applications for development that may have (or cannot rule out) likely significant effects on European Sites in view of the site's Conservation Objectives, either in isolation or in combination with other plans or projects, to submit a Natura Impact Statement in accordance with the requirements of the EU Habitats Directive and the Planning and Development Act, 2000 (as amended);

Kilrush Settlement Plan

The Settlement Plan for Kilrush including Cappa is set out in Volume 3d of the County Development Plan. While the site is not located within the settlement I note that the key aims for Cappa are to sensitively develop its distinct maritime character, increase visitor footfall and consolidate and enhance the village core, ensuring that any new development is of a high-quality scale and design.

The settlement plan also emphasises that it is important to open up sea views and enhance the amenity and sense of arrival at the village, enhance accessibility to the beach for recreation and develop the use of the pier to its full commercial potential.

5.2. Natural Heritage Designations

Lower River Shannon SAC – adjacent to the appeal site.

River Shannon and River Fergus Estuaries SPA – c.90m from the appeal site.

5.3. EIA Screening

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

The appeal is a first party appeal by Richard and Fiona Glynn against Clare County Council's decision to refuse permission. The grounds of appeal can be summarised as follows;

- The application was refused despite significant pre-application engagement with the Planning Authority and responding to the guidance of the Planning Authority.
- The final design is low profile (<5.0m), modest in scale and sympathetic to its context.
- No protected views are impacted. The house is not visible from long range viewpoints due to topography, vegetation and the existing stone wall.
- The proposed development is harmonious with Cappa's character as a coastal residential enclave.
- Photos from various points of view along the road are submitted to demonstrate the Planner's concerns are unfounded.

- The refusal seems disproportionate given the scale and character of the proposal particularly when contrasted with larger or more prominent developments in similarly sensitive locations within the vicinity of the site which have been permitted.
- The applicants are a local family with a genuine housing need.

6.2. **Planning Authority Response**

The Planning Authority responded to the appeal in a letter dated 29th July 2025. The main concerns of the Planning Authority are set out on the planning report on file. Ultimately the site is located within a sensitive location between the road and the estuary on the approach to Cappa Village. The design and form of the dwelling houses as proposed is not considered appropriate to this sensitive site. The revised proposed submitted on 23/06/2025 do not address the concerns of the Planning Authority. It is requested that the Commission uphold the Planning Authorities decision.

6.3. **Observations**

None

6.4. **Further Responses**

None

7.0 **Assessment**

7.1. Having examined the application details and all other documentation on file, including the submissions received in relation to the appeal, and inspected the site, and having regard to relevant local/regional/national policies and guidance, I consider that the main issues in this appeal are as follows;

- Landscape and Visual Impact
- Rural Housing Need (new issue)

7.2. **Landscape and Visual Impact**

- 7.3. The Planning Authority refused permission for the proposed development for reasons related to adverse visual impact. The subject site is located outside of the settlement of Kilrush within a 'Heritage Landscape'. Development is permissible in Heritage Landscapes subject to selection of appropriate sites to avoid visual prominence, together with consideration of the details of siting and design which are directed towards minimising visual impacts.
- 7.4. The applicant has set out that the proposed development is low profile, is modest in scale and is highly sympathetic to its context. I note the revised design submitted by way of unsolicited information with a reduced footprint of 120sqm and a 'V' profile roof with a height of 4.95m. I consider that the applicants have made some efforts to reduce the visual impact of the proposed development, however notwithstanding those efforts I would have concerns about the proposed site selection. The site at present allows for unobstructed views of the estuary from the R473 approach road to the village. I consider that any development on this site would have the potential to cause a significant impact on the visual amenities of the area. I note that the settlement plan for Kilrush which includes Cappagh Village outlines the importance of the village's connection to the sea and the importance of opening up views to the sea. Objective CDP14.5 Heritage Landscape refers to the importance of site selection to avoid visual prominence and Section 14.5 of the Development Plan also recognises that in order to maximise the potential of the Wild Atlantic Way, important views and prospects from the route will be preserved. I note that the site is located along the Wild Atlantic Way with the Cappagh Pier Viewpoint located c.200m from the site. In this regard it is my view that the site does not have the capacity to accommodate a dwelling without resulting in adverse impacts on the visual amenities of the area and the distinct maritime character of Cappa Village.
- 7.5. Section 14.3.2.3 of the Development Plan notes that Planning Applications in 'Heritage Landscape' will generally be required to include landscape and visual impact assessments to demonstrate the related objectives are being achieved. I note that no Landscape and Visual Impact Assessment has been submitted. The applicant has submitted photographs from various points of view along the approach road, along with CGI images of the proposed development. I consider the submitted photos with an indicative house location to be inadequate to give a true indication of the visual impact of the proposed dwelling. Similarly, I do not consider the CGIs to

