

An
Coimisiún
Pleanála

Inspector's Report

PL-500218-DF-25

Development	Refurbishment of dwelling and an extension with all associated site works
Location	Ballaghstown, Lusk, Co. Dublin
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	F25A/0761E
Applicant(s)	John Grimes
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party
Appellant(s)	John Grimes
Observer(s)	None
Date of Site Inspection	16 th February 2026
Inspector	Emma Gosnell

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1.0 Site Location and Description

- 1.1. The appeal site is located in the townland of Ballaghstown in the rural hinterland of Lusk, Co. Dublin, c. 5km to the east of the M1 motorway. It is accessed on its west side from Ballastown Lane (60km/hr speed limit) which connects the L-1285 to the north and to the R127 Skerries Road to the south-west. The wider area is rural in character, relatively flat and features a mix of agricultural farmland and one-off housing in a variety of sizes and designs. The town of Lusk is located c. 2km to the south-west.
- 1.2. The site is adjoined on all sides by agricultural lands, with a number of existing rural one-off dormer dwellings and a storage shed being located to its west and in proximity to its c. 300m long agricultural access laneway off Ballastown Lane.
- 1.3. The rectangular site, which has a stated area of 2.36ha, comprises of two distinct parts – ‘Area A’ and ‘Area B’ which are bisected by an access laneway. The access laneway comprises of a muddy single carriageway track enclosed by banks of mature trees and hedges. ‘Area B’ comprises of a large square agricultural field which is situated on the north side of the access laneway. This field is open on its south side where it is traversed by overhead electricity poles and enclosed on all other sides by field boundaries. ‘Area A’ is located on the south side of the access laneway and is a comparatively smaller rectangular site. Its southern portion is undeveloped and in use in part for the storage of farm supplies. Its northern side comprises of a cluster of buildings: an agricultural shed with corrugated roof (in use for the storage of farm machinery); a pitched roof stone farm building; and, a stone vernacular building which has been extended to the north and which is partially in a ruinous condition. The north and south portions of ‘Area A’ are delineated by the south elevations of the shed and vernacular building and by a stone wall which connects them, with the remainder of ‘Area A’ comprising of agricultural land.

2.0 Proposed Development

- 2.1. The proposed development comprises of: (a) Refurbishment and reuse of an existing vernacular dwelling house and attached outbuildings; (b) Alterations and upgrading works to the original stone built dwelling structure; (c) Alterations, extension and conversion of the existing attached outbuildings, all to be used as single dwelling unit; (d) A single-storey extension incorporating a living room and dining room; (e) A new

wastewater treatment system, and percolation area to serve the dwelling, together with ancillary landscaping and site works.

3.0 Planning Authority Decision

3.1. Decision

Permission refused on 09/10/2025 for 1 no. reason:

“1. The proposed development would be contrary to the Rural zoning objective for such land, which seeks to ‘Protect and promote in a balanced way, the development of agriculture and rural related enterprise, biodiversity, the rural landscape, and the built and cultural heritage’. The proposed development would also materially contravene the Rural Settlement Strategy of the Fingal Development Plan 2023-2029 specifically Policy SPQHP46 - Rural Settlement Strategy and Policy SPQH081 - RU and GB lands as well as Objective SPQHO50 - Rural Community. The proposed development would therefore be contrary to the proper planning and sustainable development of the area”.

3.2. Planning Authority Reports

3.2.1. Planning Reports

1 no. planning report (dated 09/10/2025) formed the basis of the planning authority's (PA) assessment. Key points raised are:

- *Zoning* – residential use permitted in principle under ‘RU – Rural’ zoning objective.
- *Principle of Development* – proposal to reuse a vernacular dwellinghouse is acceptable in principle. However, planning history relevant to the subject site (i.e. P.A. Ref. 90A/1888 and P.A. Ref. 91A/1352) includes conditions requiring that the subject structure not be used as a dwelling house/ that its residential use cease and that it only be used as an outhouse in connection with the operation of the farm. On this basis, the proposal would constitute the change of use of an existing structure from its existing agricultural/ non-residential use to a residential use as a new dwelling house. The proposal cannot therefore be considered under Section 3.5.15.13 (Vernacular Buildings) as it would constitute a new dwelling.

- *Rural Settlement Strategy* – the applicant has not submitted documentation to demonstrate that they qualify for a rural dwelling. **Refusal Recommended.**
- *Conservation* – no objection in principle on conservation grounds and on basis of CO's support for proposal. CO recommendation re: use of traditional high-quality materials and conservation repair of adjacent stone-built outbuilding also noted.
- *Visual Amenity* – proposed design of dwelling and pitched roof extension is in-keeping with and sympathetic to existing structure and would not detract from visual amenity of area.
- *Landscaping/ Boundaries* – insufficient detail provided. Can be conditioned.
- *Parking* – Bike parking can be provided in-curtilage. No details provided in respect to car parking/ manoeuvrability – a revised driveway layout showing same required.
- *Access* – existing access lane substandard. Proposal to upgrade and resurface lane is acceptable but lacks dimensions and should be of a sufficient width to accommodate fire tender access. Red line may need to be revised. **FI required.**
- *Sightlines* – 60km/hr road adjoining requires 90m bi-directional sightlines in compliance with TII standards. Sightlines to north are substandard. **FI required.**
- *Water Supply* – proposed source is via a private well acceptable to PA.
- *Wastewater* – proposed 6 P.E. package wastewater treatment system is acceptable to PA.
- *Surface Water* – proposed to manage via a soakaway is acceptable to PA.
- *AA Screening* – site proximity to Rogerstown Estuary SAC and SPA, North West Irish Sea SPA and Skerries Islands SPA noted but considered that no realistic pathways exist between appeal site & European sites and therefore no potential for likely significant effects on same.
- *EIA Screening* – proposal is subthreshold. No EIA required.

Report concluded by recommending permission be refused as detailed in Section 3.1.

Other Technical Reports

Water Services Department (22/09/2025) – no objection subject to attachment of standard foul and surface water drainage conditions.

Transportation Planning Section (03/10/2025) – further information required in respect to width of proposed upgraded laneway; achievement of 90m sightlines at site entrance in compliance with requirements of TII’s DN-GEO-03060; and, written evidence that applicant has the necessary legal consent/ rights of way etc. to undertake all such works to facilitate sightlines.

Parks and Green Infrastructure Division (18/09/2025) – no objection, recommend planting of native hedging along site boundary of ‘Area A’ is addressed by condition.

Conservation Officer (CO) (07/10/2025) – proposal to refurbish and extend an existing vernacular dwelling and attached outbuildings for habitable use is acceptable in principle and supported by the FDP. CO would welcome conservation and repair of the stone-built outbuilding, situated northwest of the house in order to keep the building in use and maintain it as part of a collection of associated early farm buildings. CO seeks that quality traditional materials (natural slate, stone sills and thresholds, lime pointing mortar) are used.

3.3. Prescribed Bodies

No submissions on file.

3.4. Third Party Observations

None received.

