



An
Coimisiún
Pleanála

Inspector's Report PL-500405-LH-25

Development	Permission for retention of part of a boundary wall and railings to site of underground leprechaun Cavern and all associated site development works.
Location	Ghan Road, Carlingford, Co. Louth.
Planning Authority	Louth County Council
Planning Authority Reg. Ref.	2560118
Applicant(s)	Kevin & Jackie Woods.
Type of Application	Permission for retention
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party
Appellant(s)	Wild Ireland Defence CLG
Observer(s)	None received
Date of Site Inspection	27 th day of March 2026
Inspector	Fergal Ó Bric

1.0 Site Location and Description

- 1.1 The subject site has a stated area of 0.172ha and comprises the 'Carlingford Folklore Park' is an area of privately owned amenity space that contains picnic benches, some children's play equipment, a leprechaun cavern, various visitor information boards and the recently constructed boundary wall and railings towards the south-eastern part of the subject site located immediately adjoining Carlingford Estuary and Lough. The subject site faces directly onto Carlingford estuary, and the Mourne Mountains on the opposite side of the Lough and Greenore port is located further south-east along the Estuary from which a ferry service to Greencastle in Co. Down operates. Ground levels within the site fall gradually from north-west to-south east towards the estuary with a steep and sudden drop off in levels from the subject site into the Estuary that immediately adjoins the eastern site boundary.
- 1.2 The site is accessed from pedestrian access steps from the adjoining Ghan Road (L-7065) along the western site boundary, there is also a double gated vehicular access to the site, that was locked on the day of my site inspection. There are hard surfaced pathways traversing the site, though much of the subject site is grass surfaced. There is rock armour located on the eastern perimeter of the site, between the boundary wall and railings (the subject of the current appeal) and the Estuary.
- 1.3 On the opposite side of Ghan Road from the subject site are residential properties which have views over Carlingford Lough and the Mourne Mountains, some of these are used for tourist and visitor accommodation purposes and others as permanent places of residence. The block wall and railings (the subject of this appeal) are visible from further south of the subject site as one travels in a northerly direction along Ghan Road (the Coast Road); There is signage and an information board advertising the Carlingford Heritage Park as one enters the subject site via the pedestrian steps from Ghan Road.

2.0 Proposed Development

- 2.1 Permission is sought to retain the following:
- Part boundary wall and railings to site of underground leprechaun cavern
 - All associated site development works.

2.2 The Coimisiún referred this appeal to the Heritage Council, An Taisce and to the Department of Environment, Heritage and Local government for comment. No responses were received from any of the prescribed bodies.

3.0 **Planning Authority Decision**

3.1 **Decision**

Grant permission for retention of boundary walls and railings and all associated site works subject to 2 no. conditions as follows:

- 1- The development shall be retained in accordance with the plans and particulars lodged with the application on the 5th day of March 2025 and as amended by further plans and particulars on the 22nd day of October 2025.
- 2- Surface water shall be disposed of within the boundaries of the site and shall not be permitted to flow onto the public road or adjoining property.

3.2 **Planning Authority Reports**

3.2.1 Planning Reports

First Planning Report

The Planner's Report noted the context of the site, the third-party submissions; the departmental reports; and the local and national planning policy context. The Planner accepted that the principle of the boundary treatment along the perimeter of an approved visitor facility would be acceptable and in accordance with the underlying H1 zoning objective as set out within the current Louth County Development Plan 2021-2027. The Planner considered the scale, height and design of the boundary wall and railing to be acceptable, and the neighbouring residential amenity would not be adversely impacted by the development. However, the Planner did raise a number of issues in relation to the submission of an AA screening Report, the submission of a Coastal erosion assessment report, the submission of surface water management measures following the completion of permeability tests within the subject site, to clarify the planning status of the hard surfaced car parking area, to set out the applicants' legal interest of the subject site. A request for the submission

of additional information was issued to the applicants on the 25th day of April 2025 in relation to the issues referenced above in this paragraph.

Second Planning Report

The second Planner's Report was prepared following the receipt of the further information response from the applicants on the 22nd day of October in 2025. The applicants submitted an AA Screening Report, documentation regarding the applicant's legal interest in the subject site and a cover letter explaining the evolution of the subject site and the rationale behind the boundary and railings development. The Planning Authority were satisfied following assessment of the AA screening Report and that the development, individually or in combination with other plans or projects would not be likely to have a significant effect on Carlingford lough SAC /SPA of any other European site. The Planner was satisfied that the applicant had satisfactorily addressed the issues of ownership of the site and that no impermeable development is associated with the boundary walls and railings. It stated that the issue of the car parking area does not form part of the current proposal and is not included within the development description as set out within the public notices and was assessed under previous planning applications within the subject site. The Planner accepted that the principle of the development would be acceptable in its context of the permitted heritage park and within the settlement of the self-sustaining village of Carlingford. The Planner recommended that permission for the retention of the boundary wall and railings be granted subject to the two conditions as set out in Section 3.1 of this report above.

3.2.2 Internal Technical Reports

None received.

3.3 **Prescribed Bodies**

It is stated that no statutory consultees were consulted.

