



An
Coimisiún
Pleanála

Inspector's Report ACP-323508-25

Development	Construction of dwelling with all associated site works
Location	Turkinstown, Balbriggan, Co. Dublin
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	F25A/0500E
Applicant(s)	Alan Scott
Type of Application	Permission
Planning Authority Decision	Refuse
Type of Appeal	First Party vs. Refusal
Appellant(s)	Alan Scott
Observer(s)	None
Date of Site Inspection	28 th October 2025
Inspector	Stephen Ward

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1.0 Site Location and Description

- 1.1. The site is located within the rural area of Turkinstown, approximately 800m west of Balrothery and 2.5km southwest of Balbriggan town centre. The M1 Motorway runs c. 800m to the west of the site. The surrounding area is predominantly in agricultural or one-off rural residential use. There are some exceptions such as Balbriggan Rugby Club and North County Cricket Club (c. 250m to the southeast) and an isolated industrial / commercial complex (c. 500m to the northwest).
- 1.2. The site itself has a stated area of 0.404 hectares, which appears to have been annexed from a larger site (to the south) containing an existing single storey dwelling (stated to be the applicant's former residence). The site is generally flat. It is bounded by the public road to the north, which includes hedging and an existing field entrance. The eastern boundary comprises a mature hedgerow and the adjoining land is undeveloped. The southern and western boundaries are formed by fencing which separates the front garden and driveway/entrance serving the existing dwelling to the south. There is a strong line of mature hedging and trees along the driveway/entrance to the west.

2.0 Proposed Development

- 2.1. Permission is sought for the construction of a single storey dwelling with a floor area of 105m² and a maximum height of c. 5 metres. The proposed design follows a 'slipped' plan form comprising two main elements. The main (rear) form includes a semi-cylindrical agricultural style roof to be finished in zinc or fibreglass. A smaller 'lean-to' form is proposed to the front. The wall finishes include a mixture of 'sand and cement plaster' and 'natural stone' (to the front). The appeal includes drawings showing minor alterations to the design and finishes.
- 2.2. It is proposed to block-up the existing field entrance to the site and form a new residential road entrance at the northwest corner of the site. Water is to be supplied via a new private well, and surface water will be diverted to an on-site soak pit. It is also proposed to install an on-site wastewater treatment system and soil polishing filter.

3.0 Planning Authority Decision

3.1. Decision

By Order dated 30th July 2025, FCC made a decision to refuse permission for the following reasons:

1. The proposed development is located on 'GB - Greenbelt' zoned lands. Proposals for new residential development on 'GB' zoned lands are subject to the Council's Rural Settlement Strategy, as set out in the Fingal Development Plan 2023-2029. The applicant has failed to submit the 'Supplementary Application Form for Planning Permission for a Dwelling in a Rural Area' or the sworn affidavit required under Section 3.5.15.5 of the Fingal Development Plan 2023-2029 for proposals for new residential dwellings on rural zonings. Furthermore, based on the information submitted, the Planning Authority are not satisfied the applicant has demonstrated, by way of verifiable documentary evidence, they fully comply with the requirements of Section 3.5.15.3, Section 3.5.15.5, Objective SPQHO81, Table 3.5 or the Rural Settlement Strategy of the Fingal Development Plan 2023-2029. The proposed development therefore contravenes objectives of the Fingal Development Plan 2023-2029 and the Council's Rural Settlement Strategy and would be contrary to the proper planning and sustainable development of the area.
2. The proposed development, by reason of its poor quality design and finishes, would be inconsistent with the character of existing rural dwellings in the vicinity and the applicant has not adequately addressed the requirements of Table 14.9 'Design Guidelines for Rural Dwellings' of the Fingal Development Plan 2023-2029. It is considered the proposed development would therefore result in undue negative impacts on the amenities of this highly sensitive 'GB' zoned area and would be contrary to the proper planning and sustainable development of the area.
3. Objective SPQHO85 and Objective DMSO42 of the Fingal Development Plan 2023-2029 require all applications for new dwellings on 'GB' zoned lands to be accompanied by a comprehensive visual impact statement. Objective

GINHO56 requires a visual impact assessment to accompany applications for new development in highly sensitive areas. The applicant has failed to submit a visual impact statement / assessment and, therefore, the proposal contravenes the aforementioned objectives of the Fingal Development Plan 2023-2029 and would be contrary to the proper planning and sustainable development of the area.

4. The proposed development seeks to open a new additional vehicular entrance into the site of a dwelling, which is unnecessary as a safe or viable alternative exists along the western boundary of the site. The proposed development therefore contravenes Objective SPQHO54 and the design guidance of Table 14.9 of the Fingal Development Plan 2023-2029. Furthermore, no letter of consent for works to third-party lands required in order to achieve and maintain the required sightlines has been submitted. The proposal contravenes objectives of the Fingal Development Plan 2023-2029 and would represent a traffic hazard and, therefore, would be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The assessment outlined in the FCC Planner's Report can be summarised under the headings below.

Principle of Development

- The applicant has not submitted the 'Supplementary Application Form' or the sworn affidavit required under s. 3.5.15.5 of the CDP.
- It is unclear what specific criteria the applicant is seeking to qualify for a new rural dwelling under the Rural Settlement Strategy.
- While the applicant has submitted a large variety of supporting documentation, full compliance with CDP Objective SPQHO81 and Table 3.5 (criteria (i) to (iii)) has not been demonstrated as follows:

- (i) While the applicant has submitted evidence of having lived in the area for some time, it is unclear as to what family ties they have to the area at present given that the family home has since been sold.
 - (ii) Employment information is unclear in relation to the terms (i.e. part-time or full-time) and length of employment and does not demonstrate a dependence on the residence of the person at the subject site as per s. 3.5.15.3 of the CDP.
 - (iii) While supporting letters have been submitted from the applicant's doctor, the other letter is from a 'healing practitioner' for whom the professional qualifications are unclear. Furthermore, neither of these letters have been submitted as sworn affidavits as required.
- The applicant has not addressed the previous reason for refusal.

Standard of Accommodation

- Proposals are acceptable in respect of floor area; private open space; parking; and separation distances.

Visual, Rural and Residential Amenity

- The submitted design statement does not address the requirements of Table 14.9 Objectives SPQHO85 and DMSO42 to require any application for a house on 'GB' zoned lands to be accompanied by a comprehensive Visual Impact Statement. A Visual Impact Statement is also required under Objective GINHO56 given the highly sensitive nature of the area.
- The poor-quality design and finishes would result in undue negative impacts on the visual amenities of this highly sensitive area.
- The proposed design is also inconsistent / incongruous with the character of existing rural dwellings in the vicinity, notably the existing red brick dwelling to the south of the site.