provide an accurate representation of the proposed development relative to its context.

7.5.1. The applicant has referred to extensive preplanning consultations which took place. I would note that such consultation is always provided without prejudice and cannot be relied upon in the formal planning process of any subsequent application for development, in accordance with Section 247 (3) of the Planning & Development Act 2000 (as amended). The applicant also considers the decision of the Planning Authority to be disproportionate when contrasted with recent grants of permission in the area which they consider to be similar developments. I would note that each application is assessed on its own merits. I would also note that the site referred to by the applicant is within the settlement boundary of Kilrush and not the subject of a heritage landscape designation.

7.6. In conclusion, having regard to the siting of the development on an open site adjoining the Shannon Estuary, I consider that the proposed development would erode the maritime character of the area at this location and would result in serious injury to the visual amenities of the area. The proposed development is not in accordance with Objective CDP14.5 Heritage Landscape. Refusal is recommended on this basis.

7.7. Rural Housing Need (new issue)

7.7.1. Section 4.2.6 of the Clare County Development Plan 2023-2029 sets out policy in relation to single houses in the countryside. The site is located outside of the settlement of Kilrush and therefore is considered to fall within the countryside. Within the open countryside, the Plan identifies two types of areas for rural housing: 1. Areas under strong urban influence and 2. Remaining rural areas. As illustrated on Map H10 of the Plan the appeal site is located within the Rural Area Under Strong Urban Influence. I would note that the mapping at the subject site is not entirely conclusive, however I note that the rural area surrounding Kilrush is identified as an Area under Strong urban Influence. The Planning Authority in their report have also indicated that the site is in an Area under Strong Urban Influence. Areas under Strong Urban Influence are also Areas of Special Control and as such Objective CDP 4.14 of the plan applies. Part (i) of this objective states that applicants for a new single house for permanent occupation in areas under strong urban influence must

meet either the economic or social criteria set out in the categories under that objective as detailed in Section 5.1 above.

- 7.7.2. The economic and social criteria stipulate that the applicant must not already own or have owned a house in the surrounding rural area. Exceptions to this occur under Category B – Social Need (ii) where an applicant with exceptional health reasons, can demonstrate why their existing home cannot be adapted to meet their needs and cannot be accommodated within an existing settlement or in the countryside outside of an Area of Special Control, and also under Category B -Social Need (iii) for a person who previously owned a home and is no longer in possession of that home due to the home having been disposed of following legal separation / divorce / repossession and can demonstrate an economic or social need for a new home in the rural area.
- 7.7.3. The applicants are Richard and Fiona Gylinn. I note the applicants have completed Part 2(a) of the application form but have not completed Part 2(b) of the planning application form which is required to be completed in respect of applications for dwellings in the countryside. Notwithstanding, the applicants have submitted a letter outlining their need for the dwelling along with supporting documentation in the form of copies of personal identification, financial records and memberships of local groups. The couple intend on passing their existing home, which shares an access with the proposed development, to their son and his wife. In this regard, I do not consider that the applicant's meet the required criteria for rural housing need as they already own/have owned a house in the surrounding area. I do not consider that the applicants fall within Category B – Social Need (ii) or (iii). A letter stated with the applicant states that Fiona has ongoing medical issues and it would be helpful to live beside their son and his wife for support. However no further details are provided, and it has not been demonstrated that the existing house cannot be adapted to meet their needs. As outlined above, a number of acceptable circumstances are listed for a person who previously owned a home but is no longer in possession of that home and include legal separation, divorce and repossessions. However, there is no provision for passing the family home to a son or daughter.
- 7.7.4. I note that the appeal again sets out that the applicants are a local family with a genuine rural housing need. The appeal also sets out that the applicant's son also qualifies for a rural house due his work with the RNLI, with headquarters less than

100m from the site. I would note that the assessment of rural housing need relates to the applicants for the proposed development, who in this instance are Richard and Fiona Glynn.