3.4 **Third Party Observations**

Two observations were received by the Planning Authority which raised a number of issues as follows:

- Potential for adverse impacts upon Natura 2000 sites, no limited to just the Carlingford Lough SAC and SPOA,
- That a Stage 2 NIS be submitted considering wider cumulative impacts upon the Natura 2000 sites in combination with the works within the subject site and/or projects within Carlingford,
- Impacts upon protected bird species arising from the construction of the boundary wall development within the subject site needs to be considered.
- Questions regarding the placing of reinforcement barrier rocks along the site perimeter are raised.
- Discrepancy between the extent of works completed and the extent of works shown on the drawings submitted in terms of the length of the boundary wall.
- That there are structures on site which are unauthorised.
- Details of the foundations for the boundary wall have not been submitted.
- The red line application site boundary has increased from the red line boundary submitted under previous planning applications relating to the site.
- No structural engineering report has been submitted demonstrating the structural integrity of the boundary wall and railing.
- The boundary wall and railings do not ensure that the amenity of neighbouring residents is protected nor Carlingford's scenic quality.

4.0 Planning History

The following is the relevant planning history associated with the subject site.

PA reference number 14/96-In 2014, planning permission was granted for the retention and completion of an underground leprechaun cavern and all associated site development works.

PA reference number 19/82-In 2019, planning permission was granted for a visitor centre incorporating a coffee dock and all associated site development works.

PA reference number 22/771-In 2022, planning permission was granted for amendments to the previously approved visitor centre permitted under PA reference

no. 19/82 to include a store and staff toilets and all associated site development works.

5.0 Policy Context

5.1 Louth County Development Plan 2021-2027

Volume 1-Written Statement:

The following policies and objectives are relevant to the proposal:

Chapter 6-Tourism

Section 6.6-Visitor and Habitat Management

- Policy Objective TOU 34 To seek to manage any increase in visitor numbers in order to avoid significant effects including loss of habitat and disturbance and ensuring that new any projects, such as greenways, are a suitable distance from ecological sensitivities, such as riparian zones.
- Policy Objective TOU 35 To consider the potential environmental effects of a likely increase in tourists/tourism-related traffic volumes in particular locations/along particular routes shall be considered and mitigated as appropriate. Such a consideration should include potential impacts on existing infrastructure (including drinking water, wastewater, waste and transport) resulting from tourism proposals.

Chapter 8- Natural Heritage, Biodiversity and Green Infrastructure

Section 8.3- European Sites in County Louth

- Policy Objective NBG 3 To protect and conserve Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) designated under the EU Habitats and Birds Directives.

- Policy Objective NBG 4 To ensure that all proposed developments comply with the requirements set out in the DECLG ‘Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities 2010’.
- Policy Objective NBG 5 To ensure that no plan, programme, or project giving rise to significant cumulative, direct, indirect or secondary impacts on European sites arising from their size or scale, land take, proximity, resource requirements, emissions (disposal to land, water or air), transportation requirements, duration of construction, operation, decommissioning or from any other effects shall be permitted on the basis of this Plan, either individually or in combination with other plans, programmes or projects².

Section 8.12.3-Views and Prospects of special Amenity value

- Policy NGB38-Protect and sustain the established appearance and character of views and prospects listed in tables 8.14-8.18 that contribute to the distinctive quality of the landscape from inappropriate development

Section 8.10-Landscape Character

Policy Objective NBG 23 To ensure the preservation of the uniqueness of a landscape character type by having regard to its character, value and objectives in accordance with national policy and guidelines and the Louth Landscape Character Assessment and by ensuring that new development meets high standards of siting and design and does not unduly damage or detract from the character of a landscape or natural environment.

Policy Objective NBG 24 To ensure development reflects and, where possible, reinforces the distinctiveness and sense of place of the landscape character types including the retention of important features or characteristics, taking into account the various elements, which contribute to their distinctiveness such as scenic quality, habitats, settlement pattern, historic heritage and land use.

Section 11-Environment, Natural Resources and the Coast
Section 11.5.6 Coastal Tourism and Recreation

Policy Objective ENV 50-Coastal erosion assessment report

Policy Objective ENV 59 To protect the excellent status classification of identified bathing water areas within County Louth.

ENV 62 To facilitate sustainable tourism and recreation activities where appropriate, particularly where this creates diversification or additional utilisation of related facilities beyond typical usage patterns.

Policy objective ENV 63 To require that new developments take into account the potential for impact on tourism in the area and demonstrate how potential negative impacts to tourism in communities have been minimised. This must include assessment of how the benefits of what is proposed are not outweighed by potential negative impacts identified.

Policy Objective ENV 64 To support proposals for sustainable tourism development that seek to optimise facilities and use space whilst minimising environmental impact by taking a cross sectoral development approach that provides for multiple activities.

Policy Objective ENV 65 To resist development along the coast which would detract from its visual appearance or conflict with its recreational and leisure functions.

Chapter 13-Development Management Standards
Section 13.15.2-Tourism Activities

Any proposal for a tourism related activity or development shall include a supporting business and design statement outlining the following:

- An overview of the proposal setting out how the concept for the project was initiated and why it is suited for the location chosen.
- Projected growth of the facility in the short, medium, and long term.
- How the design and scale of the development will integrate into the landscape.
- How the proposal would complement the natural and cultural heritage of the area.
- The potential impacts of the proposal on local infrastructure in particular roads and water services.
- Anticipated modes of transport to the facility; • Any signage required; and
- How the development would complement established tourism complexes and facilities in the County.

