



An  
Coimisiún  
Pleanála

**Inspector's Report**  
**ACP-323686-25**

**Development**

Removal of existing structures and construction of a storage shed.

**Location**

Dromdoohig More, Ballyhar, Killarney Co. Kerry.

**Planning Authority**

Kerry County Council

**Planning Authority Reg. Ref.**

2560613

**Applicant(s)**

Mayrain Projects Ltd.

**Type of Application**

Permission

**Planning Authority Decision**

Refuse Permission

**Type of Appeal**

First Party

**Appellant(s)**

Mayrain Projects Ltd.

**Observer(s)**

None.

**Date of Site Inspection**

2<sup>nd</sup> December 2025

**Inspector**

Matthew McRedmond

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## 1.0 Site Location and Description

- 1.1. The subject site is 0.5ha in area and is located in the townland of Dromdoohig More, Ballyhar, Killarney, Co. Kerry, approximately 5km north of Killarney Town. The site is generally rectangular in shape, level, and is accessed to the east side of the L2019 local road. There are 2no. existing shed structures and additional storage containers on site, with storage of construction debris, materials and equipment across the site also evident. The surrounding area is generally characterised by agricultural land with 3no. residential dwellings within 50-100m south and southeast of the subject site.

## 2.0 Proposed Development

- 2.1. The proposed development consists of the removal all existing sheds and storage structures on site and construction of a new shed of 270sqm, with a pitched roof height of 4.1m, and all associated site works including access road.

## 3.0 Planning Authority Decision

### 3.1. Decision

- 3.1.1. The Planning Authority refused permission for the proposed development in August 2025. The single reason for refusal was as follows:

*'The site is located in a rural area zoned Rural General in the Kerry County Development Plan 2022-2028. It is considered that the proposed development would constitute an inappropriate form of development for a rural area having regard to the lands zoned for commercial development in nearby towns and settlements in line with the principles of sustainable development and where linkages exist and would provide the optimum locations for such developments. The proposed development by itself and by its precedent would, therefore, be contrary to the proper planning and sustainable development of the area.'*

### 3.2. Planning Authority Reports

- 3.2.1. Planning Reports

3.2.2. The Planning Authority report had regard to relevant local policy and reflected the reason for refusal.

3.2.3. Other Technical Reports

- **County Archaeologist** – No monuments in the area and no mitigation required.

### 3.3. **Prescribed Bodies**

3.3.1. None on file.

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

3.4.1. None.

## 4.0 **Planning History**

4.1.1. **Kerry County Council Ref. 24/372:** Permission refused for a similar proposal including retention and removal of the existing sheds on site and construction of a new storage shed. Reasons for refusal included haphazard nature of the industrial type development and inappropriate development in a rural area.

## 5.0 **Policy Context**

### 5.1. **Kerry County Development Plan 2022-2028**

5.1.1. The subject site is not zoned. There are two landscape designations in the Development Plan under Chapter 11, Section 11.6.3 which are 'Visually Sensitive Areas' and 'Rural General'. The subject site is not within a visually sensitive area, so is therefore within the 'Rural General' area.

5.1.2. Rural General areas are defined as follows at Section 11.6.3.2 of the Development Plan:

*"Rural landscapes within this designation generally have a higher capacity to absorb development than visually sensitive landscapes. Notwithstanding the higher capacity of these areas to absorb development, it is important that proposals are designated*

*to integrate into their surroundings in order to minimise the effect on the landscape and to maximise the potential for development.*

*Proposed developments should, in their designs, take account of the topography, vegetation, existing boundaries and features of the area. Permission will not be granted for development which cannot be integrated into its surroundings.”*

5.1.3. The following objectives in the County Development Plan are relevant:

- KCDP 9-1 Ensure that a sustainable approach is taken to enterprise development and employment creation across all sectors of the Kerry economy.
- KCDP 9-9 Optimise the amount of employment growth and enterprise creation across all economic sectors and ensure that growth is distributed in a sustainable manner across the County in accordance with the Settlement Strategy.
- KCDP 9-43 Support sustainable rural development and facilitate Farm diversification and new employment / enterprise opportunities within the agriculture sector, subsidiary to agricultural uses, and where there is no significant loss of productive agricultural land and the residential and visual amenity of the area is protected, including initiatives addressing climate change and sustainability.