Transportation and Access

- The FCC Transportation Section has outlined that there are no objections subject to conditions.

- However, in order to achieve the required sightlines, vegetation on neighbouring lands will have to be cut and maintained. No consent has been submitted from the neighbouring landowner.
- There are also concerns about the need for the proposed access given that access can be readily achieved off the existing entrance to the west of the site. CDP Objective SPQHO54 presumes against opening new entrances unless necessary and Table 14.9 seeks the sharing of entrances to avoid a proliferation of access points.

Water Services and Drainage

- The FCC Water Services section has no objection subject to standard conditions relating to the proposed wastewater treatment system and surface water disposal. However, the locations of the proposed private well and soak pit are unclear and should be clarified.
- The site is within 'Flood Zone C' where residential development is acceptable.

Parks & Green Infrastructure

- The FCC Parks Division has outlined that there are no objections subject to conditions, including the agreement of landscaping and protection of existing vegetation along the northern and eastern boundaries.
- However, given the rural nature of the site, particularly the highly sensitive 'GB' zoning, details of landscaping, boundary treatment and tree protection would be required as additional information if a grant of permission is considered.

AA Screening

- The proposed project, individually or in combination with another plan or project, will not have a significant effect on any European Sites.

EIA Screening

- The proposed development does not equal or exceed a threshold in Schedule 5 (Part 1 or Part 2) of the Planning and Development Regulations 2001 (as amended), nor does it meet the requirements for sub-threshold EIA. No EIA is therefore required.

Conclusion

- Having regard to the foregoing, the report recommends that permission should be refused. This recommendation forms the basis of the FCC decision.

3.2.2. Other Technical Reports

- Water Services – No objections subject to conditions relating to wastewater and surface water treatment/disposal.
- Transportation – No objections subject to conditions relating to the entrance, visibility splays, road repairs, and drainage.
- Parks and Green Infrastructure – No objections subject to conditions relating to protection of existing vegetation and additional landscaping.

3.3. Prescribed Bodies

None.

3.4. Third Party Observations

None.

4.0 Planning History

P.A. Reg. Ref. F24A/0136: On 11th April 2024, FCC made a decision to refuse permission for an applicant by Alan Scott to construct a single storey dwelling house, including access and associated site works. The reasons for refusal were as follows:

1. The proposed site is located in an area zoned as 'GB - Green Belt' in the Fingal Development Plan 2023 - 2029. Based on the information submitted the applicant has not satisfactorily demonstrated to the satisfaction of the Planning Authority that they have a genuine rural generated housing need, that they have lived in the rural area for at least 15 years or that they have exceptional health circumstances which would necessitate them having to reside adjacent to the existing family home and have not provided the appropriate required supporting documentation including sworn affidavits from relevant and qualified professionals as detailed in Table 3.5 (iii) of Section 3.5.15.5 of the Fingal

Development Plan 2023 - 2029. The proposal would therefore be contrary to Objective 19 of the National Planning Framework and would contravene materially a development objective indicated in the Development Plan with regard to the Fingal Rural Settlement Strategy, and would be contrary to the proper planning and sustainable development of the area.

2. The proposed development, by reason of its scale, massing and design would constitute an unduly obtrusive and visually prominent feature at this rural site and would be incongruous with the character and established pattern of development in the locality. In this regard, the development would contravene materially Objective DMSO41 of the Fingal Development Plan 2023 - 2029 which seeks inter alia, to ensure that new dwellings in the rural area are sensitively sited, demonstrate consistency with the immediate Landscape Character Type, and make best use of the natural landscape for a sustainable, carbon efficient and sensitive design. The development would therefore seriously injure the amenities of the area and would be contrary to the proper planning and sustainable development of the area.
3. The applicants have not submitted sufficient information in relation to vehicular access proposals, including information which demonstrates that adequate sightlines in both directions from the proposed entrance onto the public road are achievable in accordance with TII DN-GEO-03060. The proposed development would therefore endanger public safety by reason traffic hazard and as such would be contrary to the proper planning and sustainable development of the area.
4. The application site is not serviced by the Uisce Éireann foul network and based on the information submitted, the Planning Authority is not satisfied that the application site is suitable for the on-site disposal of waste water arising from the proposed development. The proposed development would therefore be prejudicial to public health and would be contrary to the proper planning and sustainable development of the area.

5.0 Policy Context

5.1. National Guidance

National Planning Framework (NPF) First Revision, April 2025

- 5.1.1. The NPF is the Government's high-level strategic plan for shaping the future growth and development of the country to the year 2040. It recognises that there is a continuing need for housing provision for people to live and work in Ireland's countryside but highlights the need for careful planning and to distinguish, on the one hand, between rural areas located within the commuter catchment of the five cities and our largest towns and centres of employment and, on the other hand, rural areas located outside these catchments. Relevant provisions include the following:

NPO 24: Support the sustainable development of rural areas by encouraging growth and arresting decline in areas that have experienced low population growth or decline in recent decades and by managing the growth of areas that are under strong urban influence to avoid over-development, while sustaining vibrant rural communities.

NPO 28: Ensure, in providing for the development of rural housing, that a distinction is made between areas under urban influence, i.e. within the commuter catchment of cities and large towns and centres of employment, and elsewhere:

- In rural areas under urban influence, facilitate the provision of single housing in the countryside based on the core consideration of demonstrable economic or social need to live in a rural area and siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements;
- In rural areas elsewhere, facilitate the provision of single housing in the countryside based on siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements.

NPO 29: Project the need for single housing in the countryside through the local authority's overall Housing Need Demand Assessment (HNDA) tool and county development plan core strategy processes.

Sustainable Rural Housing Guidelines for Planning Authorities (2005)

- 5.1.2. In supporting sustainable housing development patterns in rural areas, the guidelines outline that planning authorities should identify the needs of rural communities in the development plan process and manage pressure for overspill development in the rural areas closest to the main cities and towns.
- 5.1.3. Development plans should identify the location and extent of rural area types set out in section 5.3.2 of the NSS¹, including rural areas under strong urban influence; stronger rural areas; structurally weaker rural areas; and areas with clustered settlement patterns. Having identified the rural area types, planning authorities should then tailor policies that respond to the different housing requirements of urban / rural communities and the characteristics of rural areas.
- 5.1.4. Chapter 4 of the Guidelines deals with development management and provides guidance aimed at ensuring that all the necessary information and documentation is assembled to facilitate an efficient and thorough consideration of applications.