Section 13.19.7-Natural Heritage

Consideration shall be given to the potential ecological impact of any development on natural heritage areas within or connected to a development site. The loss of local habitats and wildlife corridors should be minimised or avoided, with mitigating measures included with any development to compensate or enhance local biodiversity where there is an unavoidable impact on the natural heritage. Under the Birds and Habitats Directives, there is a requirement to consider the potential nature conservation implications of any plan or project on the Natura 2000 site network. This process is known as Appropriate Assessment. Further details on Appropriate Assessment available in the 'Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities'.

Volume 2 LCDP 2021-27:

- The site is located in Carlingford, designated as a 'Self-Sustaining village' under the Louth settlement hierarchy.

- The site is zoned 'H1' – Open Space. Section 13.21.22 of the LCDP sets out that the land use zoning objective seeks 'To preserve, provide and improve recreational amenity and open space.
- The guidance for this land use zoning refers to areas of 'active' and 'passive' open space. Development that will improve the facilities or quality of the open space, amenity or recreational facilities, or contributes to the enjoyment of the space will be considered'.
- Generally permitted uses as per Section 13 within the current County Development Plan (LCDP) 2021-2027 include 'Park/Playgrounds, Recreational/Amenity Recreational/Sports Facility and Open Space'.

Section 1.6 of the village statement sets out the following in relation to tourism development:

'This Plan shall continue to support tourism development by capitalising upon existing heritage assets through the promotion of the heritage trail'

The subject site is located within Flood Zone A as per the Carlingford flood zone mapping.

The following policy objectives set out within Volume 2 within the LCDP for Carlingford village are considered relevant to the current development.

- Spot Objective SO9-To support any proposals for the development of community or recreational facilities on these lands subject to any development being of a high-quality architectural design, scale and layout that will support the preservation and enhancement of the environmental quality of this sensitive landscape
- Policy Objective CAR1- To support the role of Carlingford as a local service centre and tourist destination by facilitating development that will contribute to the character and structure of the town and complement and enhance the quality of the town's attractive built and natural environment.

- Policy Objective CAR4- To ensure that the amenities of existing residents are considered and protected, particularly in the design, configuration, and operation of any tourism related development.
- Policy Objective CAR9- To seek to support and develop Carlingford as a sustainable tourism hub.
- Policy Objective CAR24- To protect Carlingford's Area of Outstanding Natural Beauty and Area of High Scenic Quality landscape setting.
- Policy Objective CAR 25 To recognise, protect and enhance the unique characteristics and setting of Carlingford including its archaeological features, Zone of Archaeological Potential, Architectural Conservation Area, and built environment and natural heritage.
- Policy Objective CAR27- To seek to preserve views identified on the Composite Map from development, which would adversely impact on the character and visual amenity of the landscape.
- Policy Objective CAR30- To preserve the character of the town and its setting by requiring the design, scale and configuration of any proposed development to have regard to the history, heritage and architectural importance of the town.
- Policy Objective CAR 31 To seek to improve the key area of arrival in Carlingford of the Waterfront Harbour and the public spaces.

5.2 Natural Heritage Designations

Part of the subject site is located within a designated European site and immediately adjoining a second European site. These include the Carlingford Shore SAC (site code 002306) which immediately adjoins the eastern boundary of the subject site, and part of the Carlingford Lough SPA (site code 004078) is located within the south-eastern part of the subject site. The Carlingford Mountains SAC (site code 000453) located approximately 1.4 kilometres west of the subject site.

5.3 Environmental Impact Assessment - Screening

Please see Appendices 1 and 2 at the end of this planning report. Having regard to the relatively modest nature of the development and notwithstanding its location immediately adjacent to Carlingford Lough, there is no real likelihood of significant adverse effects on the environment. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

5.4 Water Framework Directive Screening

The subject site is located immediately adjoining Carlingford Estuary within the designated settlement of Carlingford on the north-east coast of Lough. Carlingford Lough is located immediately adjoining and east of the subject site and the Lough waters in closer proximity to the subject site during high tide. The subject site is immediately adjacent to the coastal waterbody of Carlingford Estuary/Lough.

The development seeks permission for the retention of a boundary wall, railings and all associated site works.

I have assessed the development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, relatively modest scale and location of the project, I am satisfied that it can be eliminated from further assessment as I consider there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

The reason for this conclusion is as follows:

- the relatively modest scale and nature of the development,

Conclusion

I conclude that on the basis of objective information, that the development does 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.

6.0 The Appeal

6.1 Grounds of Appeal

A third-party appeal has been received from an environmental group Wild Ireland Defence CLG against the decision of the Planning Authority to grant permission for retention of the boundary wall and railing development. The issues raised within the appeal submission are summarised as follows:

Natural Heritage:

- The works carried out would require planning consent or consent from the Minister (see in particular ARC10 construction) regarding the removal or alteration of fences, stonewalls, hedgerows, banks or any field boundary other than temporary electric fencing, neither of which appear to have been secured.
- Potential impacts arising from the development include deposition of silt, gravel and stones and construction materials from the development site over the land bank onto the shoreline.
- There may have been pollution from the pouring and mixing of concrete foundations.
- Disturbance of protected bird species and all winterbirds during the construction works may have occurred. A significant impact may have occurred due to the potential for energy depletion and/or breeding impacts.
- There is potential for foraging/roosting/breeding to have been disturbed by the construction works and/or operation of the site.
- No cumulative impact assessment has been undertaken, in terms of additional development/works have taken place within the site, for example the rock armour along the eastern site boundary (along Carlingford Lough) and was the placing of rock armour subject to Appropriate Assessment