## 5.2. **Natural Heritage Designations**

5.2.1. The appeal site is located 660m south of Castlemaine Harbour SAC (Site Code 000343).

## 5.3. **EIA Screening**

5.4. The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended (or Part V of the 1994 Roads Regulations). No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of report.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

6.1.1. The grounds of the first-party appeal may be summarised as follows:

- Proposal is a rural based economic development that serves a predominantly rural community. As such, it is entirely compliant with Development Plan policy and provisions of the landscape designation of the site.
- Proposal is for a contractor (the applicant) who predominantly is involved in plant hire and earthmoving in the agriculture and forestry industries. Relocation to an urban area would result in movement of large vehicles, remote from target customers, that would cause traffic congestion and additional trip lengths.
- Proposal will improve the appearance of the site. Previous refusal of permission is noted under Ref. 24/372, with reasons for refusal considered to have been addressed with an 'improvement in visual amenities' as set out by the Local Authority Planner.
- Relocation to urban setting is not appropriate. Suitable sites in urban areas, to serve a rural base are not readily available and could be prohibitively expensive. Linkages for this business are within the rural area and not an urban, commercially zoned site. Proposal is sustainable as it is close to the intended end user. Relocation to urban area would not be viable and could jeopardise local employment and services to support the forestry and agricultural industries.
- Subject site is not zoned and is within a less sensitive landscape area 'Rural General', which has the capacity to absorb development. Proposal is of a modest scale and fits into the landscape.
- No specific chapter in the CDP to deal with the rural economy, however Chapter 9 of the CDP has objectives KCDP 9-1, 9-9 and 9-43, which recognise the role of industries subsidiary to agriculture.
- Proposal is an attractive design that fits into the landscape. Applicant would accept a condition in relation to enhanced landscaping of the site.

- A letter from the applicant is appended to the appeal, setting out the nature of their business and use of the site for storage purposes.
- Persuasive justification for refusal is not provided by the Planning Authority and permission should be granted based on the details submitted.

## **6.2. Planning Authority Response**

6.2.1. None on file.

## **6.3. Observations**

6.3.1. None on file.

## **7.0 Assessment**

7.1. Having examined the application details and all other documentation on file, including the reports of the local authority, and inspected the site, and having regard to relevant local policies and guidance, I consider that the main issues in this appeal are as follows:

- Preliminary Matters
- Principle of Development
- Visual Impact

## **7.2. Preliminary Matters**

7.2.1. I have given significant consideration to the subject matter of the proposed development. Although the first-party appeal and applicant submission refer to material storage within the site, and there was evidence of this practice on my inspection of the site, the Development Description and public notices for this application make no reference to the storage of materials, outside of the proposed shed. There have been no details provided in relation to types of material, quantities or ultimate use of any material proposed for storage on site. While the storage of equipment in outdoor areas may be acceptable, storage of material, including construction waste has implications for waste management and associated environmental impacts. As the matter of external storage of material has not been

applied for, I therefore do not propose to include this element of site operations in my consideration of this appeal and note this would be subject to a separate consenting process.

- 7.2.2. Furthermore, the submitted plans indicate solar panels on the roof of the proposed shed. There is no other reference to solar panels in the application documentation, and I therefore have not considered them in my assessment of the proposal.
- 7.2.3. I note the site has also been subject to an amount of fill in the past, that has not been assessed for appropriateness, nor has the applicant sought retention permission for its ongoing presence. I accept that planning permission is not required to remove unauthorised development, and enforcement is not a matter for the Commission, and I therefore do not address these matters in my assessment of the proposal.

### **7.3. Principle of Development**

- 7.3.1. Permission is sought to remove the existing buildings on site and replacement with a new builder's storage shed. The yard is also used for the storage of materials for later re-use in construction, although this element of the existing operations is not applied for in the subject proposal, as I have set out above. The submitted details state that the use of the site for the storage of building equipment and materials is intrinsically linked to rural generated industries including forestry and agriculture and therefore is most suitably located in a rural area. The First Party submits the proposed use would be closer to the end user, reducing trip length and traffic delays in urban locations, that would be created by turning movements of large vehicles. The First Party further submits that the proposal is on non-productive agricultural land, is appropriately integrated into the landscape and is consistent with County Development Plan policies and objectives in relation to economic and rural development.
- 7.3.2. The First-Party appeal submits that the proposal is for the purposes of serving a rural based enterprise that is primarily linked to plant hire and earth moving for the agricultural and forestry industries. The Planning Authority decision references the fact that the proposed form of development would be more appropriately located in nearby towns and settlements, that are zoned for commercial uses.
- 7.3.3. The Kerry County Development Plan 2022-2028 is the relevant statutory plan. The appeal site is located in a rural area outside of a designated settlement and is within