5.2. **Fingal Development Plan 2023-2029**

Zoning

- 5.2.1. The site is zoned 'GB – Green Belt', the objective for which is to 'Protect and provide for a Greenbelt'. The 'vision' for the zone is as follows:

Create a rural/urban Greenbelt zone that permanently demarcates the boundary (i) between the rural and urban areas, or (ii) between urban and urban areas. The role of the Greenbelt is to check unrestricted sprawl of urban areas, to prevent coalescence of settlements, to prevent countryside encroachment and to protect the setting of towns and/or villages. The Greenbelt is attractive and multifunctional, serves the needs of both the urban and rural communities, and strengthens the links between urban and rural areas in a sustainable manner. The Greenbelt will provide opportunities for countryside access and for recreation, retain attractive landscapes, improve derelict land within and around towns, secure lands with a nature conservation interest, and retain land in agricultural use. The zoning objective will

¹ Since superseded by the National Planning Framework

have the consequence of achieving the regeneration of undeveloped town areas by ensuring that urban development is directed towards these areas.

Landscape

- 5.2.2. The site is within the 'High Lying' Landscape Character Type. Table 9.3 of the CDP classifies this as being of 'High' value and sensitivity. Relevant CDP Objectives include the following (as summarised):

GINHO56 – Visual Impact Assessments - Require any necessary assessments, including visual impact assessments, to be prepared prior to approving development in highly sensitive areas.

GINHO57 – Development and Landscape - Ensure development reflects and, where possible, reinforces the distinctiveness and sense of place of the landscape character types.

GINHO58 – Sensitive Areas - Resist development that would interfere with the character of highly sensitive areas or with a view or prospect of special amenity value, which it is necessary to preserve.

GINHO59 – Development and Sensitive Areas - 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.

Rural Housing

- 5.2.3. Section 3.5.15 acknowledges the provisions of the NPF, RSES, and the 2005 Rural Housing Guidelines, and outlines that rural Fingal can be classified as an area under 'Strong Urban Influence' which requires a balanced approach in terms of promoting sustainable rural development while also ensuring the protection of Fingal's rich rural heritage, its landscapes and countryside.

Policy SPQHP45 – Rural Housing - Provide viable options for the rural community through the promotion of appropriate sustainable growth of the rural villages and clusters, balanced by carefully controlled residential development in the countryside.

Objective SPQHO50 – Rural Community - Ensure the vitality and regeneration of rural communities by facilitating those with a genuine rural generated housing need to live within their rural community.

Objective SPQHO51 – Promote agriculture and landscape value of the rural area - Recognise and promote the agricultural and landscape value of the rural area and prohibit the development of urban generated housing in the open countryside.

Objective SPQHO54 – Vehicular entrances - Presume against the opening up of a new additional vehicular entrance into the site of any proposed house, unless necessary in the interest of safety or because no viable alternative exists.

Objective SPQHO55 – Preservation of roadside hedging and trees - Require that the provision of safe access to a new house be designed so that it avoids the need to remove long or significant stretches of roadside hedging and trees. Where this is not possible, an alternative site or access should be identified.

5.2.4. Section 3.5.15.3 outlines the 'Fingal Rural Settlement Strategy Rural Generated Housing Need' provisions. Persons who have genuine rural-generated housing need will be considered in the 'RU' or 'GB' zones. Rural-generated housing needs are specifically defined as follows:

- Members of farming families who are actively involved in the family farm which is located within rural Fingal as defined in Objective SPQHO80 and Chapter 14 Development Management Standards.
- Persons who have close family ties to the Fingal rural community as defined in Table 3.5 paragraph (i).
- Persons who have been in long term employment, which is related to, and supportive of, the rural community as defined in Table 3.5 paragraph (ii) and where the employment is dependent on the residence of the person within the rural community.
- Persons who are a member of a rural-located family, who are considered because of exceptional and demonstrated health reasons to have a need to reside beside their family home in the rural area as defined in Table 3.5 paragraph (iii).
- Persons who are 'a bona fide' applicant, as defined in Table 3.5 paragraph (iv), and who have a demonstrated commitment to set up a rural-related

business and who may not already live in the area, nor have family connections there, or be engaged in particular employment or business classified with the local needs criteria. The applicant must have a clearly demonstrated need to live in the rural area to ensure the functioning of the business.

- 5.2.5. As per Objective SPQHO73, the maximum number of incremental houses which will receive planning permission within the rural area on the basis of an existing house is limited (i.e. 1 (+1 for exceptional health reasons) in the GB zone).
- 5.2.6. Section 3.5.15.5 outlines that new dwellings will be considered in the RU or GB zones for members of the rural community who are not involved in farming. Objective SPQHO81 is to permit new rural dwellings in the RU or GB zones on suitable sites where the applicant meets the criteria set out in Table 3.5 as follows:
- i. One member of a rural family who is considered to have a need to reside close to their family home by reason of close family ties, and where a new rural dwelling has not already been granted planning permission to a family member by reason of close family ties since 19th October 1999. The applicant for planning permission for a house on the basis of close family ties shall be required to provide documentary evidence that:
 - S/he is a close member of the family of the owners of the family home.
 - S/he has lived in the family home identified on the application or within the locality of the family home for at least fifteen years.
 - ii. A person who has been in employment in a full-time occupation which is considered to satisfy local needs by predominantly serving the rural community/economy for fifteen years prior to the application for planning permission, and has not already been granted planning permission for a new rural dwelling since the 19th October 1999. Documentary evidence of such employment is required.
 - iii. A person who is an immediate member of a rural family who has not been granted permission for a rural dwelling, since the 19th October 1999, and is considered to have a need to reside adjacent to the family home by reason of that person's exceptional health circumstances. The application for a rural dwelling must be supported by two sworn affidavits from relevant and qualified professionals, with at

least one from a registered medical practitioner. A qualified representative of an organisation which represents or supports persons with a medical condition or disability may supply the other.

It is to be noted that criterion no. (iii) applies in areas which have zoning objective, HA, as well as in areas with zoning objective GB and RU.

- iv. A 'bona fide' applicant who may not already live in the area, nor have family connections there or be engaged in particular employment or business classified with the local needs criteria, subject to the following considerations:

Such applicants will be required to satisfy the Council of their long-term commitment to operate a full-time business from their proposed home in a rural area, as part of their planning application.

The applicant will outline within a submitted Business Plan how their business will contribute to and enhance the rural community and will demonstrate to the satisfaction of the Council that the nature of their employment or business is compatible with, and addresses and satisfies local needs, and will protect and promote the rural community.

The applicant will satisfy the Council that the nature of their employment or business is dependent on its location within the rural area so as to discourage applicants whose business is not location dependent.