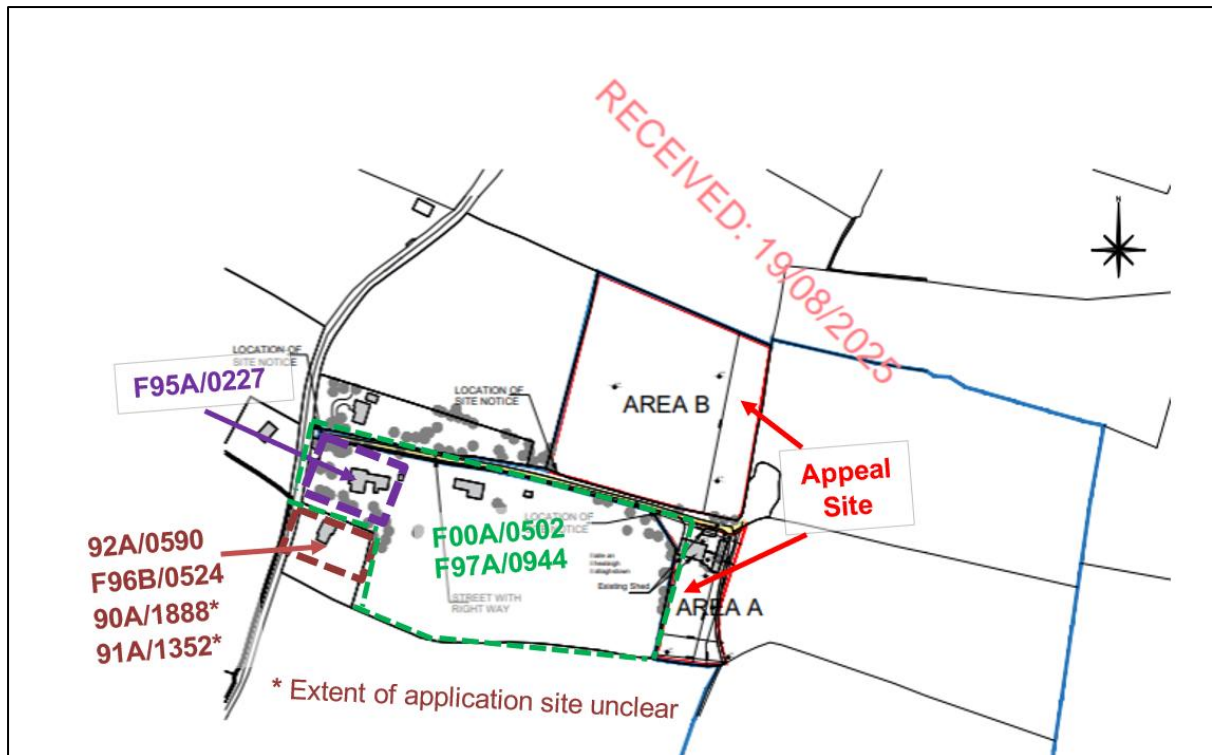
4.0 Planning History

4.1. Appeal Site

None found.

4.2. Neighbouring Sites

The planning history of the adjacent development sites which are relevant to the subject appeal is set out below:



P.A. Ref. F00A/0502 – application by Mr. D. Curtin for alterations to design of dwelling approved under Reg. Ref. F97A/0944 at Ballaghstown, granted on 10/08/2000 subject to 8 no. conditions.

P.A. Ref.97A/0944 - application by Mr. Denis Curtin for erection of a bungalow and septic tank at Ballaghstown, granted permission on 28/01/1998 subject to 9 no. conditions.

P.A. Ref. F95A/0227 & ABP Ref. 06F.096282 – application by J Grimes (appellant's father) for a house at Ballaghstown, refused outline permission on appeal on 24/10/1995 for 1 no. reason relating to 1. Material contravention of site's agricultural zoning where rural one-off housing is restricted and where housing need has not been demonstrated. Details derived from documentation provided with GOA as no history documents available.

P.A. Ref. F96B/0524 – application by C. Handibode & A.J. Bryan for a domestic garage at Ballaghstown, granted in 22/01/1997 subject to 3 no. conditions.

P.A. Ref. 92A/0590 – application by A. J. Bryan to retain a dwelling at Ballaghstown, Lusk (regularisation of planning status of house permitted under *P.A. Ref. 91A/1352*), granted on 23/07/1992 subject to 2 no. conditions, including *"The development shall be carried out in conformity with Condition Nos. 3-10 incl. of the decision to grant*

permission by Order No. P/0033/92 dated 29.01.1992 Reg. Ref. 91A-1352 save as amended to conform with the revisions indicated in the plans lodged with Dublin County Council in connection with this application. Reason: In the interest of the proper planning and development of the area”.

P.A. Ref. 91A/1352 – application by Mr A.J. Bryan for a bungalow at Ballaghstown, Lusk, granted on 19/03/1992 subject to 10 no. conditions [no map available to indicate the location of site or extent of redline], including:

“7. The dwelling is a replacement for an existing farmhouse - on adjoining lands referred to in Reg. Ref. 90A/1888. This farmhouse shall not be used as a dwellinghouse and shall be used only as an outhouse in connection with the operation of the farm.

10. That development shall not commence until the Planning Authority has received an indenture of agreement pursuant to Section 38 of the Local Government (Planning and Development) Act, 1963 providing that the house, for which a house on this site was to be a replacement, shall not be used for human habitation.

Reason: In the interest of the proper planning and development of the area”.

P.A. Ref. 90A/1888 (PL6/5/84851) – application by John Grimes for outline permission for a replacement dwelling. No history documents available, and the extent of the application red line is not clear from the information on file. A copy of the grant order for this permission provided as part of GOA states that this permission was granted on 26/06/1991 subject to 5 no. conditions, including: “4. The house is a replacement house for the existing farmhouse, which shall not be used as a dwelling and shall be used only as an outhouse in connection with the operation of the farm”. This outline permission was not subject to a further permission consequent application.

5.0 Policy Context

5.1. National Policy

Project Ireland 2040 – National Planning Framework (2025) – NPO90: Enhance, integrate and protect the special physical, environmental, economic and cultural value of built heritage assets, including streetscapes, vernacular dwellings and other historic

buildings and monuments, through appropriate and sensitive investment and conservation.

Climate Action Plan (2024 & 2025) and National Biodiversity Action Plan (NBAP) 2023-2030 – Outcome 2A protection of existing designated areas & protected species.

Our Rural Future: Rural Development Policy 2021-2025.

Quality Housing for Sustainable Communities Best Practice Guidelines for Delivering Homes and Sustaining Communities (DoHLGH, 2007)

Sustainable Rural Housing Guidelines for Planning Authorities (DoHLGH, 2005).

5.2. Technical Standards

TII DN-GEO-03060 (Geometric Design of Junctions) (2023).

EPA Code of Practice: Domestic Wastewater Treatment Systems (2021).

5.3. Regional Policy

Eastern & Midland Regional Assembly Regional Spatial & Economic Strategy 2019-2031 – Rural Areas: RPO 4.80 management of housing in rural areas.

5.4. Development Plan

The Fingal Development Plan (FDP) 2023 – 2029 applies.

