



An  
Coimisiún  
Pleanála

## Inspector's Report PL-500240-KY-25

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<b>Development</b>	Retention of outdoor dining/beverage area
<b>Location</b>	Murphys Pub , Strand Street , Dingle
<b>Planning Authority</b>	Kerry County Council
<b>Planning Authority Reg. Ref.</b>	2460792
<b>Applicant(s)</b>	Michael Murphy
<b>Type of Application</b>	Retention
<b>Planning Authority Decision</b>	Grant Retention with Conditions
<b>Type of Appeal</b>	Third Party Normal Planning Appeal
<b>Appellant(s)</b>	Jonathan Moriarty
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	21 <sup>st</sup> January 2026
<b>Inspector</b>	Carol Smyth

## 1.0 Site Location and Description

- 1.1. The subject site, which has a stated area of 0.086 hectares, is located on Strand Street, Dingle within the administrative boundary of Kerry County Council.
- 1.2. This two-storey end of terrace property is in use as a public house. This is a town centre location and the area is characterised by a mix of commercial and residential uses. A relatively recent single storey timber outdoor seating area has been constructed to the east gable wall of the pub which is the subject of this retention permission. The structure has an approximate area of 43.24 sqm.
- 1.3. There is a wide gravel laneway to east of the outdoor seating structure at this location which provides access to a number of residential and commercial properties to the north, east and northwest of the site. Unregulated carparking and takeaway trailer type units were situated along this laneway on the date of the site inspection.

## 2.0 Proposed Development

- 2.1. Retention Permission to Retain the existing structure which was constructed along the eastern gable of the premises and is currently used as an outdoor dining/beverage area.

## 3.0 Planning Authority Decision

### 3.1. Decision

- 3.1.1. **A decision to grant retention permission** was issued by the Planning Authority on the 15<sup>th</sup> October 2025, subject to 4 no. conditions.

### 3.2. Planning Authority Reports

#### 3.2.1. Planner's Report

There are two planning reports on file. The initial planning report dated 10<sup>th</sup> December 2024 requests further information in relation to ownership, the status and alignment of the Dingle Relief Road and opening hours.

Following the applicant's response to the further information request, a further planner's report dated 15<sup>th</sup> October 2025 was issued recommending a temporary grant of retention permission.

The Planning Authority considered that the structure erected during Covid 19 is similar to many other type structures for outdoor dining in the town which have received temporary retention planning permission. It is the view of the Planning Authority that these structures will be removed in their entirety at the end of the specified period or replaced with more suitable structures. A two-year temporary retention permission was granted for the development.

3.2.2. Road's Department dated 10<sup>th</sup> December 2024. The proposed development is considered to have a high impact on the route corridor for the proposed Dingle Relief Road.

3.2.3. Flooding, Coastal & Marine Unit dated 19<sup>th</sup> November 2024. No flood risk identified with the development.

3.2.4. Environmental Assessment Unit dated 19<sup>th</sup> November 2024. Notional Screening Exercise carried out. The development concerned would not have required AA or EIA and the development concerned was not likely to have had negative impacts on Natura 2000 sites in the area.

### 3.3. **Conditions**

3.3.1. Condition No. 1 required that the development shall be retained on a temporary basis for a maximum of 2 years. While Condition No. 3 requires the at removal of the structure in entirety within 2 years of the grant of permission. Condition No. 4 related to noise disturbance. Condition No. 2 related to financial contributions.

### 3.4. **Prescribed Bodies**

3.4.1. Transport Infrastructure Ireland (TII): Submission dated 24<sup>th</sup> October 2024. TII requests that the planning authority has regard to the provisions of official policy for development proposals as follows: proposals impacting national roads, to the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities and relevant TII Publications and proposals impacting the existing light rail network,

to TII's "Code of engineering practice for works on, near, or adjacent the Luas light rail system".

- 3.4.2. A further submission was received from the TII on the 19<sup>th</sup> September 2025 on foot of the response to the further information request which was deemed significant and required revised public notices. The submission reiterates the points raised in the original submission.