The applicant will demonstrate their commitment to the proposed business through the submission of a comprehensive and professionally prepared Business Plan, and through submission of legal documentation that they have sufficient funding committed to start and operate the business.

Applicants whose business is not location-dependent will not be considered.

- 5.2.7. Section 3.5.15.7 outlines provisions for the 'Layout and Design for Housing in Rural Fingal', including the following:

Policy SPQHP55 – Layout and Design of Rural Housing - Require that all new dwellings in the rural area are sensitively sited, demonstrate consistency with the immediate Landscape Character Type, and make best use of the natural landscape for a sustainable, carbon efficient and sensitive design.

Objective SPQHO85 – Visual Impact Statement for Applications in GB or HA Zoned Areas - Ensure that any planning application for a house within an area which has a Greenbelt or High Amenity zoning objective is accompanied by a comprehensive Visual Impact Statement.

Objective SPQHO90 – Entrances and Front Boundary Treatment - Ensure that the design of entrances and front boundary treatment is sensitive to the rural setting. In this regard, block walls and ornamental features will be discouraged, and native hedging will be utilised where appropriate.

Objective SPQHO91 – Retention of Hedgerows and Other Distinctive Boundary Treatments - Ensure the retention of hedgerows and other distinctive boundary treatments in rural areas. Where removal of a hedgerow, stone wall or other distinctive boundary treatment is unavoidable, provision of the same type of boundary/provision of agreed species of similar length will be required within the site.

5.2.8. Section 14.12.2 outlines 'Design Criteria for Housing in the Countryside' and relevant provisions include the following:

Objective DMSO41 – New Dwellings in Rural Areas - Ensure that new dwellings in the rural area are sensitively sited, demonstrate consistency with the immediate Landscape Character Type, and make best use of the natural landscape for a sustainable, carbon efficient and sensitive design. A full analysis/feasibility study of the proposed site and of the impact of the proposed house on the surrounding landscape will be required in support of applications for planning permission.

Objective DMSO42 – Housing in Greenbelt or High Amenity Zoned Land - Ensure that any planning application for a house within an area which has a Greenbelt or High Amenity zoning objective is accompanied by a comprehensive Visual Impact Statement.

5.2.9. Section 14.12.3 (Table 14.9) outlines 'Design Guidelines for Rural Dwellings' which the Council will use in assessing planning applications. The guidance addresses criteria on Site Assessment Study, Siting and Design, Materials & Detailing, Boundary Treatments, Access & Sightlines, Surface and Wastewater Treatment, and Landscaping.

5.3. Natural Heritage Designations

The nearest Natura 2000 site is the North-west Irish Sea SPA, located c. 2.8km to the northeast of the site. Knock Lake is a proposed Natural Heritage Area located c. 400m south of the site.

5.4. EIA Screening

The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendix 1 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 FCC decision to refuse permission has been appealed by the applicant. The grounds of appeal address each of the reasons for refusal, as is summarised under the headings below.

Reason 1 – Greenbelt and Rural Housing Policy

- The ‘Supplementary Application Form’ has been submitted with the appeal. It has been sworn by the applicant and signed by a local solicitor.
- The applicant has demonstrated a genuine rural housing need and complies with the CDP.
- In relation to s. 3.5.15.3 of the CDP, the appeal highlights the following areas of compliance:
 - The definition of ‘rural-generated housing needs’ including ‘*Persons who have been in long term employment, which is related to, and supportive of, the rural community as defined in Table 3.5 paragraph (ii) and where the*

employment is dependent on the residence of the person within the rural community', which will be considered in the GB zone.

- Table 3.3 - Maximum number of houses which will be permitted per existing house in a GB zone is 1.
- In relation to s. 3.5.15.5 of the CDP, the appeal highlights the following areas of compliance:
 - New dwellings will be considered in areas of Fingal which have a RU or GB zoning objective for members of the rural community who are not involved in farming.
 - Objective SPQHO81 is to permit new rural dwellings in areas which have zoning objectives RU or GB on suitable sites where the applicant meets the criteria set out in Table 3.5.
- In relation to Table 3.5 of the CDP, the appeal appears to contend that there is compliance with criterion (i) based on the following:
 - Neither the applicant nor any family member has ever been granted permission for a rural dwelling.
 - The documentation submitted with the application and appeal has demonstrated that the applicant is an active and valued member of the local rural community for more than 15 years (2005-2024).
- In relation to Table 3.5 of the CDP, the appeal appears to contend that there is compliance with criterion (ii) based on the following:
 - Sworn letter submitted from the farmer of lands surrounding his previous home/application site, confirming that the applicant has been an essential worker for over 15 years on this farm, which well exceeds any minimum thresholds relating to a viable farm. The application site is encompassed by the farm and is close to the farm complex, which makes it possible for the applicant to be available at all hours to assist with activities such as calving and lambing.
 - The CDP recognises that full-time farming is not always an option, and the applicant supplements his farm work by also working with a local food and

vegetable supplier. This involves shift work and he is 'on call' for temperature control monitoring of the refrigeration units, as well as sales/delivery. As such, it is essential that he is close to his work base.

- Between both jobs, the applicant is engaged on a full-time basis in the local rural community and is an essential worker.
- The applicant has never worked in any other sector than fruit and vegetables (horticulture) and farming (tillage and livestock).
- The applicant is a native of Balrothery who purchased the adjoining dwelling to south and lived there from 2005-2024. Substantial evidence has been provided of the applicant's involvement with the rural community/economy during this time.
- The applicant was forced to sell the family home due to family circumstances. He is currently renting a small property in Oldtown, but the tenancy is ending, and he is in housing need. Due to his strong connections to the rural community, the application site was retained with a view to building a house for the applicant that could also accommodate his son.
- Recent events have taken a huge toll on the applicant's health, and he needs to be close to his doctor (doctor's letter of support included).
- The applicant's involvement with the rural community satisfies the CDP requirements outlined in s. 3.5.15 and Objective SPQHO50.

Reason 2 – House Design

The appeal contends that the FCC Planner's assessment is not reasonable or justified. It addresses the design guidelines as per Table 14.9 of the CDP, which can be summarised as follows:

Site Analysis

- The site was selected as it is flat and does not interfere with any field boundaries, hedgerows, or ditches, or any other ecological features.

Siting and Design

- House can be absorbed within its surroundings, including mature trees/screening.
- Orientation is typical of farm complex and minimises light spillage.

- Appears as a cluster of small structures in vernacular style.
- Integrates into site, does not interfere with views, and will be screened. Applicant is amenable using existing access.
- Appropriate balance in relation to energy efficiency.