- 7.7.5. On the basis of the above, I do not consider that the applicant meets the requirements of Clare County Development Plan 2023-2029 relating to rural housing and specifically Objective CDP4.14.
- 7.7.6. This is a new issue, and the Board may wish to seek the views of the parties. However, having regard to the other substantive reasons for refusal set out below, it may not be considered necessary to pursue the matter.

8.0 AA Screening

Refer to Appendix 3 for Appropriate Assessment Screening Determination. In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on the Lower River Shannon SAC (002165) and the River Shannon and River Fergus Estuaries SPA (004077), or any other European Site, in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- The relatively minor scale of the development and lack of impact mechanisms that could significantly affect a European Site.
- No significant ex-situ impacts on wintering birds
- Taking into account the determination of the Planning Authority

9.0 Water Framework Directive

The subject site is located c. 100m from the Shannon Estuary.

The proposed development comprises construction of a dwelling.

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.

The reason for this conclusion is as follows:

- Small scale and nature of the development
- Lack of hydrological connections

Refer to Appendix 4 below for WFD Impact Assessment Stage 1: Screening.

Conclusion

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.

10.0 Recommendation

I recommend that planning permission be refused for the following reasons and considerations.

11.0 Reasons and Considerations

The subject site is located in an area that is designated as a 'Heritage Landscape' where it is an objective under CDP 14.5 of the Clare County Development Plan 2023-2029 to require that all proposed developments in Heritage Landscapes demonstrate that every effort has been made to reduce visual impact from consideration of site selection to design and siting. Having regard to the prominent nature of the site, which is on the approach to Cappa Village, together with its

location between the public road and the estuary, and having regard to the design, form and scale of the proposed dwelling, it is considered that the development as proposed would interfere with the character of the landscape at this location, would seriously injure the visual amenities of the area and would not be in keeping with the provisions of Objective CDP14.5 'Heritage Landscapes', of the County Development Plan. 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.

Ciara McGuinness
Planning Inspector

12th November 2025

Appendix 1 - Form 1 - EIA Pre-Screening

Case Reference	323075-25
Proposed Development Summary	Construct a dwelling house with all associated works.
Development Address	Cappa, Kilrush, Co. Clare
	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.	
<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 type of proposed road	

<p>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>Class 10(b)(i) construction of more than 500 dwellings.</p> <p>The proposed development is for 1 dwelling unit. The proposed development is below the 500 dwelling threshold.</p>

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

Inspector: _____ Date: _____

Appendix 2 - Form 2 - EIA Preliminary Examination

Case Reference	
Proposed Development Summary	Construct a dwelling house with all associated works.
Development Address	Cappa, Kilrush, Co. Clare
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).	The nature and size of the development (1 residential unit) is not exceptional in the context of the existing residential environment. The proposed development will not result in the productions of any significant waste, emissions or pollutants. Localised constructions impacts will be temporary. The development, by virtue of its type(residential), does not pose a risk of major accident and/or disaster.
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 site is located just outside of the settlement boundary of Kilrush which includes Cappa village. The site is c.100m from the Shannon Estuary. The site adjoins the Lower River Shannon SAC and is c.90m from the River Shannon and River Fergus Estuaries. Refer to Appendix 3. Given the nature of the development and the site/surroundings, it would not have the potential to significantly affect other significant environmental sensitivities in the area.
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).	There is no real likelihood of significant effects on the environment arising from the proposed development. There is no real likelihood of significant cumulative effects having regard to existing or permitted projects.
Conclusion	

Likelihood of Significant Effects	Conclusion in respect of EIA <i>[Delete if not relevant]</i>
There is no real likelihood of significant effects on the environment.	EIA is not required. ✕
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.
There is a real likelihood of significant effects on the environment.	EIAR required.