### 3.5. **Third Party Observations**

- 3.5.1. In total 2 no. observations were submitted to the Planning Authority in relation to the proposed development. The issues raised included the obstruction of the laneway, impacts on the character of the area, the unauthorized nature of the development, impacts on the delivery of the Inner Relief Road, title and land ownership.
- 3.5.2. A further observation was submitted to the Planning Authority on foot of revised public notices following the response to the further information request in relation to title and land ownership.

## 4.0 **Planning History**

Kerry County Council Reg. Ref. 97/15

Permission granted to extend the rear of Murphy's Pub to provide 6 no. ensuite bedrooms and a self-contained flat.

Kerry County Council Reg. Ref. 94/1854

Permission granted to extend and renovate bar.

Kerry County Council Reg. Ref. 91/119

Permission granted to extend bar

### 4.1. **Relevant Adjacent Planning History:**

ABP321393-24/ Kerry County Council Reg. Ref. 24/13

Permission refused for the construction of enclosed canopy and doors to outdoor seating area, construction of stud wall and door at attic level. Change of use for existing service area to storage and change of use for existing storage space to

additional seating and service space. Repair works to roof and all associated site works.

Kerry County Council Reg. Ref. 23/861

A 5-year temporary permission granted to retain an existing roof structure serving an outdoor area at Out of the Blue Restaurant, The Wood, Dingle, Co. Kerry.

## 5.0 Policy Context

### 5.1. Section 28 Ministerial Guidelines

#### 5.1.1. Architectural Heritage Protection – Guidelines for Planning Authorities (2011)

This guidance is a material consideration in the determination of applications and sets out comprehensive guidance for development in conservation areas.

### 5.2. Development Plan

#### 5.2.1. Kerry County Development Plan 2022-2028

5.2.2. Section 4.4.2.4 Outdoor Dining acknowledges that outdoor dining can make a positive contribution to the vibrancy and vitality of a town/village centre providing passive supervision, increased footfall, and an enhanced atmosphere. In particular outdoor dining has been an essential element in assisting businesses to continue to trade during the COVID 19 pandemic. The Council will continue to facilitate outdoor dining (pursuant to licences under section 254) in areas of the public realm, including footpaths and roads where adequate provision can be made for pedestrian and vehicular safety and settlement car parking requirements.

5.2.3. Objective KCDP 4-11 Facilitate and support initiatives to strengthen and improve the physical environment of the towns and villages with enhanced streetscapes, appropriate shopfront design and provision of improved street lighting, public footpaths, and street furniture.

5.2.4. Objective KCDP 4-44 Facilitate outdoor dining proposals pursuant to a licence under Section 254 of the Planning & Development Act 2000 (as amended) in suitable areas of the public realm including footpaths and roads subject to pedestrian and vehicular safety and maintaining adequate car parking to serve the settlement.

5.2.5. Objective KCDP 8-44 Ensure developments in an ACA have a positive impact on the intrinsic character of the area, respect the existing streetscape and layout, and are compatible in terms of design, materials, traffic, views, and intensity of site use.

5.2.6. Objective KCDP 11-36 Ensure that any application with the potential to create noise nuisance is appropriately assessed and that suitable measures to mitigate any nuisance are proposed and implemented.

5.2.7. **Dingle / Corca Dhuibhne Electoral Area Local Area Plan 2021-2027**

5.2.8. Dingle is designated as a regional town. Section 3.2.2 Strategic Issues and Strategy of the Local area Plan, (referred to here after as the LAP) sets out that for Dingle to develop in a sustainable manner it is important that *inter alia*:

- An improved quality of life is provided for the residents of the town by creating attractive public realms and amenities.
- The experience for visitors/tourist and locals is improved without losing the essential character of the town.
- The town's compact form is maintained, and its character and natural setting is conserved, while ensuring that future growth adheres to the principles of sustainability.
- Greater permeability, connectivity and access between the town centre and amenities is provided in a sustainable manner, thus enhancing the overall image of the town.
- Development is of a high visual and architectural standard so as to enhance the attractiveness of the town to both residents and visitors alike.
- Development of a high-quality marina and waterfront area occurs supporting the fishing and marine leisure sector.

5.2.9. The site has the land use zoning objective: M2 - Town Centre and is located within an Architectural Conservation Area (ACA).