Materials & Detailing

- Modest scale and screening results in minimal visual impact.
- The appeal includes proposals for alternative finishes including natural stone and timber cladding.
- In compliance with 'Objective DMSO100 – Agricultural Buildings' and 'Objective DMSO101 – Design of Agricultural Buildings', finishes would be painted in darker colours (green, red or grey).
- The dwelling design is simple and sympathetic to the rural setting.

Boundary Treatments

- Existing field boundaries will be retained and augmented.
- The proposed entrance is in accordance with FCC design guidelines and will be understated and rural in character.

Surface and Wastewater Treatment

- The proposal will be served by a new septic tank in accordance with FCC and EPA requirements.
- The FCC Water Service section had no objection to the proposal subject to conditions.

Landscaping

- The FCC Parks Department had no objection to the proposal subject to conditions.

Reason 3 – Visual Impact Assessment

- Screening prevents any visual impacts and, therefore, a Visual Impact Statement was not submitted.

- The FCC Parks department had no objection and the site and surrounding lands are not considered to be highly sensitive. Therefore, Objective GINHO56 does not apply.
- However, in light of Objective SPQHO85 and Objective DMSO42, a visual impact statement and design rationale is provided as part of the appeal. It outlines that the development:
 - Reflects rural character and traditional rural buildings. Given the tree-screening that exists, it would not be visually obtrusive.
 - The design mimics a traditional barn and cottage in a contemporary style.
 - The proposed house is not visible outside the site and, as such, there are no relevant views/CGIs.
 - The building does not obscure any protected or sensitive views and will not materially impact on the rural character of the area.
 - It is possible to use the existing access road for an entrance. However, the proposal would involve the relocation of an existing entrance rather than an increase in entrances along this road.
 - The FCC Parks Department had no objections subject to conditions.

Reason 4 – Additional Entrance

- The FCC Road section report outlined that there was no objection to the proposal, so it is unclear how 'traffic hazard' would be a reason for refusal.
- The applicant owns the lands that comprise the hedgerow to be maintained/cut back for sightlines, and a new entrance is proposed with the closure of the existing field entrance.
- The appeal includes plans addressing the recommended conditions of the FCC Roads section report, including maximum entrance width of 4m; recessed gates/piers with splays; confirmation and consent for maintenance of sightlines.
- If necessary, the applicant is amenable to sharing the existing entrance to the original family home in keeping with Objective SPQHO54.

6.2. **Planning Authority Response**

The planning authority has no further comments but requests that the Commission upholds the FCC decision in support of the Council's Rural Settlement Strategy and NPO 28 of the NPF. In the event of a grant of permission, conditions should be applied relating to development contributions and where a tree bond is required.

7.0 **Assessment**

7.1. **Introduction**

7.1.1. I have examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the local authority, and I have inspected the site and had regard to the relevant local / regional / national policies and guidance. I consider that the substantive issues to be considered in this appeal are as follows:

- Rural Housing Policy
- Design and Visual Amenity
- Traffic
- Water Services.

7.2. **Rural Housing Policy**

7.2.1. The site is located within the 'Green Belt' zone where residential development is 'permitted in principle' in accordance with section 13.5 of the CDP, subject to compliance with the Rural Settlement Strategy. I have outlined the relevant provisions of the Rural Settlement Strategy in section 5.2 of this report, and I have considered the appellant's case regarding compliance with same.

7.2.2. I acknowledge that the CDP aims to accommodate genuine rural-generated housing needs on suitable sites. And having considered the relevant CDP provisions and the contents of the appeal, I consider that 'rural-generated housing need' should be determined in this case based on the criteria outlined in Table 3.5 of the CDP. The criteria (i) – (iv) are considered individually in the following sections.

Criterion (i)

- 7.2.3. In addressing this criterion, the appeal highlights that the dwelling is intended for a *'member of a rural family'*; that a new rural dwelling has *'not already been granted planning permission to a family member'*; and that *'he has lived in the family home identified on the application or within the locality of the family home for at least fifteen years'*.
- 7.2.4. However, the Commission should note that this criterion also requires *'a need to reside close to their family home by reason of close family ties'* and documentary evidence that the applicant *'is a close member of the family of the owners of the family home'*. In this case, while it is acknowledged that the adjoining dwelling to the south is stated to have been the applicant's family home from 2005-2024, it has since been sold and therefore close family ties no longer exist at this location. No other evidence has been submitted of close family ties or family members living in this rural area.
- 7.2.5. Having regard to the forgoing, I do not consider that the application / appeal has demonstrated compliance with criterion (i).

Criterion (ii)

- 7.2.6. In relation to the applicant's employment, the appeal contends that the applicant has been an essential worker for over 15 years on the 'White Hart Farm' which adjoins/surrounds the application site. The appeal is accompanied by a letter of support from the farm owner. It is also stated that this employment is supplemented by work with a local fruit and vegetable supplier. The appeal contends that, between both jobs, the applicant is engaged on a full-time basis in the local rural community and is an essential worker.
- 7.2.7. The Commission should note that criterion (ii) requires documentary evidence of *'employment in a full-time occupation which is considered to satisfy local needs by predominantly serving the rural community/economy for fifteen years prior to the application for planning permission'*.
- 7.2.8. In this regard I would highlight that the supporting letter from 'White Hart Farm' confirms that the applicant has worked on the farm on *'a seasonal and part time*

basis since 2010'. Accordingly, this work has not demonstrated full-time employment for 15 years prior to the application as required by criterion (ii).

7.2.9. I also acknowledge that the appeal contends that the applicant's supplementary work with 'Nugent's Fresh Produce' cumulatively amounts to full-time employment. However, I would highlight that the 'Supplementary Application Form' submitted with the appeal outlines that this employment has only been for '*c. 4.5 months*'.

Accordingly, even if the two jobs were considered to cumulatively amount to full-time employment, it would not have been for 15 years prior to the application as required by criterion (ii).

7.2.10. As highlighted in the appeal, I note that the CDP (s. 3.5.15.4 & s. 14.12.7) acknowledges that '*farming is no longer a full-time occupation for many farmers*', and that '*consideration will also be given to farmers whose income is supplemented by off-farm work*'. However, this is stated in the context of 'New Housing for Farm Families', which does not apply to the subject case. The requirement for full-time employment is clearly outlined in criterion (ii) of Table 3.5 and this should be applied by the Commission in this case.

7.2.11. Having regard to the foregoing, I do not consider that the application / appeal has demonstrated compliance with criterion (ii).