Inspector: _____ Date: _____

DP/ADP: _____ Date: _____

(only where Schedule 7A information or EIAR required)

Appendix 3 – Screening for Appropriate Assessment

Screening for Appropriate Assessment Test for likely significant effects				
Step 1: Description of the project and local site characteristics				
Brief description of project		Construction of a dwelling house and all associated works.		
Brief description of development site characteristics and potential impact mechanisms		The proposed development consists of the construction of a dwelling house with all associated works. A detailed description of the proposed development is set out in Section 2 of my report above. The proposed development would be connected to the public wastewater system and surface water sewer.		
Screening report		No AA Screening Report submitted. AA Screening Assessment was carried out by the Planning Authority and appended to the Planner’s Report. The proposed development was screened out in terms of Appropriate Assessment.		
Natura Impact Statement		No		
Relevant submissions		Department of Housing, Local Government and Heritage – The development application area adjoins the Lower River Shannon Special Area of Conservation (Site Code: 002165) and is within 120m of the River Shannon & Fergus Estuaries Special Protection Area (Site Code: 004077). Clare County Council must ensure it is satisfied that the proposed development will not negatively impact on the qualifying interests in the European sites. Of particular concern is the potential impact on water quality and the potential for disturbance during construction.		
Step 2. Identification of relevant European sites using the Source-pathway-receptor model				
Two European sites were identified as being within a potential zone of influence of the proposed development using SPR linkages; Lower River Shannon SAC and River Shannon and River Fergus Estuaries SPA.				
European Site (code)	Qualifying interests ¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections ²	Consider further in screening ³ Y/N

Lower River Shannon SAC	Site specific cons obj	Adjoins site	Adjoins site connection via surface water run-off	Yes
River Shannon and River Fergus Estuaries SPA	Site specific cons obj	c.0.8km	No direct Connection Indirect connection via surface water run-off	Yes

Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites
AA Screening matrix

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
Site 1: Lower River Shannon SAC (002165) Sandbanks which are slightly covered by sea water all the time [1110] Estuaries [1130] Mudflats and sandflats not covered by seawater at low tide [1140] Coastal lagoons [1150] Large shallow inlets and bays [1160] Reefs [1170] Perennial vegetation of stony banks [1220] Vegetated sea cliffs of the Atlantic and Baltic coasts [1230] Salicornia and other annuals colonising mud and sand [1310]	Direct: None. Indirect: Localized, temporary, low magnitude impacts from noise, dust and construction related emissions to surface water during construction	The contained nature of the site (serviced, defined site boundaries, no direct ecological connections or pathways) and distance from receiving features connected to the SAC make it highly unlikely that the proposed development could generate impacts of a magnitude that could affect habitat quality within the SAC for the QIs listed. Conservation objectives would not be undermined. Conservation objectives would not be undermined.

<p>Atlantic salt meadows (Glauco-Puccinellietalia maritima) [1330]</p> <p>Mediterranean salt meadows (Juncetalia maritimi) [1410]</p> <p>Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation [3260]</p> <p>Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) [6410]</p> <p>Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0]</p> <p>Margaritifera margaritifera (Freshwater Pearl Mussel) [1029]</p> <p>Petromyzon marinus (Sea Lamprey) [1095]</p> <p>Lampetra planeri (Brook Lamprey) [1096]</p> <p>Lampetra fluviatilis (River Lamprey) [1099]</p> <p>Salmo salar (Salmon) [1106]</p> <p>Tursiops truncatus (Common Bottlenose Dolphin) [1349]</p> <p>Lutra lutra (Otter) [1355]</p>		
	Likelihood of significant effects from proposed development (alone): No	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? No	
	Impacts	Effects
Site 2: River Shannon and River Fergus	As above.	The contained nature of the site (serviced, defined site boundaries, no direct ecological connections or pathways) and