5.2.10. Section 3.2.5.3 Town Centre of the LAP states that in order to maintain a vibrant town centre, it is essential that the level of retail provision in the town centre is maintained and enhanced.

- 5.2.11. The historic built fabric character of Dingle / Daingean Uí Chúis including its shopfronts also create a unique traditional streetscape and ambience. It is important therefore to ensure that new development enhances the existing streetscapes and that existing landmark buildings are maintained to the highest standards. It is essential that a balance is maintained between residential and commercial uses within the town centre. It is the policy of the Council to protect existing and encourage additional residential uses and areas within the town centre in order to maintain vibrant local neighbourhoods.
- 5.2.12. Objective WK-RT-2 Promote a vibrant and culturally-rich town centre with enhanced social inclusion, sustainable neighbourhoods and a high level of environmental quality to ensure an excellent quality of life for all.
- 5.2.13. Objective D-TC-6 Ensure that traditional shopfronts and signage are retained and that works to existing shopfronts, new shopfronts and streetscape developments are in accordance with Kerry County Council's Shopfront Design Guide 2018 and of a high-quality architectural design and finish and in Irish.
- 5.2.14. Objective D-TC-7 Maintain the vitality and viability of the retail core area.
- 5.2.15. Objective D-TC-8 Protect the residential uses/ neighbourhoods in the town centre
- 5.2.16. Objective D-TM-8 Facilitate the sustainable development and completion of the Inner relief road from Goat Street to Strand Street.
- 5.2.17. Objective D-ACA-3 Preserve the town's architectural heritage and encourage development that is designed in a manner that is in keeping with the scale, character and pattern of the existing built fabric and urban form. New developments must be designed to a high architectural standard and must take cognisance of local design features and materials.

### 5.3. **Natural Heritage Designations**

- 5.3.1. The site is not located within any National or European designated sites. The following sites are in closest proximity to the appeal site:
- Mount Brandon SAC and pNHA (Site Code: 000375) is located approximately 719 metres to the northwest of the site.

- Dingle Peninsula SPA (Site Code: 004153) is located approximately 2.17 km to the south of the site.

#### **5.4. EIA Screening**

- 5.4.1. See EIA Pre-Screening Form 1 in Appendix 1. The development is not a class of development requiring mandatory or sub-threshold EIA and therefore there is no EIA Screening requirement.

### **6.0 The Appeal**

#### **6.1. Grounds of Appeal**

- 6.1.1. This is a third-party appeal against the Planning Authorities decision to grant permission. The following provides a summary of the content of the appeal:
- Contests the grant of permission issued by the Planning Authority
  - The structure was erected during Covid 19 in 2021 and is unauthorised.
  - Given the delays in granting permission and the submission for the Further Information response concerned that the unauthorised structure could be in place for up to 7 years.
  - Concerns regarding the visibility of the structure and impacts on the busy street of the significant tourist town.

#### **6.2. Applicant Response**

- The application was made in response to enforcement proceedings by Kerry County Council.
- The structure was erected to make the business viable during the Covid 19 pandemic.
- The applicant seeks to regularise the development which has become an essential part of maintaining the viability of licenced premises.
- A more aesthetic and sympathetic design would be more appropriate to the site, but the applicant cannot pursue a more permanent design solution which would

be considered premature until the future Dingle Relief Road alignment is finalised.

- The granting of the temporary permission will not prejudice the future Dingle Relief Road alignment which when finalised will allow for a planning application which is more in keeping with the area.
- Kerry County Council have adopted a consistent approach to similar development in the area.
- The applicant has demonstrated sufficient legal title in the land by way of the further information response which was deemed acceptable to the Planning Authority.
- The 2-year temporary permission is considered reasonable.
- The proposal complies with the provisions of the Development Plan.

### **6.3. Planning Authority Response**

None on file.

### **6.4. Observations**

None on file.

### **6.5. Further Responses**

None on file.