- In the Waddenzee case, the threshold for triggering Stage 2 AA is very low. If there is even 'a possibility' of a significant effect or if there is 'reasonable scientific doubt', the submission of a Stage 2 AA becomes mandatory.
- Section 177U (3) of the P and D Act 2000 (as amended) sets out the following 'If it cannot be excluded, on the basis of objective scientific information, that the development will have a significant effect on a European site, the Competent Authority shall determine that an appropriate assessment is required'.
- Section 34(12) of the P & D Act 2000 (as amended) provides a clear and absolute prohibition 'A Planning Authority shall refuse to consider an application for retention permission for a development were, in the opinion of the authority, the development would require an appropriate assessment under Section 177U'.
- The unauthorised development works that are the subject of this retention application could have a significant effect on the Carlingford Shore SAC and the Carlingford lough SPA. Therefore, a remedial AA (screening and Stage 2) is required, and the provisions of Section 34(12) of the P & D Act 2000 (as amended) is triggered.
- The AA screening as submitted is a full assessment of the identified impacts and belongs within a Stage 2 AA. A screening report may not assess or rule out impacts, as to do so would cross the threshold into Stage 2. The AA screening report as submitted by the applicants repeatedly performs an assessment of the impacts already identified.
- The AA screening report identified impacts such as soil displacement, concrete contamination, surface water run-off and disturbance to qualifying interest species, therefore, the project triggered a Stage 2 AA.
- The Planner within Louth County Council adopted a similar approach to that taken within the AA screening report submitted stating that the development would only have generated 'a small amount of concrete dust' and is 'unlikely to have had any measurable or significant impact'.

- In addition, the AA screening report includes a cumulative impact analysis, evaluates foraging disturbance to Brent Geese, discusses habituation of birds to human activity and applies reasoning that falls squarely within Stage 2 AA.
- The identification step clearly indicated potential for soil displacement, concrete contamination, surface water run-off and disturbance to qualifying interest species, and, therefore, the project triggers a Stage 2 AA.
- The Planning Authority has photographic and narrative evidence of soil, rubble and other construction material being pushed from the development site, down the embankment into the Carlingford Shore SAC and the Carlingford Lough SPA.
- Photographs included in the Planners report show substantial reworking of the shoreline, including groundworks and rubble displacement towards the designated sites.
- There is no on-site water supply which would have necessitated on site concrete mixing that would produce alkaline run-off, a well-known pollutant of estuarine habitats. However, the AA screening Report assumes that any concrete dust would have had no meaningful impact upon the Natura 2000 sites. This conclusion is an assessment of significance and, therefore, a stage 2 matter, not one for AA screening.
- Disturbance to the Brent Geese, a qualifying interest species of the Carlingford Lough SPA was not assessed.
- The AA screening ignores that there was construction activity ongoing within the subject site during the winter bird season, a. The fact that construction activity on site overlapped with the overwintering bird period is in itself a potential impact, that would trigger Stage 2 AA. There were no bird surveys carried out over multiple seasonal periods capable of identifying potential species at-risk of impact.
- Cumulative impacts, arising from historic and ongoing unauthorised development within the subject site were not assessed, even though the screening report acknowledges their existence.

- As per the Holohan test case all components of the project and all relevant cumulative factors must be addressed at AA. The screening report, omits past works, alterations to the shoreline, the underground cavern, the visitor centre and the earlier unauthorised works
- In terms of a cumulative impact assessment, all effects identified within each development, no matter how significant must be assessed in a cumulative matrix. New unauthorised works have also occurred within the site including the construction of concrete steps and rails leading directly into the SAC/SPA and the placing of hot tubs/barrel shaped seaweed bath facilities within the subject site. These additional facilities increase visitor pressure, intensify footfall, create new disturbance features, alter hydrological and recreational usage of the shoreline and none of these activities are referenced in the AA screening report or the planning documentation.
- Holohan, sets out that a competent authority must have before it 'complete, precise and definitive' information on all aspects of the project.
- The approach adopted by the PA is inconsistent. They refused planning permission for a development under planning reference number 2560657 on the basis of potential impacts on the Carlingford Lough SAC/SPA, even though that development was located removed from the designated boundaries. In contrast, the current development lies adjacent to and in places within the SAC/SPA.
- The AA screening fails to assess polluted run-off from soil displacement, stormwater from new impermeable surfaces, construction waste, concrete residues and hot tub flushing out from entering the coastal waters. No hydro morphological assessment was carried out. No coastal erosion survey was carried out despite being included within the planner's further information request and it being a stated objective within the current Louth County Development Plan.

Other Matters:

- Details of site ownership are not included within the planning documentation.

- Some of the planning documentation was not available on the public planning portal, in contravention of the Aarhus convention regarding public participation.
- Revised public notices were not requested by the PA following the submission of the additional information.
- No assessment of the hot-tub business or other unauthorised development has been carried out.
- We request that the Coimisiún overturn the decision of Louth County Council and refuse permission for retention of the boundary wall and railings works where identified potential impacts would require assessment under Stage 2 AA and refusal under the provisions of Section 34(12) of the P & D Act 2000, (as amended).

6.2 Planning Authority Response

The PA issued a response to the third-party appeal and set out the following:

- The PA considers that the key and pertinent planning issues pertaining to this site in the context of the proposal, the subject of this assessment, have been

fully considered and are set out within the planning reports dated 23/4/25 and the 4/11/2025.