the 'Rural General' landscape designation. I note and accept these areas have more capacity to absorb development than 'Visually Sensitive' landscapes. There is no specific land uses specified for unzoned sites and proposals are therefore considered on their individual merits. I consider Objective 9-9 of the CDP to be relevant in terms of optimising employment growth and enterprise creation. I believe the subject proposal can contribute to these principles, provided other relevant considerations of the Development Plan are addressed.

7.3.4. Objective 9-43 of the CDP seeks to support sustainable rural development and facilitate new employment/enterprise opportunities in the agricultural sector. This objective includes the caveat that there is to be no significant loss of productive agricultural land, and the residential and visual amenity of the area is protected. These policies do not in themselves suggest a positive presumption towards a grant of permission, as this must be tempered by the fact that Development Plan policy in relation to 'Rural General' land, clearly requires the resultant development to be of a nature and scale that is appropriate to the area.

7.3.5. While the existing use of the site as a builder's storage yard does not have the benefit of planning consent, it is clear that the use has been in place on the site for a substantial period. The site is 0.54ha in area and I therefore accept that due to this size, the proposal does not result in a significant loss of productive agricultural land as required under Objective 9-43. The First Party submits that the nature and extent of the development, and limited impacts, are appropriate to this rural location. While the storage of builder's plant and equipment is not specifically a rural based activity, the replacement shed is small in scale and based on the details submitted, would represent a more orderly and consolidated proposal for the storage of plant and machinery at this location, than the existing situation. Albeit I note the current operations on site are unauthorised.

7.3.6. Objective 9-43 relates to rural development and new employment opportunities in the agricultural sector. The First Party has submitted that the applicant specialises in construction projects in the agricultural sector, with the majority of operations conducted in close proximity to the subject site. The proposed shed is to be used to store machinery, with the remainder of the site to be used for storage of materials for reuse in other projects, although, as noted, the statutory notices do not provide for this element of yard storage outside the proposed shed. The First-Party has provided

a letter from the applicant, to support their claim in relation to primarily being involved in agricultural projects. Notwithstanding the limited documentary evidence presented, I accept the submitted information *prima facie* and consider this type of storage facility to be a common requirement for building contractors, wherever their primary business operations may be located. I consider the proposed structure and use to be acceptable at this rural location, whereby the design of the proposed shed is typical of agricultural structures in rural areas, and the use is connected to rural/agricultural construction projects. The use of the yard for storage of materials has not been applied for and is therefore not considered under the terms of this planning application and appeal. I do however recommend inclusion of a condition requiring appropriate waste management details to be provided to the Planning Authority prior to the commencement of development. I consider this a measure to enhance the visual appearance of the site. Consideration of visual amenity is a valid and important consideration in relation to this appeal, which I will address separately in the following section.

7.3.7. On this basis, I consider that the development falls within the terms of Objective 9-9 and 9-43 of the Development Plan and that the proposed storage shed is acceptable in principle as it supports rural employment and enterprise opportunities within the agricultural sector.

#### **7.4. Residential and Visual Amenity**

7.4.1. The Planning Authority decision references the inappropriate form of the proposed development for a rural area. Having established above that I consider the principle of the proposed shed to be acceptable, Objective KCDP 9-43 requires that the residential and visual amenities of the area are protected. I consider this to be relevant with regard to the impact of the development on visual amenity and on the character of the area.

7.4.2. The area is characterised by agricultural land, forestry and limited one-off housing (3no.) to the south and southeast. The yard is screened to the north, south and east by existing landscape planting and to the west, at the site entrance, by an earthen embankment with hedge planting on top. There is also a steel, electric gate at this boundary. I note the Planning Authority considered the subject proposal would improve the visual amenities of the site. While the existing yard and associated

structures are visible from the public road, I do not consider the visual appearance to be prominent and is primarily intermittent from this interface. I accept that the proposed shed structure would be an improvement on the haphazard and open storage structures currently located on the site.