## **7.0 Assessment**

- 7.1. This is a third-party appeal against the Planning Authority's decision to grant a temporary retention permission for an outdoor seating area. Having examined the applications details and all other documentation on file, including all the submissions received in relation to the appeal, the report/s of the local authority, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Principle of Development
- Transport
- Visual Amenity
- Residential Amenity

## 7.2. Principle of Development

- 7.2.1. The subject site is located on Strand Street, Dingle within the settlement boundary of the town. Dingle is designated as a regional town as set out in the Development Plan and LAP. I note Objective WK-RT-2 of the LAP which seeks to promote a vibrant and culturally rich town centre with enhanced social inclusion, sustainable neighbourhoods and a high level of environmental quality to ensure an excellent quality of life for all. The Plan further states that for Dingle to develop in a sustainable manner, it is important that an improved quality of life is provided for the residents of the town by creating attractive public realms and amenities.
- 7.2.2. The site is located within a 'M2-Town Centre' zoning. Table 2.6 Zoning Matrix of the LAP does not specifically reference 'public house', but I note that 'night-club' and 'café/restaurant' are 'Permitted in Principle'. I consider that the principle of the development to be retained is generally consistent with the zoning objective and is acceptable in principle in this mixed-use, town centre location.
- 7.2.3. The Third Party Appellant contends that the development is unauthorised and contests the Planning Authority's decision to allow the structure to remain in place for a further 2 no. years. In response to the grounds of appeal the Applicant states that the structure was erected during the Covid 19 pandemic to allow for social distancing and outdoor dining and drinking. The Applicant states that the planning application seeks to regularise the development on foot of enforcement proceedings from the Planning Authority.
- 7.2.4. In terms of the issues raised in the grounds of appeal relating to unauthorised development, I highlight that An Coimisiún Pleanála does not have an enforcement function and therefore does not have a mechanism to address allegedly unauthorised development on the site. Enforcement is a matter for the Local Planning Authority. Section 32 (1) (b) , Part III Control of Development of the Planning and Development Act 2000 (as amended) requires permission for the

retention of unauthorised development. Following issues raised in third party submissions to the Planning Authority regarding ownership of the site, I note that the applicant submitted documentary evidence demonstrating title in response to the Planning Authority's further information request. I am therefore satisfied that the Applicant is entitled to apply for retention permission to regularise the development on the site and that the development is acceptable in principle having regard to the town centre/mixed-use land use zoning objective for the site.

#### **7.2.5. Transport**

7.2.6. The LAP indicates an indicative route for the Dingle Relief Road along the laneway adjacent to the outdoor seating area to be retained. In this regard I note that Objective D-TM-8 of the LAP seeks to facilitate the sustainable development and completion of the Inner relief road from Goat Street to Strand Street.

7.2.7. Within the statutory planning application period, the Planning Authority raised concerns regarding the location of the proposed development in terms of its impacts on the future alignment of the Dingle Inner Relief Road. In this regard I note report on file from the Council's Roads Department, which states that the development would have a high impact on the route corridor of the proposed Dingle Relief Road. I further note that the Planners Report states that following discussions, the Roads Department was supportive a temporary retention permission for the development.

7.2.8. In response to the grounds of appeal the Applicant states that the granting of the temporary permission will not prejudice the future Dingle Relief Road alignment which when finalised will allow for a planning application for an outdoor seating area which would be more in keeping with the area. I refer the Commission to Section 7.3 below, where I have assessed the visual impact of the development on the character of the area, and concluded that a temporary retention permission for this development would unlikely significantly impact the character of the ACA at this location.

7.2.9. Having regard to the report from the Roads Department and that of the Planning Authority, I am satisfied that the temporary 2 year retention permission and the condition attached requiring the removal of the structure within two years of the grant of permission issued by the Planning Authority, would ensure that the structure to be

retained would be removed in a timely manner and would not prejudice the delivery of the future relief road.