- The AA screening assessment was conducted on the basis of the submission of adequate and relevant information submitted as part of the further information response.
- The onus is on the applicant to provide adequate and relevant information to allow an appropriate assessment screening to be carried out by the competent authority.
- On the basis of the scientific information submitted, prepared by an indemnified ecological consultant, in the light of the minor scale of the development to be retained, the PA conducted an AA screening exercise
- The AA screening exercise conducted by the PA detailed the likely effects on the subject site and determined that in relation to the minor scale of the works proposed for retention and in view of the Conservation Objectives of the adjacent European sites, that the development would not result in any significant effects on the Carlingford Lough SPA, the Carlingford Shore SAC or any other European sites, either alone in-combination with other plans and projects.
- The Planning Authority are, therefore, satisfied that it is reasonable to conclude that on the basis of the information submitted, which is considered adequate in order to issue a screening determination, that the proposed development in terms of its nature and scale, individually or in-combination with other plans or projects would not be likely to have a significant effect on the Carlingford Lough SPA, the Carlingford Shore SAC or any other European

sites in views of the site's conservation objectives and a stage 2 AA and the submission of an NIS) is not, therefore, required.

- Additional works carried out on site as detailed by the appellant were not present on the day of the site inspection by the Case Planner in March 2025 and, therefore, could not have formed part of the assessment.
- The PA's Enforcement and Compliance team were referred details of unauthorised works in December 2025 which is presently being investigated by them.
- The Coimisiún are requested to uphold the decision of the PA and grant permission for retention of the development.

6.3 Applicants' Response to first party appeal submission

The applicants issued a response to the Coimisiún providing detail in terms of the context and background to the development on site as follows:

- The subject site was purchased thirty-five years ago.
- Upon his retirement, the applicants reseeded the site and developed a folklore park on site and added picnic benches over the years.
- He also introduced play equipment onto the site.
- He introduced rock armour behind the existing boundary wall and railings prior to the enactment of the EU Habitats Directive as did the Local Authority further south of the subject site.
- The Brent Geese rest and forage on a plot of land removed from the subject site.
- The seaweed barrels referenced in the submissions to the PA have been removed.

- The leprechaun cavern was permitted by Louth County Council 13 years ago.

7.0 **Assessment**

Having examined the application details and all other documentation on file, the observation received in relation to the appeal and the report 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
- Visual Impact
- Coastal zone Impacts,
- Other Issues
- Appropriate Assessment

7.1. **Principle of Development**

7.1.1 The application as described within the public notices seeks permission for retention of a part boundary wall and railings and all associated and ancillary works. The works relate to the construction of a block boundary wall, un-plastered, with an approximate length of 5.3 metres and an approximate height of 0.8 metres. Adjoining the boundary wall is a metal railing has been erected with an approximate height of 1.2 metres and a length of 11.9 metres erected on a concrete foundation. These works are all within the boundary of a permitted visitor centre/amenity park which has a H1-Open Space land use zoning objective, where the zoning objective is 'To preserve, provide and improve recreational amenity and open space'. The guidance for this land use zoning refers to areas of 'active' and 'passive' open space. Development that will improve the facilities or quality of the open space, amenity or recreational facilities, or contributes to the enjoyment of the space will be considered. Within the zoning matrix as set out within Section 13 of the Plan uses generally permitted on H1 zoned lands include 'Park/Playgrounds, Recreational/Amenity Recreational/Sports Facility and Open Space'.

7.1.2 On the basis of the information submitted, I am satisfied that the boundary wall and railings are associated with a privately owned amenity space, which has permission for use as a visitor centre/heritage park (Section 4 of my report above) and, therefore, would accord with the underlying H1 zoning objective and the guidance associated with this zoning as set out within Section 13 of the current Louth County Development Plan (LCDP) 2021-2027.

7.1.3 I consider that the principle of the proposals to retain part of a boundary wall and boundary railings could be considered acceptable, given they are associated with the permitted visitor centre and amenity area developed by the applicants. However, this acceptability would be subject to issues in relation to the visual impact of the development, issues in relation to coastal zone management in terms of coastal erosion and flooding all being adequately addressed. These matters will be addressed in detail within the assessment below. Appropriate Assessment is another matter that will also be addressed, given the proximity of the subject site to a number of European sites.

7.2. **Visual impact**

7.2.1 The design and layout of the boundary wall and railings as presented is stated to be 17.2 square metres in length and 0.8 metres in height for the wall and the railings being approximately 1.2 metres in height and approximately 11.9 metres in length. Within Section 8 of the LCDP 2021, Carlingford Lough and Mountains including West Feede Uplands are designated as being of International Importance and it is a policy statement (Section 8.10.2) to explore the possibility of designating the Carlingford Lough SAC as a specific landscape character area. However, to date this objective has not been realised. The applicants did not submit a Landscape and Visual Impact Assessment (LVIA) report as part of their planning documentation.

7.2.2 Given the location of the proposals within a landscape of international importance, the aesthetics of the boundary proposals are of utmost importance. I acknowledge the relatively modest scale of the boundary wall and railings; however, an unplastered block wall may not provide the optimal solution in terms of aesthetics within this highly sensitive landscape. However, given the modest scale and height of the boundary wall and railings and their location which are not particularly prominent from the public domain, except from the southern approach to the subject

site from Ghan Road. However, I consider that the views over Carlingford lough and Estuary in the background of the subject site are what the human eye is largely drawn towards in this instance, and therefore, I do not consider that the visual impact would be so significant as to warrant refusal of planning permission in this instance.