7.4.3. The First Party Appeal submits that additional screen planting would be acceptable by way of condition. I consider that the site would benefit from additional native planting at the site boundaries to minimise any visual impacts of the proposal. The eastern boundary adjoins the rear open space of a residential dwelling and this boundary would particularly benefit from additional, appropriate screen planting. I note my site visit was during winter months when most planting on site boundaries was bare leaved, however, I believe the site would benefit from additional planting at all boundaries of this rural location to assimilate the site further into the landscape. This issue can be addressed by condition. I consider that the visual impact of the proposed development is not significantly different to that of a farmyard and that it would therefore not bring about a material adverse impact on the visual amenities of the area.

7.4.4. I note there have been no third-party objections to the subject proposal, nor any observations to the first-party appeal. On my visit to the site, there was no activity on a weekday morning, and I noted equipment stored in the existing structures on site. I consider that the nature of activities being undertaken within the site would be similar or less intense to those of a working farmyard, with only intermittent levels of activity entering and exiting the site.

7.4.5. I consider the proposed access road to form part of the proposed development as it is included in the development description and shown on submitted plans. This access road would keep activity closest to the public road at the furthest remove from residential properties. I further consider that any potential impacts on residential amenity can be adequately mitigated by the application of appropriate conditions in relation to hours of operation.

7.4.6. Based on the foregoing, and subject to appropriate conditions, I do not consider the subject proposal would have any significant impacts on the visual or residential amenities of the area and would be in compliance with Objective 9-43 of the Development Plan.

## 8.0 AA Screening

- 8.1.1. I have considered the proposed development of a storage shed of 270sqm in light of the requirements of S177U of the Planning and Development Act 2000 as amended.
- 8.1.2. The subject site is located approx. 660m south of Castlemaine Harbour SAC (Site Code 000343).
- 8.1.3. The proposed development comprises the removal of all on site storage containers, construction of a storage shed with access road and associated site works. No nature conservation concerns were raised in the planning appeal.
- 8.1.4. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European Site. The reason for this conclusion is as follows:
  - The nature and scale of the proposed development and associated site works.
  - The location and distance from nearest European site and the lack of any hydrological connectivity between the application site and the SAC/SPA.
  - Taking into account the screening determination by the Planning Authority.
- 8.1.5. I consider that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on a European Site and appropriate assessment is therefore not required.

## 9.0 Recommendation

- 9.1.1. I recommend that permission be granted based on the reasons and considerations below and subject to the following conditions.

## 10.0 Reasons and Considerations

- 10.1.1. Having regard to the policies of the Kerry County Development Plan 2022-2028 and the character and appearance of this rural area it is considered that the proposed development, subject to compliance with the conditions set out below, would constitute an appropriate development at this location which would not seriously

injure the amenities of the area or of property in the vicinity and would be in accordance with Objectives KCDP 9-9 and KCDP 9-43. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 11.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as submitted on the 15<sup>th</sup> July 2025, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p><b>Reason:</b> In the interest of clarity.</p>
2.	<p>Details of the materials, colours and textures of all the external finishes to the proposed development, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p><b>Reason:</b> In the interest of visual amenity.</p>
3.	<p>The site shall be landscaped, using only indigenous deciduous trees and hedging species, in accordance with details which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:</p> <p>(a) the establishment of a hedgerow along all front, side and rear boundaries of the site.</p> <p>Any plants, trees or hedging which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.</p>

	<p><b>Reason:</b> In order to screen the development and assimilate it into the surrounding rural landscape, in the interest of visual amenity.</p>
4.	<p>The use of the site for a builders storage shed shall be between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p><b>Reason:</b> In order to safeguard the residential amenities of property in the vicinity.</p>
5.	<p>Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.</p> <p><b>Reason:</b> In the interest of proper planning and sustainable development.</p>
6.	<p>A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the agreed waste facilities shall be maintained and waste shall be managed in accordance with the agreed plan.</p>