### **7.3. Visual Impact**

- 7.3.1. The grounds of appeal contend that the development has a negative visual impact on Strand Street. The Planning Authority considers that while the structure has a visual impact on the original structure on the site, it could easily be removed without impacting on the building.
- 7.3.2. In response to the grounds of appeal, the Applicant states that the structure was erected during the Covid 19 pandemic to facilitate social distancing and outdoor dining in support of local businesses. In this regard, I note that outdoor dining is supported in Section 9.2.3.1.2 County Kerry's COVID -19 Economic Recovery Plan 2021 of the Development Plan. The Development Plan states that the Council will continue to facilitate outdoor dining (pursuant to licences under section 254) in areas of the public realm, including footpaths and roads where adequate provision can be made for pedestrian and vehicular safety and settlement car parking requirements. I consider that outdoor dining structures erected during the Covid 19 pandemic were constructed in an entirely different social and economic climate. Notwithstanding, I recognise the importance of outdoor dining spaces to the night-time economy and the street vibrancy, and I support the principle of providing outdoor covered seating in accordance with Section 4.4.2.4 – Outdoor Dining and Objective KCDP 4-44 of the Development Plan.
- 7.3.3. The Planning Authority concluded that the structure is similar to many other type structures for outdoor dining in the town which have received temporary retention planning permission with the view that these structures will be removed in their entirety at the end of the specified period or replaced with more suitable structures.
- 7.3.4. I highlight to the Commission that the site is located within an ACA and is directly opposite Dingle marina. The LAP outlines that the historic built fabric character of Dingle including its shopfronts create a unique traditional streetscape and ambience. Therefore, I consider it is important to ensure that development enhances existing streetscapes. Section 8.4 Built Architectural Heritage of the Development Plan, sets out that it is the policy of the council to seek the protection and conservation of designated ACAs. Furthermore, I note that Objective KCDP 8-44 of the

Development Plan seeks to ensure developments in an ACA have a positive impact on the intrinsic character of the area, respect the existing streetscape and layout, and are compatible in terms of design, materials, traffic, views, and intensity of site use. In addition, Objective D-ACA-3 of the LAP requires new developments to be designed to a high architectural standard, having regard to local design features and materials.

- 7.3.5. While I have concerns regarding the design of the existing structure to be retained and I consider that in terms of design and materiality, the existing Polycarbonate roof, timber supporting framework and timber sheeting/Perspex enclosing panels has a negative visual impact. I also acknowledge the Applicants response to the grounds of appeal, that a more aesthetic and sympathetic design would be more appropriate to the site, but that a more permanent design solution cannot be pursued as it would be considered premature until the future Dingle Relief Road alignment is finalised. I am also cognisant that the character and urban fabric of the laneway running along the side of the structure and pub is fragmented, lacks coherence and is poorly maintained which contributes to a poor-quality public realm. Having visited the site, I consider that the views of the structure from Strand Street and the marina are limited and that the structure in the main is viewed from the laneway to the side of the pub. I am also satisfied that the development which is located to the side of the pub does not significantly impact upon the existing building when viewed from Strand Street. Therefore, notwithstanding that the site is located within the designated ACA boundary for the town, having regard to the surrounding urban morphology, the plans for the Dingle Relief Road and the lands to the north of the site zoned M1 Mixed Use/Opportunity Sites, as set out in the LAP, I consider that the area will undergo significant change in the future. I am therefore satisfied that the temporary retention permission for the structure as issued by the Planning Authority would unlikely significantly impact upon the character of the ACA at this location, subject to the structure being removed in 2 years to allow for the relief road alignment.

#### 7.4. **Residential Amenity**

- 7.4.1. The appeal site is located in close proximity to the land use zoning objective R2- Existing Residential Development to the northeast, as set out in the LAP. I highlight to the Commission that there are existing residential properties nearby on the

opposite side of the laneway. Therefore, notwithstanding its town centre location, I consider that a balance needs to be achieved between encouraging commercial activity whilst protecting existing residential amenity. In this regard I note that Section 3.2.5.3 and Objective D-TC-8 of the LAP seeks to protect residential uses/ neighbourhoods in the town centre. I further note that Objective KCDP 11-36 of the Development Plan seeks to ensure that suitable measures to mitigate any noise nuisance are proposed and implemented.

- 7.4.2. The Planning Authority considered that the development is unlikely to negatively impact on residential amenities in the area. Notwithstanding, a condition was attached to the grant of retention permission regarding noise disturbance. I consider this to be reasonable.
- 7.4.3. I further note that Objective D-TC-7 seeks maintain the vitality and viability of the retail core area, while Objective WK-RT-2 seeks to promote a vibrant and culturally rich town centre with enhanced social inclusion, sustainable neighbourhoods and a high level of environmental quality to ensure an excellent quality of life for all.
- 7.4.4. On balance, I am satisfied that subject to a condition being attached regarding noise that the proposal will unlikely negatively impact on adjoining residential amenity. I therefore recommend that should the Commission be mindful to grant permission for the development that a noise monitoring condition be attached.