Criterion (iii)

7.2.12. Although the appeal does not specifically highlight compliance with this criterion, I note that the application and appeal documents include references to health circumstances. However, notwithstanding any such circumstances, the Commission should note that the criterion requires '*a need to reside adjacent to the family home*'. As previously outlined in relation to criterion (i) above, there is no longer a family home adjacent to the site. Accordingly, I do not consider that the application / appeal has demonstrated compliance with criterion (iii).

Criterion (iv)

7.2.13. The appeal does not specifically highlight compliance with this criterion. And while the application documentation indicates that the applicant operated a fruit and vegetable supply / delivery business up until 2013, there is no indication of a '*long-term commitment to operate a full-time business*' from the proposed home.

Accordingly, I do not consider that the application / appeal has demonstrated compliance with criterion (iv).

Conclusion

- 7.2.14. Having regard to the foregoing, I do not consider that the application / appeal has demonstrated compliance with the criteria outlined in Table 3.5 of the CDP, which would be contrary to Objective SPQHO81 and section 3.5.15.3 (Rural Settlement Strategy) and would, accordingly, be contrary to the Green Belt zoning objective for the area.
- 7.2.15. I have acknowledged national policy and guidance on rural housing as outlined in section 5.1 of this report. However, I am satisfied that these provisions have been satisfactorily incorporated into the Fingal Development Plan 2023-2029 and that, accordingly, that there would be no justification to depart from Development Plan policy in this case.

7.3. **Design and Visual Amenity**

- 7.3.1. I would acknowledge that the proposed design is of a limited height and scale, and that the proposed siting, layout and design attempts to replicate the vernacular style, layout and form of an agricultural building and cottage. The appeal includes some minor alterations to the proposed design, which would be an improvement in terms of more traditional finishes and proportions.
- 7.3.2. I note that the planning authority has outlined concerns that the proposed dwelling would not be consistent with the character of existing dwellings, particularly the existing dwelling to the south. However, given that this existing dwelling is a bungalow of non-vernacular design (like other dwellings in the area), I would not be opposed to the proposed design on this basis.
- 7.3.3. I acknowledge the location of the site within a 'High Lying' landscape classified as being of high 'value' and 'sensitivity' in the CDP. The CDP describes this character type by highlighting *inter alia* the 'High Amenity' zoning that applies to substantial parts (not the subject site), elevated uplands and panoramic views, and ecological value. However, the application site is located at the eastern periphery of this wider landscape type, and I do not consider that it overtly exhibits its main defining characteristics. And at a localised level, the site is generally well screened by

existing vegetation, rising ground, and existing development. Accordingly, I consider that the visual impact of the development would be quite intermittent and localised.

- 7.3.4. The appeal states that a visual impact statement has been included. And while it does not include detailed photomontages or CGIs, I would note that CDP objectives DMSO42 and SPQHO85 do not outline the particular requirements of any such statements. I would also accept the appellant's argument that the visual impact would be limited given the scale of the development and the screening of the site. Furthermore, I consider that the proposed design and layout represent a reasonable response to the guidance criteria outlined in Table 14.9 of the CDP.
- 7.3.5. Having regard to the foregoing, and notwithstanding my over-riding concerns that the principle of the development is unacceptable on the basis of rural housing policy, I do not consider that a refusal of permission would be warranted on grounds of design and/or visual amenity.

7.4. Traffic

- 7.4.1. Notwithstanding the view of the FCC Transportation Section that the proposal was acceptable subject to conditions, I note that the planning authority's decision outlined concerns about the proposal for a new vehicular access as an alternative to the existing access along the western site boundary. Concerns were also raised about the absence of consent for the achievement and maintenance of sightlines over third-party lands.
- 7.4.2. I note that the CDP (Objective SPQHO54 and Table 14.9) outlines a presumption against the opening of new vehicular entrances where viable alternatives exist. However, the appeal now outlines that the applicant is amenable to using the existing access in accordance with CDP provisions, and I am satisfied that this could be conditioned as part of any grant of permission. I do not consider that the proposed development would result in a significant intensification of use of this entrance or that it would interfere with the safety or free flow of traffic.
- 7.4.3. Accordingly, on the basis that the existing entrance could be used, and notwithstanding my over-riding concerns that the principle of the development is unacceptable on the basis of rural housing policy, I do not consider that a refusal of

permission would be warranted on grounds of traffic hazard or non-compliance with Objective SPQHO54 or Table 14.9 of the CDP.

7.5. Water Services

- 7.5.1. It is proposed to install an on-site wastewater treatment system and soil polishing filter. A Site Suitability Assessment has been submitted with the application, and the recommendations are made in accordance with the EPA Code of Practice 2021. These proposals were considered acceptable subject to the conditions as outlined in the FCC Water Services report.
- 7.5.2. I note that the FCC Planner's report outlined the need for clarification of the locations of the proposed private well and soak pit, although these appear to be clearly indicated on the site layout plan. I do not consider that further information is required on these matters, and I am satisfied that any outstanding clarifications could be conditioned as part of any grant of permission.

8.0 AA Screening

8.1. Introduction

The requirements of Article 6(3) of the Habitats Directive as related to appropriate assessment of a project under part XAB, sections 177U of the Planning and Development Act 2000 (as amended) are considered fully in this section. The areas addressed in this section are as follows:

- Compliance with Article 6(3) of the EU Habitats Directive
- Screening the need for appropriate assessment.

8.2. Compliance with Article 6(3) of the EU Habitats Directive

The Habitats Directive deals with the Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union. Article 6(3) of this Directive requires that any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. The competent authority must be satisfied that the proposal

will not adversely affect the integrity of the European site before consent can be given.

The proposed development is not directly connected to or necessary to the management of any European site and therefore is subject to the provisions of Article 6(3).

8.3. Screening the need for Appropriate Assessment

An AA Screening exercise has been completed (see Appendix 2 of this report for further details). 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 North-west Irish Sea SPA in view of the conservation objectives for the site, which is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- The nature and scale of the proposed works and the standard construction and operational practice measures that would be implemented regardless of proximity to a European Site.
- The limited connectivity between the application site and the nearest European Sites as a result of significant distance, dispersal and dilution factors.

The possibility of significant effects on any other European sites has been excluded on the basis of objective information.

No measures intended to avoid or reduce harmful effects on European sites were taken into account in reaching this conclusion.

9.0 Water Framework Directive Screening

- 9.1. The impact of the proposed development in terms of the WFD is set out in Appendix 3 of this report. There are no surface water features on the site or on the immediately surrounding lands. The nearest river feature is the Matt River (EPA name:

MATT_010), tributaries of which are located c. 340m to the southeast and c. 300m to the west of the site. The Matt River flows to the northeast to outfall to the Irish Sea (EPA Name: Northwestern Irish Sea (HA 08)) at Balbriggan, c. 2.6km northeast of the site. The site is underlain by the Balrothery Groundwater body.