- 7.2.3 Within Section 8 of the current LCDP, 2021 there are a number of policy objectives (Policy objectives NBG 23 and 24) in relation to 'preserving the uniqueness of a landscape character type' and that development 'reflects and reinforces the distinctiveness and sense of place of the landscape character types'.
- 7.2.4 The ground levels within the subject site are above those of the adjoining public roadway. However, I note that the ground levels within the site fall in a south-easterly direction towards the location of the boundary wall and railings, which are not considered to be visually prominent. The relatively low level and height of the boundary wall and railings development in this instance is considered to integrate appropriately within the local seascape and would not adversely impact upon the local landscape, notwithstanding that the area is classified as being of 'international importance as per Section 8 within the current LCDP within the current Development Plan.
- 7.2.5 On balance, and on the basis of the information submitted, I consider that the low level block boundary wall and railings which have replaced a flimsy trellis boundary fence, which partially remains in place, along the south eastern boundary of a permitted visitor centre/recreational park, which although privately owned, is stated to be open to members of the public to visit. It is stated that the boundary wall and railings are necessary to create a safety barrier between the subject site and the adjoining estuary waters, is not considered to be visually prominent within this landscape, would not adversely impact the visual character of this highly sensitive landscape and would be in accordance with the proper planning and sustainable development of the area.

7.3 Coastal Zone Impacts

Erosion

- 7.3.1 The subject site is located with an area on the southern side of Carlingford Lough within the coastal village of Carlingford. I note from the site location image submitted as part of the planning documentation and from my site inspection that rock armour

is in place on the eastern side of the site boundary. The applicants in their cover letter to the Coimisiún state that the rock armour along this eastern site boundary was put in situ prior to the enactment of the EU habitats Directive and states that the Local Authority also placed rock armour along the shoreline further south of the subject site

- 7.3.2 I note that policy objective ENV50 within the LCDP 2021 sets out that all development within 100 metres of the coastline outside of the Main Level 1-4 settlements are required to submit a coastal erosion assessment report. This matter was raised as part of the additional information request issued by the PA to the applicants. The issue does not appear to have been specifically addressed as part of the additional information response. However, the PA deemed the additional response to be acceptable and ultimately granted planning permission for retention of the boundary wall and railings. Although, I do not consider that the boundary wall and railings would contribute to coastal erosion, it would be prudent that a comprehensive coastal erosion assessment of the development in the context of the changing coastal and shoreline would have been beneficial to further inform the planning assessment of the boundary wall and railings

Flooding:

- 7.3.3 The subject site is located within Flood Zone A as set out within the Carlingford Flood Zone mapping with Volume 2 of the current LCDP 2021-2027. The development relates to the retention of a boundary wall and railings and all associated site works associated with a permitted visitor centre/amenity area. The development of a boundary wall and railings are not considered as 'vulnerable uses' as defined within the Planning System and Flood Risk Management Guidelines 2009. The requirement for surface water management proposals would not arise for the boundary wall and railings and I note that much of the subject site remains under grass and, therefore, natural run-off and drainage would occur within the site, percolating through the permeable grass surface.
- 7.3.4 In conclusion, I consider that the boundary wall and railings would not exacerbate the risk of flooding within the subject site or within the adjoining lands or public roadway.

7.4 **Other Issues**

Land ownership

- 7.4.1 The appellants raise the issue of land ownership as part of their appeal submission. I note that this issue was also raised as part of the further information request and the applicants submitted legal documentation (deed of conveyance) which states that the applicants purchased the site in 1990 from a family relative. I refer to Section 5.13 of the Development Management Guidelines for Planning Authorities which advises that the planning system is not designed as a mechanism for resolving disputes about rights over land and that these are ultimately matters for resolution in the Courts. I also note that Section 34(13) of the Planning and Development Act 2000 (as amended) states: A person shall not be entitled solely by reason of a permission under this section to carry out any development. I am satisfied that the provisions outlined above give the Coimisiún sufficient comfort to consider the merits of the boundary works.
- 7.4.2 The appellants raised the issue of unauthorised development within the subject site, in terms of seaweed baths/barrells being placed on site. On the day of my site inspection, I did not notice any such barrels/baths located within the subject site. I note that the Planning Authority in their appeal submission to the Coimisiún state that a complaint in relation to unauthorised development within the subject site was referred to the PA in December 2025 for investigation. It is within the remit of the Planning Authority to investigate planning enforcement matters and is not a matter for the Coimisiún to consider.

8.0 **AA Screening**

- 8.1 Please see Appendix 2 at the end of this report. I have considered the development in light of the requirements of S177U of the Planning and Development Act 2000 as amended.
- 8.2 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 it is not possible to exclude that the proposed development alone [or in combination with other plans and projects] will give rise to significant effects on the Carlingford Lough Special Protection Area in view of the sites' conservation objectives. Appropriate Assessment is required.