## **8.0 AA Screening**

- 8.1. The proposed development comprises an outdoor covered seating area in an urban area. No nature conservation concerns were raised in the planning appeal.
- 8.2. Having considered the nature, small scale and location of the project, and taking account of the screening determination of the Planning Authority, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European Site.
- 8.3. I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Appropriate Assessment, therefore, is not required.

## 9.0 Water Framework Directive

- 9.1. The subject site is located in an urban area which adjoins Dingle Harbour IE\_SW\_240\_0000 and the Milltown Stream IE\_SW\_22M030400. The subject site is located circa 45 metres to the north of the Dingle Harbour and 190 metres to the west of the Milltown Stream.
- 9.2. The proposed development comprises an outdoor covered seating area.
- 9.3. No water deterioration concerns were raised in the planning appeal.
- 9.4. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seeks to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the small scale and nature and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.
- 9.5. I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

## 10.0 Recommendations

- 10.1. I recommend that retention permission be granted for the development.

## 11.0 Reasons and Considerations

- 11.1. Having regard to the design, layout and scale of the development to be retained and the pattern of development in the area, it is considered that, subject to compliance with conditions below, the development would not seriously injure the character of the Architectural Conservation Area, the visual or residential amenities of property in the vicinity, the delivery of the Dingle Inner Relief road as set out in the Dingle /

Daingean Uí Chúis Local Area Plan 2021-2027, and would not be prejudicial to public health. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

1	<p>The development shall be retained in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 10<sup>th</sup> day of September 2025 and the 18<sup>th</sup> September 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>The period during which the development hereby permitted may be carried out shall be 2 years from the date of this Order.</p> <p><b>Reason:</b> Having regard to the nature of the development, the Commission considers it appropriate to specify a period of validity of this permission in excess of [less than] two years.</p>
3	<p>The structure shall be removed in its entirety from the site within 2 years of the date of this grant of permission and the area shall be reinstated to its former state.</p> <p><b>Reason:</b> In the interest of orderly development.</p>
4	<p>No amplified music or other specific entertainment noise emissions shall be permitted within the (covered) private open space to the rear.</p> <p><b>Reason:</b> To protect the residential amenities of property in the vicinity</p>
5	<p>The developer shall pay to the planning authority a financial contribution of €256.85 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</p>

	<p>shall be paid within 3 months of the date of this grant of retention permission 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.</p> <p><b>Reason:</b> 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.</p>
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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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Carol Smyth

13<sup>th</sup> March 2026

## Appendix 1 - Form 1

### EIA Pre-Screening

**[EIAR not submitted]**

<b>An Coimisiún Pleanála Case Reference</b>	PL-500240-KY-25		
<b>Proposed Development Summary</b>	Retention Permission to Retain the existing structure which was constructed along the eastern gable of the premises and is currently used as an outdoor dining/beverage area.		
<b>Development Address</b>	Murphys Pub , Strand Street , Dingle		
<b>1. Does the proposed development come within the definition of a ‘project’ for the purposes of EIA?</b> (that is involving construction works, demolition, or interventions in the natural surroundings)	<b>Yes</b>		
	<b>No</b>	X	
<b>2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?</b>			
<b>Yes</b>			EIA Mandatory EIAR required
<b>No</b>	X		Proceed to Q.3
<b>3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?</b>			
		<b>Threshold</b>	<b>Comment (if relevant)</b>
			<b>Conclusion</b>
<b>No</b>	X	N/A	No EIAR or Preliminary Examination required
<b>Yes</b>			Proceed to Q.4

**4. Has Schedule 7A information been submitted?**

<b>No</b>	<input checked="" type="checkbox"/>	<b>Preliminary Examination required</b>
<b>Yes</b>	<input type="checkbox"/>	<b>Screening Determination required</b>

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