Zoning

The site is zoned ‘Objective RU – Rural Areas’ with the objective ‘To protect and promote in a balanced way, the development of agriculture and rural related enterprise, biodiversity, the rural landscape, and the built and cultural heritage’. The vision for ‘RU’ zoned lands is to ‘Protect and promote the value of the rural area of the County’.

Residential development is ‘Permitted in Principle’ on RU zoned lands subject to compliance with the Rural Settlement Strategy.

The overall site is categorised as being in a ‘Low-Lying Agricultural’ landscape character area. The northern portion of the site (‘Area B’) comes within a designated ‘Highly Sensitive Landscape’.

Rural Settlement Strategy

Section 3.5.15.3 (Fingal Rural Settlement Strategy Rural Generated Housing Need) – states that residential development in areas zoned RU, HA, GB and RC which is urban generated will be restricted to preserve the character of Rural Fingal and to conserve this important limited resource. The countryside for the purposes of this section of the Plan are those areas with the rural zoning objectives identified as Rural (RU), Greenbelt (GB) and High Amenity (HA). Rural-generated housing needs are considered to be the housing needs of people who have long standing existing and immediate family ties, or occupations which are functionally related to the rural areas of the County.

Section 3.5.15.5 (New Housing for the Rural Community other than those who are Actively Engaged in Farming): 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 – RU and GB lands: 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 [cited in RR].

Table 3.5. Criteria for Eligible Applicants from the Rural Community for Planning Permission for New Rural Housing.

Policies CSP46 and SPQHP46 – Rural Settlement Strategy: Respond to rural-generated housing need by means of a rural settlement strategy which directs the demand where possible to Rural Villages and Rural Clusters and permit housing development in the countryside only for those people who have a genuine housing need in accordance with the Council's Rural Housing Policy and where sustainable drainage solutions are feasible [cited in RR].

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 [cited in RR].

Vernacular Buildings

Section 3.5.15.13 (Vernacular Buildings): To encourage the viable re-use of historic vernacular dwellings, applications for the sensitive restoration of disused vernacular

houses and cottages will not be subject to the Rural Settlement Strategy for housing in the countryside which applies to new dwellings, provided that the following parameters are complied with:

- The structure must have been a residence. Where the dwelling has been unoccupied for a prolonged period, evidence must be supplied to prove that it was previously in residential use.
- The distinctive vernacular character of the dwelling is retained.
- The original historic fabric is repaired using appropriate traditional construction methods and materials.
- Where the building is derelict, it must be proven that it is structurally capable of supporting the proposed works.
- Measures are taken to support and protect the building from collapse prior to, and during, the construction works.
- The proposal complies with the drainage standards for new dwellings in rural areas.

Policy SPQHP59 – Vernacular Buildings: Promote the sensitive restoration and re-use of historic vernacular dwellings and outbuildings within Fingal.

Section 14.19.5 Vernacular Heritage and Other Built Heritage Assets and Table 14.26 – Direction on Development of Vernacular Buildings or Other Built Heritage Assets.

Policy HCAP22 - Retention and Reuse of Existing Building Stock and HCAP24 - Works to Vernacular Buildings and HCAP25 – Retention of Historic Fabric.

Objectives SPQHO103 – Retention of Vernacular Buildings and SPQHO104 – Protection of Vernacular Buildings.

Section 10.5.2.5 (Vernacular Heritage and Other Built Heritage Assets).

Objective DMSO190 – Structures Contributing to Distinctive Character.

Objective HCAO36 – Extensions to Vernacular Dwellings.

Other

Policy CAP8 – Retrofitting and Reuse of Existing Buildings.

Section 14.21.1 (Reuse of Existing Buildings), Section 14.19.1.2 (Existing Buildings/Structures) and Objective DMSO256 – Retrofitting and Re-Use of Existing Buildings: Support the retrofitting and reuse of existing buildings rather than their demolition and reconstruction where possible.

Section 14.18 (Green Infrastructure and Natural Heritage). Objectives SPQHO91 - Retention Hedgerows, DMSO125 – Management of Trees and Hedgerows, DMSO126 – Protection of Trees and Hedgerows during Development and Objective DMSO140 – Protection of Existing Landscape.

Objective SPQHO90 - Entrances and Front Boundary Treatment.

Objective CMO47 – Road Safety and Rural Roads: Prioritise safety on rural roads and junctions, while having regard to the protection of biodiversity, Green Infrastructure and rural character present in roadside trees, hedgerows and banks.

Objectives SPQHO66 (On-Site Treatment Systems), DMSO200 (EPA Code of Practice) and Section 14.20.2 (Rural Housing – Wastewater Treatment).

6.0 Natural Heritage Designations

The appeal site is not located within or adjoining any designated site.

The nearest European sites in close proximity to the appeal site are as follows:

- Rogerstown Estuary SAC (Site Code 000208) - approx. 4km to south.
- Rogerstown Estuary SPA (Site Code 004015) - approx. 4km to the south.
- North-West Irish Sea SPA (Site Code 004236) – approx. 3.5km to east.
- Skerries Islands SPA (Site Code 004122) – approx. 4km to north-east.
- Rockabill SPA (Site Code 004014) - approx. 5.5km to north-east.
- Rockabill to Dalkey Island SAC (Site Code 003000) - approx. 5km to east.

The site is also proximate to the following Natural Heritage Areas and proposed Natural Heritage Areas:

- Rogerstown Estuary pNHA (Site Code 000208) – approx. 3.5km to south-east.
- Skerries Islands NHA (Site Code 001218) – approx. 4km to the north-east.
- Loughshinny Coast pNHA (Site Code 002000) – approx. 4km to the north-east.
- Rogerstown Estuary pNHA (Site Code 000208) – approx. 4km to south.

7.0 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.

8.0 Water Framework Directive Screening

I have concluded, on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment (refer to form in Appendix 3 for details).

9.0 The Appeal

9.1. Grounds of Appeal

A first party appeal submission was received (05/11/2025) and seeks to address the PA's reason for refusal. The grounds of appeal (GOA) can be summarised as follows:

Response to Refusal Reason No. 1

- Proposal fully complies with FDP policy on derelict residential vernacular buildings.
- Whilst the outline permission granted under P.A. Ref. 91A/1352 was subject to a condition requiring the abandonment of the residential use of the structure subject of this appeal, there is no evidence to demonstrate that a further permission consequent application was granted and, as such, the structure remained in residential use and can be considered under Section 3.5.15.13.
- Appellant's family are the historic legal owners of the subject structure and surrounding farmland.
- No evidence that the 'ultra vires' planning conditions which sought to sterilise the residential use of the vernacular structure were complied with or that its longstanding residential use was discontinued or abandoned.

- Subject proposal is for restoration of a vernacular residential building and is not an application for a new dwelling. As such, there is no requirement to demonstrate compliance with the Rural Settlement Strategy.

Drainage

The proposal for an on-site wastewater treatment system (WWTS) is supported by a Site Characterization Report. Surface water will be dealt with via a SuDS compliant system. Conditions can be attached to ensure drainage systems fully comply with all technical requirements.

Access

The existing access has sightlines of over 100m in each direction on account of its location on a straight section of Ballastown Lane.