This determination is based on:

- The location of the subject site and development within the designated boundary of the Carlingford Lough Special Protection Area,
- The absence of a separation distance from the Carlingford Lough Special Protection Area,

9.0 Recommendation

I recommend that permission for retention of the boundary wall and railings and associated site works be refused for the following reason:

10.0 Reason

1-On the basis of the information submitted with the application and appeal, including the Appropriate Assessment Screening Report submitted to the Planning Authority as additional information on the 22nd day of October, 2025 and the information submitted by the applicants as part of their response to the third party appeal submission to An Coimisiún Pleanála on the 6th day of January, 2026, the Coimisiún is not satisfied, having regard to the precautionary principle, that there is reasonable scientific certainty that the development would not adversely affect the integrity of a European Site in the vicinity, in the light of the conservation objective and qualifying interest features for which this site was designated. In particular, it is considered that there is a risk of contravening the conservation objective for the Brent Goose species and the Wetlands habitat within the Carlingford Lough Special Protection Area (site code 004078). It is considered that inadequate information in relation to construction methods, construction timing, direct, indirect and cumulative impacts arising from the development of the boundary wall and railings have been submitted to assess compliance with the site-specific conservation objective associated with the Carlingford Lough SPA site which is 'to maintain the conservation status the Brent Goose species and Wetland Habitat'. Accordingly. to permit the development would be contrary to Policy Objective NBG 3 of the Louth County Development Plan 2021-2027 which seeks to protect and conserve the Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) designated under the EU Habitats and Birds Directives. Having regard to the

uncertainty which exists, in relation to the potential adverse impacts arising from the development on the qualifying interest species and habitat and conservation objective and consequently, the integrity of the Carlingford Lough Special Protection Area, the Coimisiún is precluded from granting planning permission by reason of Article 6(3) of the EU Habitats Directive and of Section 177V (3) of the Planning and Development Act 2000, as amended.

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.

Fergal Ó Bric
Planning Inspectorate

6th day of May 2026

Appendix 1 - Form 1

EIA Pre-Screening

An Bord Pleanála Case Reference	PL-500405-LH-25		
Proposed Development Summary	Permission for retention of boundary wall and railings and all associated site works		
Development Address	Ghan Road, Carlingford, Co. Louth.		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)	Yes	√	
	No		
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes			
No	√		
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes			
No	√		Proceed to Q4
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	√	The retention of a boundary wall and railings do not fall within a class of development as per Schedule 5 of the current Planning & Development Regulations.	Preliminary examination required (Form 2)
5. Has Schedule 7A information been submitted?			
No	√	Screening determination remains as above (Q1 to Q4)	
Yes			

Inspector: _____

Date: _____

Appendix 1 - Form 2

EIA Preliminary Examination

An Bord Pleanála Case Reference Number	PL-500405-LH-25
Proposed Development Summary	Permission for retention of boundary wall and railings and all associated site works
Development Address	Ghan, Carlingford, Co. Louth,
<p>The Board carried out a preliminary examination [ref. Art. 109(2)(a), Planning and Development regulations 2001, as amended] of at least the nature, size or location of the proposed development, having regard to the criteria set out in Schedule 7 of the Regulations.</p> <p>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</p>	
<p>Characteristics of proposed development (In particular, the size, design, cumulation with existing/proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).</p>	<p>Site measuring 0.172 ha.</p> <p>There are no other developments under construction in proximity to the site.</p> <p>Development relates to permission for retention of a boundary wall and railings and all associated site works. The proposal does not require connection to public services and utilities.</p> <p>The development has a modest footprint, comes forward as a standalone project, does not require the use of substantial natural resources, or give rise to significant risk of pollution or nuisance. The development, by virtue of its modest scale, does not pose a risk of major accident and/or disaster, or is vulnerable to climate</p>

	change. It presents no risks to human health.	
<p>Location of development</p> <p>(The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).</p>	<p>The site is partially located within the Carlingford Lough SPA and immediately adjoining the Carlingford Shore SAC.</p> <p>It is unclear if the development would be likely to have a significant effect individually, or in-combination with other plans and projects, on a European Site and appropriate assessment may, therefore, be required.</p>	
<p>Types and characteristics of potential impacts</p> <p>(Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).</p>	<p>Having regard to the modest scale of the development, likely limited magnitude and spatial extent of effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act</p>	
Conclusion		
Likelihood of Significant Effects	Conclusion in respect of EIA	Yes or No
There is no real likelihood of significant effects on the environment.	EIA is not required.	Yes
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	Schedule 7A Information required to enable a Screening Determination to be carried out.	No

There is a real likelihood of significant effects on the environment.	EIAR required.	No
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Inspector: _____

Date: _____

Appendix 2

AA Screening

I have considered the proposed development in light of the requirements of S177U the Planning and Development Act 2000 as amended.

Part of the subject site is located within the Carlingford Lough SPA (Site Code: 004078) and the Carlingford Shore SAC (site code 002306) is located immediately adjoining and east of the subject site.

The development is located in a coastal area on the perimeter of the coastal settlement of Carlingford and comprises the development of a boundary wall and railings. The development has no requirement for a connection to public piped water services.

An Appropriate Assessment Screening Report submitted by the applicant concluded that 'Potential impacts, direct and indirect on the conservation objectives of the identified Natura 2000 sites are not considered likely to occur as a result of the development. Therefore, the development is not likely to result in a significant effect on the Carlingford Lough SPA or the Carlingford Shore SAC either alone or in combination with other plans and projects. There is no requirement to progress to Stage 2 Appropriate Assessment'. In reaching that conclusion, the AA Screening Report considered that the impacts that arose from the boundary development upon the conservation objectives of both European sites.

The Planning Authority as part of their initial assessment raised a number of issues in terms of construction methods, timing of construction and proximity of the development to Natura 2000 sites and requested that an AA Screening Report be submitted as part of an additional information request. An AA screening Report was submitted as part of the additional information response. Following an assessment of the AA screening Report submitted by the applicants, the PA concluded 'that on the basis of the information provide with the application, and in light of the scale of the development, where a boundary wall and fence have been constructed at an existing authorised site, the PA is satisfied that the proposed development individually, or in combination with other plans or projects would not be likely to have a significant effect on Carlingford Lough SPA or Carlingford Shore SAC, or any other European site in view of the site's conservation objectives'.