<p>Estuaries SPA (004077)</p> <p>Cormorant (Phalacrocorax carbo) [A017]</p> <p>Whooper Swan (Cygnus cygnus) [A038]</p> <p>Light-bellied Brent Goose (Branta bernicla hrota) [A046]</p> <p>Shelduck (Tadorna tadorna) [A048]</p> <p>Teal (Anas crecca) [A052]</p> <p>Pintail (Anas acuta) [A054]</p> <p>Scaup (Aythya marila) [A062]</p> <p>Ringed Plover (Charadrius hiaticula) [A137]</p> <p>Golden Plover (Pluvialis apricaria) [A140]</p> <p>Grey Plover (Pluvialis squatarola) [A141]</p> <p>Lapwing (Vanellus vanellus) [A142]</p> <p>Knot (Calidris canutus) [A143]</p> <p>Dunlin (Calidris alpina) [A149]</p> <p>Black-tailed Godwit (Limosa limosa) [A156]</p> <p>Bar-tailed Godwit (Limosa lapponica) [A157]</p> <p>Curlew (Numenius arquata) [A160]</p> <p>Redshank (Tringa totanus) [A162]</p> <p>Greenshank (Tringa nebularia) [A164]</p>		<p>distance from receiving features connected to the SPA make it highly unlikely that the proposed development could generate impacts of a magnitude that could affect habitat quality within the SPA for the SCI listed.</p> <p>No significant disturbance to any SCI wintering birds (ex-situ) that may occasionally use the amenity grassland area adjacent to the proposed development site.</p> <p>Conservation objectives would not be undermined.</p>
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Black-headed Gull (Chroicocephalus ridibundus) [A179] Wigeon (Mareca penelope) [A855] Shoveler (Spatula clypeata) [A857] Wetland and Waterbirds [A999]		
	Likelihood of significant effects from proposed development (alone): No	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? No	
Step 4 Conclude if the proposed development could result in likely significant effects on a European site		
<p>I conclude that the proposed development (alone) would not result in likely significant effects on the Lower River Shannon SAC (002165) and the River Shannon and River Fergus Estuaries SPA (004077). The proposed development would have no likely significant effect in combination with other plans and projects on any European site(s). No further assessment is required for the project.</p> <p>No mitigation measures are required to come to these conclusions.</p>		
Screening Determination		
Finding of no likely significant effects In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on the Lower River Shannon SAC (002165) and the River Shannon and River Fergus Estuaries SPA (004077), or any other European Site, in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.		
<p>This determination is based on:</p> <ul style="list-style-type: none">• The relatively minor scale of the development and lack of impact mechanisms that could significantly affect a European Site.• No significant ex-situ impacts on wintering birds• Taking into account the determination of the Planning Authority		

Appendix 4 -WFD Impact Assessment Stage 1: Screening

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Bord Pleanála ref. no.	323075	Townland, address	Cappa, Kilrush, Co. Clare
Description of project		Construct a dwelling house with all associated works.	
Brief site description, relevant to WFD Screening,		Site is located in a coastal location, c.100m from the Shannon estuary. There are no drainage ditches within the site.	
Proposed surface water details		Connect to public surface water network	
Proposed water supply source & available capacity		Connect to public water supply	

Proposed wastewater treatment system & available capacity, other issues		Connect to public wastewater treatment network				
Others?		Not applicable.				
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)
Coastal Waterbody	c.100m	Mouth of the Shannon (HAs 23;27) IE_SH_060_0000	Good	Not at Risk	No pressures	Not hydrologically connected to coastal waterbody.
Groundwater waterbody	Underlying Site	Kilrush IE_SH_G_123	Good	Not at risk	No pressures	Freely draining soil
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.	Coastal	Mouth of the Shannon (HAs 23;27) IE_SH_060_000	None	None	None	No	Screened out
3.	Ground	Kilrush IE_SH_G_123	Drainage	Hydrocarbon Spillages	Standard Construction Measures / Conditions	No	Screened out
OPERATIONAL PHASE							
4.	Coastal	Shannon Plume (Has 27;28)	None	None	None	No	Screened out

		IE_SH_070_0 000					
6.	Ground	Milltown Malbay IE_SH_G_167	Drainage	None	None	No	Screened out
DECOMMISSIONING PHASE							
7.	N/A	N/A	N/A	N/A	N/A	N/A	N/A