- 9.2. The site is located in Flood Zone C and there is no significant flood risk associated with the development. The nearest Natura 2000 site is the North-west Irish Sea SPA, located c. 2.8km to the northeast of the site. Knock Lake is a proposed Natural Heritage Area located c. 400m south of the site.
- 9.3. As per Appendix 3, I have outlined the potential pathways between the site and the relevant waterbodies and potential impacts at construction and operational stages. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project and associated mitigation measures, I am satisfied that it can be eliminated from further assessment because there is no residual risk to any surface and/or groundwater water bodies, either qualitatively or quantitatively.
- 9.4. The reasons for this conclusion are as follows:
- The nature and limited scale of the proposed works;
 - The distance between the proposed development and relevant bodies, and/or the limited hydrological connectivity;
 - The mitigation measures included as part of the application to address surface water and wastewater emissions.
- 9.5. I conclude 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. Accordingly, the proposed development can be excluded from further assessment.

10.0 Recommendation

I recommend that permission should be **refused** for the proposed development for the reasons and considerations set out below.

11.0 Reasons and Considerations

1. Having regard to the location of the site within the 'Greenbelt' zone in accordance with the Fingal Development Plan 2023-2029, the objective for which is to 'Protect and provide for a Greenbelt', and the provisions of the Rural Settlement Strategy as per section 3.5.15.3 of the Development Plan, it is considered that the application has failed to demonstrate rural-generated housing need for a house at this location in accordance with the provisions of the Development Plan, including sections 3.5.15.3 – 3.5.15.5 and the criteria outlined in Table 3.5. The proposed development would be contrary to Objective SPQHO81 and the Greenbelt zoning objective in accordance with the Development Plan for the area, would contribute to the encroachment of rural development in the area, and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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.

Stephen Ward
Senior Planning Inspector

17th of November 2025

Appendix 1

Form 1 - EIA Pre-Screening

Case Reference	ACP-323508-25
Proposed Development Summary	Construction of dwelling with all associated site works.
Development Address	Turkinstown, Balbriggan, Co. Dublin
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>Part 2, Class 10(b)(i) – Construction of more than 500 dwelling units.</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>No <input checked="" type="checkbox"/></p>	<p>Pre-screening determination conclusion remains as above (Q1 to Q3)</p>

Inspector: _____ Date: _____

Appendix 1

Form 2 - EIA Preliminary Examination

Case Reference	ACP-323508-25
Proposed Development Summary	Construction of dwelling with all associated site works.
Development Address	Turkinstown, Balbriggan, Co. Dublin
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 proposal is for just one dwelling and associated site works on a small site of c. 0.4ha. No demolition works are proposed. It is significantly below the class threshold of 500 dwellings.</p> <p>The project due to its size and nature would not give rise to significant use of resources or production of waste during both the construction and operation phases or give rise to significant risk of pollution and nuisance.</p> <p>The project characteristics pose no significant risks to human health. The proposed development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change.</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 site is located in a rural area outside the settlements of Balbriggan and Balrothery. There are a number of one-off houses in the area.</p> <p>The nearest Natura 2000 site is the North-west Irish Sea SPA, located c. 2.8km to the northeast of the site. Knock Lake is a proposed Natural Heritage Area located c. 400m south of the site.</p> <p>The CDP classifies the local landscape character as being of high value and sensitivity.</p> <p>Having regard to the above and the simple nature and limited scale of the proposed development, I am satisfied that impacts on environmental sensitivities can be adequately assessed in this case without the need for EIA.</p>

<p>Types and characteristics of potential impacts</p> <p>(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>	<p>Due to the small scale of the development, the construction stage will not be significant in terms of duration or complexity.</p> <p>The main operational impacts would be visual amenity and the surface water and wastewater emissions to the site. These elements would be subject to standard assessment/design and would not have significant impacts on the wider environment.</p> <p>There would be no significant cumulative impacts with other projects.</p>
Conclusion	
<p>Likelihood of Significant Effects</p>	<p>Conclusion in respect of EIA</p>
<p>There is no real likelihood of significant effects on the environment.</p>	<p>EIA is not required.</p>

Inspector: _____ Date: _____

Appendix 2

AA Screening Determination

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 dwelling with all associated site works.
Brief description of development site characteristics and potential impact mechanisms	<p>The site is located within the rural area of Turkinstown, approximately 800m west of Balrothery and 2.5km southwest of Balbriggan town centre. The site is currently undeveloped, and the surrounding area is predominantly in agricultural or one-off rural residential use. It has a stated area of 0.404ha and is generally flat with surrounding tree/hedge cover.</p> <p>There are no surface water features on the site or on the immediately surrounding lands. The nearest river feature is the Matt River, tributaries of which are located c. 340m to the southeast and c. 300m to the west of the site. The Matt River flows to the northeast to outfall to the Irish Sea (designated as North-west Irish Sea SPA) at Balbriggan, c. 2.6km northeast of the site.</p> <p>Surface water will be directed to an on-site soak pit. Water supply will be via an on-site well. Wastewater will be treated via an on-site system and polishing filter.</p>
Screening report	Not submitted.
Natura Impact Statement	Not submitted.
Relevant submissions	<p>None.</p> <p>The FCC Planner's Report concludes that the proposed project, individually or in combination with another plan or project, will not have a significant effect on any European Sites.</p>

Step 2. Identification of relevant European sites using the Source-pathway-receptor model

European Site (code)	Qualifying interests Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections	Consider further in screening Y/N
North-west Irish Sea SPA (004236)	Site Synopsis, QIs and Conservation Objectives are listed at the following link: https://www.npws.ie/protected-sites/spa/004236	2.8km	The Matt River, albeit at a significant distance, provides a potential pathway from the appeal site.	Yes

I note that there are a wide range of other Natura 2000 sites within/adjoining the Irish Sea. However, having considered the Source-pathway-receptor model and the nature and limited scale of the proposed development, I do not consider any other sites to be within the zone of influence due to lack of connectivity and/or significant distance/dilution factors.

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

Construction Phase

During the Construction Phase, surface / ground water run-off containing silt/sediments or other pollutants could inadvertently flow into the Matt River, which ultimately flows into the North-west Irish Sea SPA. However, having regard to the nature and limited scale of the proposed works, and the separation of the development from the river (>300m) and the North-west Irish Sea SPA (c. 2.8km ‘as the crow flies’ but the hydrological route is significantly greater), this potential pathway is considered insignificant.