Conservation

- Nature and extent of refurbishment proposal is well considered, was acceptable to PA, respects the character of the original structure and will not give rise to visual harm.
- A conservation expert will be retained to supervise and certify the proposed works.
- Appropriate methods and materials will be used during the refurbishment works.
- Conservation Officer's preference that stone outbuilding is renovated and reused noted. Whilst building is excluded from the current planning application it is on lands in appellant's ownership and they are willing to restore it for use as an ancillary structure to the residential dwelling.

Environmental Impact

- Proposal is unlikely to impact on any Natura 2000 sites on account of its nature, small scale and location.
- There is no history of flooding on the site, which is located in Flood Zone C.

The grounds of appeal (GOA) are accompanied by:

- Annex 1: Summary of Planning History on Lands.
- Annex 2: Copy of Observation Letter by Mr. Bryan on Outline planning application by Mr. Grimes (P.A. Ref. F95A/0227).
- Copies of 1990, 1991, 1992 and 1995 planning decisions.

- Reports and drawings submitted with the planning application.

9.2. **Planning Authority Response**

Response (received 03/12/2025) states that the PA have no comments to make in respect of the appeal and seeks that the Commission uphold decision to refuse permission. In the event that their decision is overturned by the Commission, the PA seek that, where relevant, conditions relating to the payment of a financial contribution and/ or special development contribution under FCC's Section 48 Development Contribution Scheme be applied and that a tree bond also be provided for, where required.

9.3. **Observations**

None received.

10.0 **Assessment**

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

- Planning History and Status of Vernacular Structure
- Principle of Development
- Works to Vernacular Structure
- Servicing
- Access – New Issue
- Material Contravention
- Other Matters

10.1. **Planning History and Status of Vernacular Structure**

- 10.1.1. The appeal site is located c. 300m to the east of Ballastown Lane and forms part of a wider landholding that is (or was historically) in the legal ownership of the applicant's

father. I draw the Commission's attention to the planning history of adjoining lands (detailed in Section 4.2 of this report) as they relate to the appeal site and to the vernacular structure subject of this appeal.

- 10.1.2. Based on the submissions received, and the copies of previous relevant planning decisions supplied as part of the GOA, it is clear that the vernacular structure was subject to planning conditions that were attached to 1 no. outline permission and 2 no. full permissions for replacement dwellings (on application sites that did not include the appeal site) which were granted under P.A. Ref's 90A/1888 (PL6/5/84851), 91A/1352 and 92A/0590. These conditions sought that the vernacular structure subject of the appeal before the Commission no longer be used as a dwellinghouse and should instead be used only as an outhouse in connection with the operation of the farm.
- 10.1.3. The fact that these permissions were granted and that the vernacular structure was subject to these conditions, the clear meaning of which was that the residential use of the structure would cease, is not in dispute. I note that there is no evidence of compliance with, or enforcement of, the aforementioned conditions.

10.2. Principle of Development

- 10.2.1. This is an application for the refurbishment of an existing c. 19th century vernacular structure which, the planning history referred to above demonstrates, was previously in use as a dwellinghouse.
- 10.2.2. The PA considered that, on account of the aforementioned planning history, the proposal to refurbish and reuse the vernacular structure would constitute a change in its use from existing agricultural/ non-residential use to a residential use, which would not be compliant Section 3.5.15.13 (Vernacular Buildings) on the basis it would constitute a new dwelling that would be subject to compliance with the Rural Settlement Strategy. This requires those applying for rural housing to demonstrate that they have a genuine rural housing need to live within their rural community.
- 10.2.3. Section 3.5.15.13 (Vernacular Buildings) encourages the viable re-use of historic vernacular dwellings and states that applications for the sensitive restoration of disused vernacular houses and cottages will not be subject to the Rural Settlement Strategy for housing in the countryside which applies to new dwellings, provided that specified policy parameters are complied with. The principal parameter in dispute in

this case is that “*The structure must have been a residence. Where the dwelling has been unoccupied for a prolonged period, evidence must be supplied to prove that it was previously in residential use*”.

- 10.2.4. From my reading of the aforementioned policy wording, I note that it does not specifically state a qualifying time period or that the last or existing use of the structure must be residential, with the only relevant tests being that “*The structure must have been a residence*” and “*was previously in residential use*”. In this case, whilst the vernacular structure is currently unoccupied and in a derelict condition, there is no dispute as to the fact that the subject structure was previously in residential use (as detailed in paragraphs 10.1.2 and 10.1.3 of this report) and, as such, I am satisfied that it complies with this specific policy parameter of Section 3.5.15.13 (Vernacular Buildings).
- 10.2.5. I deal with the proposal’s compliance with the other policy parameters of Section 3.5.15.13, which relate to the character and condition of the dwelling and to drainage, separately in Section 10.3 and 10.4 of this report, where I conclude that the proposal is also fully compliant with same.
- 10.2.6. On the basis of the proposal being an application for the sensitive restoration of a disused vernacular dwelling and being fully compliant with the requirements of Section 3.5.15.13 (Vernacular Buildings), I am satisfied that the Rural Settlement Strategy would not apply in this instance and for this reason, I do not agree with the PA’s refusal reasoning.

10.3. Works to Vernacular Structure

- 10.3.1. The appellant has applied for permission to refurbish, upgrade and reuse an existing single storey vernacular stone-built dwelling; for permission to alter, extent and convert its attached existing (pitched roof shed extension to north) and former single storey outbuildings (remains in yard to south) bringing these into residential use; and, for permission to provide a further single storey L-shaped extension (37sq.m) to its south side in order to provide for a new living room and dining room connected to the original dwelling via a glass link – with the entire structure to be used as a single residential unit.

- 10.3.2. The PA's Conservation Officer (CO) in their report note that existing structure is currently in use as a farm outbuilding and is part of a collection of buildings and a farmyard, with little remaining of the early house. I note from my site inspection that the existing vernacular dwelling comprises of the southernmost part of a linear building with a pitched roof. It is single bay structure with rubble stone walls featuring a square-headed window opening and square-headed door opening on the front elevation and two square-headed opes on its rear elevation which is overgrown with ivy. Its interior comprises of few original features with a fire place, chimney breast and upper-level joist holes being all that remains internally. Lower stone-built walls extend southwards from the dwelling's south elevation, and these appear to be remains of collapsed original outhouses. The northern portion of the linear building comprises of a more contemporary, open-ended storage shed.
- 10.3.3. Section 3.5.15.13 requires that *"Where the building is derelict, it must be proven that it is structurally capable of supporting the proposed works" and that "measures are taken to support and protect the building from collapse prior to, and during, the construction works"*. The GOA argue that the existing c. early 19th century vernacular dwelling is structurally sound. This view is supported by my observations on site, and I refer the Commission to my site inspection photos in this regard. I also note that the proposals are based on a detailed survey of the condition of the vernacular dwelling and I consider that the safeguarding of the condition of the building during the construction stage can be addressed by condition where the Commission are minded to grant permission.
- 10.3.4. Section 3.5.15.13 also seeks that "The distinctive vernacular character of the dwelling is retained" and that "The original historic fabric is repaired using appropriate traditional construction methods and materials". In this regard the appellant argues that the existing form of the vernacular dwelling will be retained and restored, thereby maintaining its historical integrity. The CO was similarly satisfied with the submitted proposals, on the basis that they would re-establish the linear nature of the vernacular structure whilst maintaining the form (height, depth etc.) and scale of the existing building – so as not to erode its setting, design qualities or visual character. The CO also considered that the proposed materials and finishes would complement the existing building and recommended that quality traditional materials (i.e. natural slate, stone sills and thresholds, lime pointing mortar) be used to achieve a high-quality

finished project. I consider this recommendation to be reasonable given the nature of the proposal and I recommend to the Commission that this matter is addressed by condition where they are minded to grant permission.