	<p><b>Reason:</b> To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment and the amenities of properties in the vicinity.</p>
7.	<p>Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p><b>Reason:</b> In the interest of public health.</p>
8.	<p>All public service cables for the development, including electrical and telecommunications cables, shall be located underground throughout the site. Under no circumstances shall the applicant/developer cut or otherwise interfere with the public road for the purposes of connection to public services without a road opening license.</p> <p><b>Reason:</b> In the interests of public safety and visual amenity.</p>
9.	<p>Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including hours of working, noise and dust management measures and off-site disposal of construction/demolition waste.</p> <p><b>Reason:</b> In the interest of public safety and amenity.</p>
10.	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the</p>

matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

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Matthew McRedmond  
Senior Planning Inspector

18<sup>th</sup> December 2025

## Form 1 - EIA Pre-Screening

<b>Case Reference</b>	ACP-323686-25
<b>Proposed Development Summary</b>	Removal of all on site storage containers and construction of a new storage shed with access road and all associated site works.
<b>Development Address</b>	Dromdoohig More, Ballyhar, Killarney, Co. Kerry
<b>In all cases check box /or leave blank</b>	
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b>  (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.
<b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in Part 1.	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
<b>3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?</b>	
<input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994.	
<b>No Screening required.</b>	

<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.  <b>EIA is Mandatory. No Screening Required</b>	<b>State the Class and state the relevant threshold</b>
<input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.  <b>Preliminary examination required. (Form 2)</b>  <b>OR</b>  <b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b>	<b>State the Class and state the relevant threshold</b>

<b>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</b>	
<b>Yes</b> <input type="checkbox"/>	<b>Screening Determination required (Complete Form 3)</b>
<b>No</b> <input checked="" type="checkbox"/>	<b>Pre-screening determination conclusion remains as above (Q1 to Q3)</b>

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

## Appendix 2: Appropriate Assessment Screening

Screening for Appropriate Assessment Test for likely significant effects								
<b>Step 1: Description of the project and local site characteristics</b>								
<b>Brief description of project</b>	Removal of existing structures on site and construction of a storage shed of 270sqm, access road and associated site works.							
<b>Brief description of development site characteristics and potential impact mechanisms</b>	Infill development on 0.5ha site. Site already partially developed with various storage structures, located c 660m to European site, potential impact on ground water from disposal of surface water. The appeal site is located 660m south of Castlemaine Harbour SAC (Site Code 000343).							
<b>Screening report</b>	No.							
<b>Natura Impact Statement</b>	No.							
<b>Relevant submissions</b>	None							
<b>Step 2. Identification of relevant European sites using the Source-pathway-receptor model</b>								
One European site is identified as being located within a potential zone of influence of the proposed development as detailed in Table 1 below. I note that no further range of European Sites is necessary for consideration in relation to this proposed development.								
<b>Table 1:</b>								
European Site (code)	Qualifying interests <sup>1</sup> Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections <sup>2</sup>	Consider further in screening <sup>3</sup> Y/N				
Castlemaine Harbour SAC (00343)	Estuaries [1130]  Mudflats and sandflats not covered by seawater at low tide [1140]  Annual vegetation of drift lines [1210]	660m north	No physical or hydrological pathways.	N				

	<p>Perennial vegetation of stony banks [1220]</p> <p>Vegetated sea cliffs of the Atlantic and Baltic coasts [1230]</p> <p>Salicornia and other annuals colonising mud and sand [1310]</p> <p>Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330]</p> <p>Mediterranean salt meadows (Juncetalia maritimi) [1410]</p> <p>Embryonic shifting dunes [2110]</p> <p>Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120]</p> <p>Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]</p> <p>Dunes with <i>Salix repens</i> ssp. <i>argentea</i> (Salicion arenariae) [2170]</p> <p>Humid dune slacks [2190]</p> <p>Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion,</p>		
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	<p>Alnion incanae, Salicion albae) [91E0]</p> <p>Petromyzon marinus (Sea Lamprey) [1095]</p> <p>Lampetra fluviatilis (River Lamprey) [1099]</p> <p>Salmo salar (Salmon) [1106]</p> <p>Lutra lutra (Otter) [1355]</p> <p>Petalophyllum ralfsii (Petalwort) [1395]</p> <p><a href="#">Castlemaine Harbour SAC   National Parks &amp; Wildlife Service</a></p>		
<p><sup>1</sup> Summary description / <b>cross reference to NPWS website</b> is acceptable at this stage in the report</p> <p><sup>2</sup> Based on source-pathway-receptor: Direct/ indirect/ tentative/ none, via surface water/ ground water/ air/ use of habitats by mobile species</p> <p><sup>3</sup>if no connections: N</p>			
<p>Given the separation distances involved to the European Sites detailed above, potential effects are not likely to occur as a result of the proposed development.</p> <p>Significant effects from other pathways have been ruled out i.e., habitat loss, spread of invasive species, impacts from noise and disturbance.</p>			
<p><b>Step 3. Describe the likely effects of the project (if any, alone <u>or</u> in combination) on European Sites</b></p> <p>The proposed development will not result in any direct effects on any SPA or SAC.</p>			
<p><b>Step 4 Conclude if the proposed development could result in likely significant effects on a European site</b></p>			
<p>The construction or operation of the proposed development will not result in impacts that could affect the conservation objectives of European Sites within the zone of influence. Due to distance and lack of meaningful ecological or hydrological connections there will be no changes in</p>			