Operational Phase

During the Operational Phase, surface water will be appropriately collected and discharged to an on-site soakaway, and wastewater will be treated on-site in accordance with the EPA Code of Practice 2021. Therefore, given that the Matt River will be suitably protected from pollution risk and the North-west Irish Sea SPA is at a significant distance, this potential pathway is considered insignificant. Furthermore, I consider these surface water and wastewater measures to be standard practice and essential elements of the proposed development that would be implemented regardless of proximity to a European Site (i.e. they are not mitigation measures for AA Screening purposes).

Other Effects

Although the construction and operational stages will lead to some increased disturbance, I do not consider that the North-west Irish Sea SPA (c. 2.8km away) is within the disturbance Zone of Influence.

Having regard to the nature and size of the appeal site and its significant separation distance from the North-west Irish Sea SPA, I do not consider that there is potential for significant ex-situ effects for any of the SCI species.

This is a standalone development and there are no other significant developments in the area that would act in-combination or cumulatively with the proposed development. Accordingly, I am satisfied that there is no potential for significant in-combination or cumulative effects on the North-west Irish Sea SPA.

AA Screening matrix

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
<p>North-west Irish Sea SPA (004236)</p> <p><u>QI list</u> Red-throated Diver; Great Northern Diver; Fulmar; Manx Shearwater; Cormorant; Shag; Common Scoter; Black-headed Gull; Common Gull; Lesser Black-backed Gull; Herring Gull; Great Black-backed Gull; Kittiwake; Roseate Tern; Common Tern; Arctic Tern; Guillemot; Razorbill; Puffin; Little Gull; Little Tern.</p>	<p>Direct: None</p> <p>Indirect: Negative impacts (temporary) on surface/ground water quality due to construction related emissions including increased sedimentation and construction related pollution.</p> <p>Negative impacts (long-term) on surface / ground water quality due to operational run-off.</p> <p>Negative impacts on water quality at operational stage due to wastewater discharge.</p>	<p>Significant effects on habitat and species as a result of water quality impacts are not likely having regard to the standard construction and operational practice measures that would be implemented regardless of proximity to a European Site, as well as the significant distance, dispersal and dilution factors between the application site and the SPA.</p>
	<p>Likelihood of significant effects from proposed development (alone): No</p>	
	<p>If No, is there likelihood of significant effects occurring in combination with other plans or projects? No</p>	

Step 4 Conclude if the proposed development could result in likely significant effects on a European site

I conclude that the proposed development (alone) would not result in likely significant effects on North-west Irish Sea SPA. 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.
No mitigation measures are required to come to these conclusions.

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 North-west Irish Sea SPA in view of the conservation objectives for the site, which are therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- The nature and scale of the proposed works and the standard construction and operational practice measures that would be implemented regardless of proximity to a European Site.
- The limited connectivity between the application site and the nearest European Sites as a result of significant distance, dispersal and dilution factors.

Appendix 3

Water Framework Directive Screening Determination

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Coimisiún Pleanála ref. no.	323508-25	Townland, address	Turkinstown, Balbriggan, Co. Dublin
Description of project		Construction of dwelling with all associated site works.	
Brief site description, relevant to WFD Screening,		<p>There are no surface water features on the site or on the immediately surrounding lands. The nearest river feature is the Matt River (EPA name: MATT_010), tributaries of which are located c. 340m to the southeast and c. 300m to the west of the site. The Matt River flows to the northeast to outfall to the Irish Sea (EPA Name: Northwestern Irish Sea (HA 08)) at Balbriggan, c. 2.6km northeast of the site.</p> <p>The site is underlain by the Balrothery Groundwater body.</p>	
Proposed surface water details		Disposal to on-site soak pit.	
Proposed water supply source & available capacity		On-site well.	
Proposed wastewater treatment system & available capacity, other issues		On-site wastewater treatment system and polishing filter.	
Others?		<p>Located in Flood Zone C - no significant flood risk associated with the development.</p> <p>The nearest Natura 2000 site is the North-west Irish Sea SPA, located c. 2.8km to the northeast of the site. Knock Lake is a proposed Natural Heritage Area located c. 400m south of the site.</p>	

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 (2019-2024)	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)	
River	C. 340m to SE and c. 300m to the west.	MATT_010 (IE_EA_08M01 0900)	Poor	At risk	Not available	Yes – Surface / ground water run-off and wastewater from the site (at significant distance).	
Coastal	C. 2.6km to the northeast	Northwestern Irish Sea (HA 08) (IE_EA_020_00 00)	Good	At risk	Not available	Yes – As above, via the Matt River.	
Groundwater	Underlying	Balrothery (IE EA G 043)	Good	Not at Risk	Not available	Yes – As above, via the overlying 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.	Surface	MATT_010 (IE_EA_	Surface / ground water run-off from the site via overland flows.	Siltation, pH (Concrete), hydrocarbon spillages.	None.	No. Having regard to the limited scale of the works and	Screened out.

		08M010900) Northwestern Irish Sea (HA 08) (IE_EA_020_0000)	Surface / ground water run-off from the site – via the Matt River.	Siltation, pH (Concrete), hydrocarbon spillages.		the separation distance from these waterbodies, I am satisfied that there would be no significant risk.	
2.	Ground	Balrothery (IE_EA_G_043)	Via the overlying soil.	Siltation, pH (Concrete), hydrocarbon spillages.	None.	No. Having regard to the limited scale of the works, I am satisfied that there would be no significant risk to groundwater.	Screened out.
OPERATIONAL PHASE							
1.	Surface	MATT_010 (IE_EA_08M010900) Northwestern Irish Sea (HA 08) (IE_EA_020_0000)	Surface water run-off from the site. Wastewater emissions. Via overland flows and Matt River.	Hydrocarbon spillage / pollution, wastewater pollution.	Surface water disposal to on-site soak pit. On-site wastewater disposal in accordance with EPA Code of Practice 2021.	No. Having regard to the mitigation measures and the distance from waterbodies, there will be no significant residual pollution risk.	Screened out.

2.	Ground	Balrother y (IE_EA_ G_043)	Surface water run- off from the site. Wastewater emissions. Via overlying soil.	Hydrocarbon spillage / pollution, wastewater pollution.	Surface water disposal to on- site soak pit. On-site wastewater disposal in accordance with EPA Code of Practice 2021.	No. Having regard to the mitigation measures, there will be no significant residual pollution risk.	Screened out.
DECOMMISSIONING PHASE							
5.	N/A	N/A	N/A	N/A	N/A	N/A	N/A