- 10.3.5. In light of the foregoing considerations, and having regard to the information on file which demonstrates that the existing dwelling was previously a residence/ in residential use; that its distinctive vernacular character and original historic fabric is retained; and, that it is structurally capable of supporting the proposed works, I am satisfied that the proposal to refurbish and extend the structure, and to refurbish, reconstitute and convert/ change the use of its adjoining outbuildings, is fully compliant with 3.5.15.13 (Vernacular Buildings).
- 10.3.6. I am also satisfied that the proposal is supported by more general FDP policy on the retention and reuse of vernacular buildings as set out under Sections 14.19.5 (Vernacular Heritage and Other Built Heritage Assets) and 10.5.2.5 (Vernacular Heritage and Other Built Heritage Assets), Policies SPQHP59 – Vernacular Buildings, HCAP22 – Retention and Reuse of Existing Building Stock, HCAP24 – Works to Vernacular Buildings and HCAP25 – Retention of Historic Fabric, and Objectives SPQHO103 - Retention of Vernacular Buildings and SPQHO104 – Protection of Vernacular Buildings, and Table 14.26 Direction on Development of same). It is also supported by climate action policy (Policy CAP8 and Section 14.19.1.2) which encourages the retrofitting and adaptive reuse of existing buildings.
- 10.3.7. I consider that the proposed single storey extension, on account of its general size, scale, design and form, is sympathetic to and in-keeping with the vernacular structure as required by Objective HCAO36 – Extensions to Vernacular Dwellings. Furthermore, having regard to the fact that the proposal is in-keeping with the overall built character of the farmyard complex and would not therefore detract from the visual amenity of the area, I am also satisfied that the proposal is compliant with Objective DMSO190 – Structures Contributing to Distinctive Character which requires that, where development is proposed for a site that contains a vernacular building or structures, it contribute to the distinctive character of a rural areas of Fingal.
- 10.3.8. The applicant has not put forward any proposals to upgrade the 2 no. existing farm buildings located to the west and northwest of the vernacular dwelling. Notwithstanding, the PA's CO has stated that they would welcome the conservation

and repair of the stone-built outbuilding in order to keep the building in use and maintain it as part of a collection of associated early farm buildings. I note that the stone outbuilding is located in the application redline and that the appellant has stated in the GOA that they would be willing to restore it for use as a structure ancillary to the residential dwelling. I consider that this would be a planning gain and I am satisfied that the detail of the sensitive upgrade, refurbishment and conversions of this building to ancillary residential use can be agreed via pre-commencement condition where the Commission are minded to grant permission.

10.4. Servicing

Water Supply

- 10.4.1. The proposed source of water supply is via an existing connection to a private well which is located on the south-west of the appeal site as detailed on drawing No. 395-C01. The PA's Water Services Department raised no issues with this proposal, with no subsequent issues in relation to same being raised in the GOA or in the PA's response to same. I consider the proposed supply arrangements to be acceptable.

Surface Water

- 10.4.2. Surface water management on the appeal site is proposed to be managed by way of an underground soakaway system the design of which has been informed by an infiltration test carried out in compliance with BRE Digest 365 on the 8th January 2025. The soakaway is to be located c. 18m to the south-west of the refurbished building and meets the minimum site feature separation distances specified in BRE365. A rainwater harvesting system is also proposed to be installed to the north-east of the soakaway and will provide for additional surface water run-off storage. I note that the site's surface water management proposals were acceptable to the PA and I am of the view that there is adequate information before me to demonstrate the proposal's design compliance with BRE Digest 365 and with the BS 8515:2019 Code of Practice for Rainwater Harvesting Systems. In light of the foregoing, I am satisfied that the delivery of the proposed infrastructure to the required standard can be ensured by condition where the Commission are minded to grant permission.

Wastewater

10.4.3. Objective DMSO200 and Section 14.20.2 (Rural Housing – Wastewater Treatment) of the FDP require domestic , treatment systems to fully comply with the EPA Code of Practice Wastewater Treatment and Disposal Systems Serving Single Houses 2021 (CoP). In the case of the appeal site, it is proposed that foul water emissions will be dealt with via a new 6 P.E. package (secondary) wastewater treatment system with a tertiary raised polishing filter which will discharge to groundwater, with the choice of this system being informed by the submitted Site Characterisation Report and the guidance set out in the aforementioned CoP. The proposed WWTS will be located to the rear of the existing agricultural shed and to the south-west of the refurbished building – maintaining a separation of over 5m from the proposed soakaway, with adequate separation also observed from the existing well, site boundaries, trees and built features. The PA’s Water Services Department raised no issues with this proposal and having reviewed the submitted Site Characterisation Report and Form, I am satisfied that it accurately reflects the conditions that I observed on site during my inspection. In light of the foregoing, I consider that the proposal would not give rise to a risk to public health and that the delivery of the proposed infrastructure in accordance with the EPA CoP can be ensured by condition where the Commission are minded to grant permission.

10.5. Access – New Issue

Works to Laneway

- 10.5.1. It is proposed to utilise the existing agricultural site access and laneway leading from Ballastown Lane (c. 300m to the west) to serve the dwelling. It was noted during my inspection that this laneway is in poor condition and comprises of a muddy single-lane trackway with a number of large potholes. No details are provided in respect to the nature or extent of the proposed works to upgrade this laneway or in relation to the impact of the proposal on the mature trees and hedgerows which line it.
- 10.5.2. The PA’s Transportation Planning Section were not satisfied that sufficient information had been provided on proposed upgrade works to the existing access laneway and sought further information in respect to its proposed width, car parking and manoeuvrability, and its ability to accommodate fire tender access. I note that these matters were not further addressed as part of the GOA and no information has been

presented as to what kind of upgrade works would be required to facilitate the development or to what extent the carriageway would need to be widened.