ecological functions due to any construction related emissions or disturbance. There will be no direct or ex-situ effects from disturbance on mobile species during construction or operation of the proposed development. No mitigation measures beyond normal standard construction mitigation and drainage works are required to come to these conclusions.

## **Screening Determination**

### **Finding of no likely significant effects**

Having carried out Screening for Appropriate Assessment of the project in accordance with Section 177U of the Planning and Development Act 2000 (as amended), I conclude that that the project individually or in combination with other plans or projects would not be likely to give rise to significant effects on European Sites within the surrounding area, or any other European site, in view of the sites Conservation Objectives, and Appropriate Assessment (and submission of a NIS) is not therefore 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
- Distance from and weak indirect connections to the European sites
- The screening assessment undertaken by the Planning Authority
- No ex-situ impacts

### Appendix 3: Water Framework Directive Assessment

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Bord Pleanála ref. no.	ACP-323686-25	Townland, address	Dromdoohig More, Ballyhar, Killarney, Co. Kerry
Description of project	Removal of all on site structures and the construction of a builder's storage shed, access road and all associated site works.		
Brief site description, relevant to WFD Screening,	Site is located on a rural site at Dromdoohig More, Ballyhar, Killarney, Co Kerry. The site is relatively flat. The proposal is for structure only with no water connections proposed. Sufficient ground drainage considered to be available on site. A water quality monitoring station is located approx. 600m north of the site at Gweestin Bridge (ID: RS22G060600) and the site is located within the Laune-Maine-Dingle Bay catchment.		
Proposed surface water details	Limited hard surface areas so on site		
Proposed water supply source & available capacity	Building only so no water connection specified.		
Proposed wastewater treatment system & available capacity, other issues	Building for storage only so no wastewater on site.		

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)
River Waterbody	530m north	GWEESTIN_030 IE_SW_22G060 900	Good	Not Risk	None	No potential connection
River Waterbody	200m south	Glanooragh_01 0 IE_SW_22G040 110	Good	Review	None	No potential connection
Groundwater Waterbody	Underlying site	Scartaglin IE_SW_G_073	Good	Not at Risk	None	Yes, via groundwater
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	Waterbody 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.	River	GWEESTIN_030 IE_SW_22G060900	No	Siltation, pH (Concrete), hydrocarbon spillages	Standard construction practice	No, due to separation distance	Screened out
2.	River	Glanooragh_010 IE_SW_22G040110	Possibly via surface water	Siltation, pH (Concrete), hydrocarbon spillages	Standard construction practice	No, due to separation distance	Screened out
3.	Ground	Laune Muckross IE_SW_G_048	Yes, pathway exists via moderate drainage characteristics	Spillages, leakage to groundwater water table	As above	No, due to separation distance	Screened Out
<b>OPERATIONAL PHASE</b>							
1.	River	GWEESTIN_030 IE_SW_22G060900	No	Siltation, pH (Concrete), hydrocarbon spillages	Standard construction practice	No, due to separation distance	Screened out

2.	River	Glanooragh_010 IE_SW_22G040110	Possibly via surface water	Siltation, pH (Concrete), hydrocarbon spillages	Standard construction practice	No, due to separation distance	Screened out
3.	Ground	Laune Muckross IE_SW_G_048	Yes, pathway exists via moderate drainage characteristics	Spillages, leakage to groundwater water table	As above	No, due to separation distance	Screened Out
<b>DECOMMISSIONING PHASE</b>							
1.	N/A						