- 10.5.3. I wish to draw the Commission's attention to the fact that, whilst the access laneway is shown to be within the legal ownership of the applicant's family (i.e. their father, as per the letter of consent dated 29/04/2025 provided with the application) and is subject to a right of way, proposed works to the laneway are not explicitly described in the statutory notices with the laneway also not being included in the application red line area.
- 10.5.4. Whilst the appellant's father's landownership at Ballaghstown extends to c. 34.2ha as illustrated on the submitted Site Location Map, it is not clear based on the level of information on file whether or not the trees and hedgerows which line the laneway are in the applicant's legal ownership or whether further third party consent would be required to make further alterations/ upgrades to the laneway. I note that this matter was not addressed by the PA's Parks and Green Infrastructure Division who were of the view that there are no trees or hedgerows on site which will be impacted by this development.
- 10.5.5. In the absence of definitive information on the nature and extent of upgrade works to the laneway (and impact of same) which are required to provide for safe access, and the ambiguity around the extent of ownership as it relates to this laneway, I consider that the impact of same on adjoining lands and on the existing trees and vegetation cannot be properly assessed in order to determine their compliance with Objectives CMO47 – Road Safety and Rural Roads, DMSO126 – Protection of Trees and Hedgerows during Development and DMSO140 – Protection of Existing Landscape. I recommend to the Commission that permission is refused on this basis. However, given that this is a new issue, the Commission may wish to seek the views of the parties in this regard.

Sightlines

- 10.5.6. The Transportation Planning Section noted that, as Ballastown Lane is a 60km/hr road, sightlines of 90m visibility to the nearside edge of the road both sides of the entrance (viewed from a 2m setback from the edge of the road) are required to be achieved in order to comply with TII's DN-GEO-03060. They specifically identified an issue with the sightlines to the north of the existing access falling short of this

requirement and sought that the applicant demonstrate that they have the necessary legal consent/ rights of way etc. to undertake all such works to facilitate the required sightline improvements and/or undertake a design speed survey which may justify a reduced sightline provision in line with the guidance set out in Table 5.5 of TII DN-GEO-03060. My observations on site would generally support the view that the current sightlines are inadequate and obstructed in part by tree and hedgerow growth – particularly on the south side of the site access.

10.5.7. The matter of compliant sightlines was not addressed or demonstrated as part of the GOA and I draw the Commission's attention to the fact that the submitted Site Location Map illustrates that a portion of the existing site access adjoining Ballastown Lane is not in the applicant's (father's) legal ownership. In light of the foregoing issues, I am not satisfied that adequate sightlines can be achieved without impinging on adjacent properties and it is also not clear if the applicant has sufficient interest over relevant lands to carry out necessary works to provide for adequate sightlines, in addition to the fact that these works are located outside the redline boundary of the subject site. In light of the foregoing issues, I recommend to the Commission that permission be refused. Notwithstanding, as this is a new issue, the Commission may wish to seek the views of the parties.

10.6. Material Contravention

10.6.1. The PA's refusal reason refers to the proposal being contrary to the site's 'RU' Rural zoning and states that it would materially contravene the Fingal Rural Settlement Strategy and specifically Policy SPQHP46 - Rural Settlement Strategy, Policy SPQHO81 - RU and GB Lands, and Objective SPQHO50 - Rural Community.

10.6.2. As discussed in Section 10.2 of this report, I have concluded that on the basis of the proposal's compliance with FDP Section 3.5.15.13 (Vernacular Buildings), the need for the proposal to also comply with the Fingal Rural Settlement Strategy is obviated, with no material contravention therefore arising.

10.6.3. Policy SPQHP46, which seeks to permit housing development within the countryside only for those people who have a genuine rural generated housing need in accordance with the Council's Rural Housing Policy, would not apply in this instance on the basis that the proposal is not subject to the Fingal Rural Settlement Strategy.

- 10.6.4. The appeal site is zoned 'RU – Rural' with Policy SPQHO81 permitting new rural dwellings in areas which have zoning objectives RU or GB on suitable sites only where the applicant meets the criteria set out in Table 3.5 (Criteria for Eligible Applicants from the Rural Community for Planning Permission for New Rural Housing). Having considered the preamble text to same set out under Section 3.5.15.3 (Fingal Rural Settlement Strategy Rural Generated Housing Need), I am satisfied that these policy requirements would also not apply to the proposal on the basis that the Fingal Rural Settlement Strategy disapplies. No material contravention of same therefore arises.
- 10.6.5. Objective SPQHO50 seeks to facilitate those with a genuine rural generated housing need to live within their rural community. On the basis that there is no requirement of the appellant to demonstrate their rural housing need in compliance with the Fingal Rural Settlement Strategy, I am satisfied that no material contravention of this objective arises.
- 10.6.6. Having regard to the forgoing, I am satisfied that the Commission is not subject to the requirements of S.37(2)(b) of the 2000 Act, as amended.

10.7. Other Matters

Planting

- 10.7.1. The PA's Parks and Green Infrastructure Division recommended that a condition be attached to require a mixed native hedge (including a minimum of three of the following species – Hawthorn, Holly, Hazel, Blackthorn, Guelder Rose and Spindle) be planted along the south boundary of the 'Area A' as shown on drawing no. 25-353- PL-100.
- 10.7.2. I note from my site inspection that this boundary is currently only partially delineated by trees and hedging and I would have no objection to the installation of a natural boundary at this location to delineate the dwelling's de-facto private amenity space from neighbouring farmlands.
- 10.7.3. I recommend to the Commission that where they are minded to grant permission a condition to this effect be attached.

Occupancy

- 10.7.4. Objective SPQHO75 of the FDP requires that, any house which is granted planning permission in areas with the zoning objective, RU, HA, or GB, be subject to an

occupancy requirement whereby the house must be first occupied as a place of permanent residence by the applicant and/or members of his/ her immediate family for a minimum period of seven years.

- 10.7.5. Whilst it has been demonstrated that the proposal subject of this appeal, which is located on 'RU' zoned lands, constitutes the reuse of a structure that was previously in use as a dwelling, I note that Objective SPQHO75 does not differentiate between existing/ replacement and new dwellings and therefore applies to each.

Therefore, I recommend to the Commission that where they are minded to grant permission an occupancy condition be attached.

11.0 Recommendation

I recommend that permission be REFUSED for the following reason:

12.0 Reasons and Considerations

1. Inadequate information has been provided in respect to the nature and extent of the works required to upgrade the existing agricultural access laneway connecting the appeal site to Ballastown Lane and, as such, the impact of these works on existing mature trees and hedgerows and on adjoining properties cannot be properly assessed with regard to their compliance with Objectives CMO47 – Road Safety and Rural Roads, DMSO126 – Protection of Trees and Hedgerows during Development and DMSO140 – Protection of Existing Landscape of the Fingal County Development Plan 2023-2029. The proposal would therefore be contrary to the proper planning and sustainable development of the area.
2. Having regard to the lack of information supplied within the application and the appeal, it has not been demonstrated that the design and layout of the existing vehicular access provides for adequate sightlines at this time. Furthermore, works to achieve adequate sightlines would extend outside lands in the ownership or control of the applicant. In the absence of adequate sightlines, it is considered that the proposed development would give rise to traffic hazard. 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.

Emma Gosnell
Planning Inspector
19th February 2026

Appendix 1: Form 1 - EIA Pre-Screening

Case Reference	PL-500218-DF
Proposed Development Summary	Refurbishment of dwelling and an extension with all associated site works.
Development Address	Ballaghstown, Lusk, 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)	☒ Yes, it is a 'Project'. Proceed to Q2.
	☐ 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)?	
☐ Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
☒ 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?	
☐ 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. No Screening required.	

☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
☒ Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	Part 2, Class 10(b)(i) Infrastructure – dwelling units – 500 units. Proposal is for 1 no. dwelling units and is therefore sub-threshold.

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☐	Screening Determination required (Complete Form 3)
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ Date: _____

Form 2 - EIA Preliminary Examination

Case Reference	PL-500218-DF
Proposed Development Summary	Refurbishment of dwelling and an extension with all associated site works.
Development Address	Ballaghstown, Lusk, 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).	The proposal is for the refurbishment and reuse of an existing vernacular dwelling house and attached outbuildings and related works on a site of c. 2.36ha. Demolition works are proposed. The development is significantly below the class threshold of 500 dwellings. 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. Access proposals need further consideration – see Section 10 of Inspector's Report. The proposed development, by virtue of its type, does not pose a risk of major accident and/or disaster, and is not vulnerable to climate change.

Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	The site is located in a rural area to the north of Lusk village. There is a concentration of similar low-density rural housing in the wider area. The nearest Natura 2000 sites are Rogerstown Estuary SAC (Site Code 000208) c. 4km to south, Rogerstown Estuary SPA (Site Code 004015) c. 4km to the south, North-West Irish Sea SPA (Site Code 004236) c. 3.5km to east, Skerries Islands SPA (Site Code 004122) c. 4km to north-east, Rockabill SPA (Site Code 004014) c. 5.5km to north-east and Rockabill to Dalkey Island SAC (Site Code 003000) c. 5km to east. The site is categorised as being 'Low-Lying Agricultural' in character, with its northern portion being coming within a 'Highly Sensitive Landscape' designation. There is no other nationally designated site on or in the immediate vicinity. The site is not within a designated ACA and there are no Protected Structures or other Cultural Heritage sites on or immediately adjoining the site. Having regard to the above and the 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.
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	Due to the relatively small scale of the development, the construction and demolition stages will not be significant in terms of duration or complexity. The main operational impacts would be limited to traffic safety, conservation, surface water and the wastewater arising from the site. These elements would be subject to standard assessment/ design and while I have outlined concerns with regard to same, I am satisfied that this can be assessed without potential for significant environmental effects that would require EIA. There would be no significant cumulative impacts with other projects.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.

Inspector: _____ **Date:** _____

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

(only where Schedule 7A information or EIAR required).

Appendix 2 - Appropriate Assessment Screening

Screening for Appropriate Assessment Test for likely significant effects	
Step 1: Description of the project and local site characteristics	
Case file: PL-500218-DF	
Brief description of project	Normal planning appeal. Refurbishment of dwelling and an extension with all associated site works at Ballaghstown, Lusk, Co. Dublin – see Section 2.0 of Inspector's Report for further details.
Brief description of development site characteristics and potential impact mechanisms	The appeal site, which is located in the rural townland of Ballaghstown in the rural hinterland of Lusk, Co. Dublin, comprises of an agricultural field and a complex of agricultural buildings located in a backland location to the rear of existing one-off housing fronting Ballastown Lane which is located c. 300m to the west of the appeal state and accessed via an agricultural lane. Some demolition or site clearance/ enabling works are required in order to facilitate the proposal. The development involves the refurbishment of an existing vernacular building together with its ancillary infrastructure – servicing etc. Proposed water supply is via a private well. The appellant proposes to dispose of their surface water run-off via a soakaway system that will discharge to groundwater. Foul drainage will be dealt with via a new 6 P.E. package wastewater treatment system – full details in Section 10 of Inspector's Report. There are no watercourses or other ecological features of note on the appeal site that would connect it directly to European Sites in the wider area. The nearest watercourse is the Balcunnin River (EPA Code IE_EA_08B310940, Poor Ecological Status and Under WFD Review) which is located c. 250m to the north of the appeal site. The river outfalls to the Northwestern Irish Sea (EPA Code IE_EA_020_0000, Good Ecological Status but At Risk) which is located c. 4km to the south-east adjacent to Billingsbrook Ashbury Point (and to the east of the R128 Skerries Road). The site is underlain by Lusk-Bog of the Ring groundwater body (EPA Code IE_EA_G_014, which has a Good Ecological Status but is at WFD Risk). The site's proximity to the aforementioned watercourse, and its on-site WWTS and soakpit which discharge to groundwater, provide a potential indirect link to the nearest Natura 2000 sites, which are Rogerstown Estuary SAC (Site Code 000208) c. 4km to south, Rogerstown Estuary SPA (Site Code 004015) c. 4km to the south, North-West Irish Sea SPA (Site Code 004236) c. 3.5km to east. There is considered to be no pathway to QI's of Skerries Islands SPA (Site Code 004122) – approx. 4km to north-east, Rockabill SPA (Site Code 004014) - approx. 5.5km to north-east and Rockabill to Dalkey Island SAC (Site Code 003000) - approx. 5km to east due to the nature and relatively small scale of the development, the location of these European sites relative to the appeal site, the c. 4km – c. 5km separation distances involved and the significant intervening dilution effects arising.

Screening report	No.
Natura Impact Statement	No
Relevant Submissions	The PA referred the application to the relevant prescribed Bodies. No responses were received. The Planning Authority undertook an Appropriate Assessment Screening (I refer to the Commission to their report of 09/10/2025) which identified Rogerstown Estuary SAC and SPA, North West Irish Sea SPA and Skerries Islands SPA as being the closest European Sites. The report states that the site is not connected to/ has no realistic pathways to any European site, with no likelihood of significant effects on any European site either alone or in-combination with other plans or projects during its construction or operation on account of nature, scale, size and location.

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

Having regard to the source-pathway receptor-model, I consider that there are 3 no. European sites which have the potential to be affected by the proposal. I have excluded all other European sites on the basis of their substantial physical separation from the appeal site and due to the absence of realistic pathways connecting the appeal site to same.

European Site (code)	Qualifying interests¹ Link to conservation objectives (NPWS, date)	Distance from proposed development	Ecological Connections²	Consider further in screening³
Rogerstown Estuary SAC (Site Code 000208)	Estuaries [1130], Mudflats and sandflats not covered by seawater at low tide [1140], Salicornia and other annuals colonising mud and sand [1310], Atlantic salt meadows (Glauco-Puccinellietalia maritima) [1330], Mediterranean salt meadows (Juncetalia maritimi) [1410], Shifting dunes along the shoreline with Ammophila arenaria (white dunes) [2120], Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]. NPWS website accessed 17/02/2026.	c. 4km	Yes Potential indirect hydrological connections via surface water and foul water to groundwater	Yes
Rogerstown Estuary SPA (Site Code 000208)	Greylag Goose (Anser anser) [A043], Light-bellied Brent Goose (Branta bernicla hrota) [A046], Shelduck (Tadorna tadorna)	c. 4km	Yes Potential indirect hydrological connections via surface	Yes

004015)	[A048], Oystercatcher (Haematopus ostralegus) [A130], Ringed Plover (Charadrius hiaticula) [A137], Grey Plover (Pluvialis squatarola) [A141], Knot (Calidris canutus) [A143], Dunlin (Calidris alpina) [A149], Black-tailed Godwit (Limosa limosa) [A156], Redshank (Tringa totanus) [A162], Shoveler (Spatula clypeata) [A857], Wetland and Waterbirds [A999]. NPWS website accessed 17/02/2026.		water and foul water to groundwater	
North-West Irish Sea SPA (Site Code 004236)	Red-throated Diver (Gavia stellata) [A001], Great Northern Diver (Gavia immer) [A003], Fulmar (Fulmarus glacialis) [A009], Manx Shearwater (Puffinus puffinus) [A013], Cormorant (Phalacrocorax carbo) [A017], Shag (Phalacrocorax aristotelis) [A018], Common Scoter (Melanitta nigra) [A065], Black-headed Gull (Chroicocephalus ridibundus) [A179], Common Gull (Larus canus) [A182], Lesser Black-backed Gull (Larus fuscus) [A183], Herring Gull (Larus argentatus) [A184], Great Black-backed Gull (Larus marinus) [A187], Kittiwake (Rissa tridactyla) [A188], Roseate Tern (Sterna dougallii) [A192],	c. 3.5km	Yes Potential indirect hydrological connections via surface water and foul water to groundwater	Yes

	Common Tern (Sterna hirundo) [A193], Arctic Tern (Sterna paradisaea) [A194], Guillemot (Uria aalge) [A199], Razorbill (Alca torda) [A200], Puffin (Fratercula arctica) [A204], Little Gull (Hydrocoloeus minutus) [A862], Little Tern (Sternula albifrons) [A885]. NPWS website accessed 17/02/2026.			
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Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites

AA Screening matrix

Having regard to the comparable impacts and effects arising, I deal with the European sites collectively below.

Site Name	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
Rogerstown Estuary SPA (Site Code 004015) Rogerstown Estuary SAC (Site Code 000208) North-West Irish Sea SPA (Site Code 004236)	Direct: none Indirect: Potential indirect hydrological connections via surface water and foul water to groundwater	The contained nature of the site (serviced, defined site boundaries, no direct ecological connections or pathways) and distance from receiving features connected to the SPA and SAC make it highly unlikely that the proposed development could generate impacts of a magnitude that could affect habitat quality within the SPA and SAC for the SCIs and QIs listed in the table above at either construction or operation stage. In terms of emissions to water, the nearest watercourse is the Balcunnin River (EPA Code IE_EA_08B310940, Poor Ecological Status and Under WFD Review) which is located c. 250m to the north of the appeal site. The river travels through a large bank of agricultural land and proximate to suburban housing estates before outfalling to the Northwestern Irish Sea to the east of the R128 Skerries Road. With such separation distance, it is considered that there is no physical or functional connection between the appeal site and this watercourse and therefore no potential for this watercourse to act as a hydrological pathway to the aforementioned European sites. Any silts or other potential pollutants entering groundwater via unattenuated run-off at construction stage or via the proposed surface water system or the proposed WWTS during the operational stage, even in the most extreme scenarios, would be completely attenuated by the dilution, dispersal and settlement that

		would occur within first the groundwater system and then within the marine environment. There is therefore no prospect that materials carried in surface water drainage or foul water from the proposed development site, could have any significant effect on the conservation objectives of the SAC or SPAs. Conservation objectives would not be undermined.
	Likelihood of significant effects from proposed development (alone): No	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? No	
Step 4 Conclude if the proposed development could result in likely significant effects on a European site I conclude that the proposed development (alone or in combination with other plans and projects) would not result in likely significant effects on a European Site. No measures specifically intended to avoid or reduce harmful impacts of the proposed development on European sites were taken into account in reaching this conclusion.		
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 European Sites, namely Rogerstown Estuary SAC (Site Code 000208), Rogerstown Estuary SPA (Site Code 004015) and North-West Irish Sea SPA (Site Code 004236) in view of these 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. • Distance from and weak indirect connections/ ecological pathways to the European sites. • Taking into account screening report/ determination by PA.		

Appendix 3

WFD IMPACT ASSESSMENT STAGE 1: SCREENING

Step 1: Nature of the Project, the Site and Locality

An Coimisiún Pleanála ref. no.	PL-500218-DF	Townland, address	Ballaghstown, Lusk, Co. Dublin.
Description of project		Refurbishment of dwelling and an extension with all associated site works. See Section 2.0 of Inspector's Report for further details.	
Brief site description, relevant to WFD Screening,		The site is located c. 2km to the north-east of Lusk village. The site itself (c. 2.36ha) is relatively flat and features a large agricultural field to the north and a cluster of agricultural/ vernacular farm buildings to the south. There are no existing watercourses on or immediately adjoining the site. The nearest watercourse is the Balcunnin River (EPA Code IE_EA_08B310940, Poor Ecological Status and Under WFD Review) which is located c. 250m to the north of the appeal site. The site is underlain by Lusk-Bog of the Ring groundwater body (EPA Code IE_EA_G_014, which has a Good Ecological Status but is At Risk).	
Proposed surface water details		The proposed surface water outfall is to groundwater via a soakaway – see Section 10 of this report for further details.	
Proposed water supply source & available capacity		The proposed water supply is via a private on-site well – see Section 10 of this report for further details.	
Proposed wastewater treatment system & available capacity, other issues		The proposed foul water drainage is via a new on-site new package wastewater treatment system – see Section 10 of this report for further details.	

Others?	According to OPW mapping (www.floodinfo.ie accessed on 17/02/2026), there are no past of predicted flooding events associated with the site. The site is not located within Fluvial Flood Zone A or Flood Zone B according to Map 8 of the SFRA completed for the LCDP. The closest Natura 2000 site are as detailed above in Appendices 1 and 2.					
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)
Balcunnin River (transitional)	c. 250m	Balcunnin River (EPA Code IE_EA_08B31 0940)	Poor	Under Review	Domestic Wastewater, Agriculture, etc.	None.
Lusk-Bog of the Ring groundwater body (groundwater)	Below site	Lusk-Bog of the Ring groundwater body (EPA Code IE_EA_G_014)	Good	At Risk	Domestic Wastewater, Agriculture, etc.	Wastewater & Surface water.
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	Balcunnin River (EPA Code IE_EA_08B310940)	None.	None.	n/a	No.	Screened Out.
2.	Ground	Lusk-Bog of the Ring groundwater body (EPA Code IE_EA_G_014)	Surface water run-off.	Water quality degradation.	Best practice construction management measures.	No. Having regard to the limited scale of the works and the application of standard construction practices, I am satisfied that there would be no significant risk.	Screened Out.
OPERATIONAL PHASE							

1.	Surface	Balcunnin River (EPA Code IE_EA_08B3109 40)	None.	None.	n/a	No.	Screened Out.
2.	Ground	Lusk-Bog of the Ring groundwater body (EPA Code IE_EA_G_014)	Surface water run-off from the site. Foul water.	Water quality degradation.	Surface water collection, treatment and disposal via soakaway. Foul water treatment and disposal via on- site WWTS which is compliant with 2021 EPA CoP.	No. Having regard to the limited scale of the works and the application of mitigation measures, I am satisfied that there would be no significant risk.	Screened Out.
DECOMMISSIONING PHASE							
	N/A	N/A	N/A	N/A	N/A	N/A	N/A