European Sites

Two European sites are identified as being located within a potential zone of influence of the development. The Carlingford Lough SPA (Site Code: 004078) is partially located within the south-eastern section of the subject site and the Carlingford Shore SAC (Site Code: 002306) located adjoining and immediately east of the subject site.

European Site	Qualifying Interests	Distance	Connections
Carlingford Shore SAC (Site Code: 002306),	Annual vegetation of drift lines [1210] Perennial vegetation of stony banks [1220] https://www.npws.ie/protected-sites/sac/002306	0 metres	Yes, proximity
Carlingford Lough SPA (Site Code: 004078)	A046 Brent Goose A999 Wetlands https://www.npws.ie/protected-sites/spa/004078	0 metres	Yes, proximity

Likely impacts of the project

The subject site is located on the southern side of Carlingford Lough and is connected to the Lough by virtue of proximity and the hydrological connectivity to the shoreline of the Lough which immediately adjoins the eastern boundary of the subject site.

The development comprises an existing block-built boundary wall and railings which is constructed along the southern boundary of a permitted visitor centre and amenity area. The immediate environs of the site comprise Carlingford Lough and its shoreline to the north, east and south of the subject site and Ghan Road along the western boundary and existing dwellings on the opposite side of Ghan Road which overlook the Lough.

The qualifying interests associated with the Carlingford Shore SAC are Annual vegetation of drift lines and Perennial vegetation of stony banks. The conservation

objective for the SAC is 'To maintain the favourable conservation condition of the annual vegetation of drift lines and Perennial vegetation of stony banks'. The AA screening Report submitted states that neither of these qualifying interest (Qi) features are present at this particular location in Carlingford and, therefore, the development would not impact upon these Qi features. On the basis of the information available on the NPWS website and the NPWS datasets, specifically in relation to the Carlingford Shore SAC and on the basis of the AA screening report submitted by the applicants, I consider it unlikely that the boundary wall and railing works, either during their construction or operation has resulted/would result in any significant negative impact on the qualifying interests specifically associated with the Carlingford Shore SAC.

Part of the subject site is located within the Carlingford Lough SPA as per Map no 2 within the NPWS website [Carlingford Lough SPA | National Parks & Wildlife Service](#) outlining the conservation objectives for the Carlingford Lough SPA. The two qualifying interest features associated with the SPA are the Brent Goose species and Wetland habitats. The Site Synopsis states that 'The predominant habitats present are intertidal sand and mud flats. The site is a Special Protection Area (SPA) under the E.U. Birds Directive, of special conservation interest for Light-bellied Brent Goose. The E.U. Birds Directive pays particular attention to wetlands, and as these form part of this SPA, the site and its associated waterbirds are of special conservation interest for Wetland & Waterbirds..... Carlingford Lough SPA is of international importance for its Light-bellied Brent Goose population'. Carlingford Lough is identified an important resource for marine birds and that the estuaries and bays that open into it along with connecting coastal stretches of intertidal and shallow subtidal habitats, provide safe feeding and roosting habitats for waterbirds throughout the winter and migration periods. The conservation objectives for the two qualifying interest features area 'To maintain the favourable conservation condition of the Brent Goose and Wetland habitat in the Carlingford Lough SPA'.

In terms of likely impacts that arose from the construction phase of the boundary wall, these would have included the generation of sediment from the clearance of soil to provide for the wall foundations, generation of silt and sediment from the construction works, the generation of run-off from the mixing/pouring of concrete for the wall

foundations and laying of blocks which would have generated residue and noise and disturbance generated by the construction works which are stated to have coincided with the overwintering period of the protected Brent Goose. Brent Geese are recorded as arriving to Carlingford lough from late August and some of the Brent Geese not migrating until late April, as set out within the Conservation objectives supporting document 2013, available on the NPWS website. This report was published as a supporting document to the Conservation objectives statement and mapping and site synopsis documents all available at www.npws.ie.

From the information submitted, it is apparent that the construction works associated with the boundary wall and its foundations would have generated impacts within the Carlingford Lough SPA in terms of silt and sediment run-off, residue from the mixing/pouring of concrete and the noise generated by the construction works. The Conservation objectives supporting document 2013, available on the NPWS website (www.npws.ie.) sets out the following in terms of the Brent Geese and the wetlands.

In terms of winterbirds and specifically Brent Geese the following is set out 'With regards the waterbird species of Special Conservation Interest listed for Carlingford Lough SPA and based on the long-term population trend for the site, it has been determined that Light-bellied Brent Goose is in Intermediate Unfavourable Conservation Condition (Table 4.3). This means that the winterbird species are in population decline in the range from 1.0 – 24.9%'. Therefore, any development which would potentially contribute to decline of the Brent Goose population would need to be justified and mitigation measures put in place to halt any such decline in their population numbers. Mitigation measures can only be considered as part of an AA Stage 2 Assessment and cannot be considered at Stage 1 AA screening.

The NPWS supporting document 2013 sets out the following in terms of loss and disturbance of wetland habitat and the knock-on impacts that this can have on the winterbird population including the Brent Geese, specifically protected under the Carlingford Lough SPA designation: 'Many of the 'activities' identified may act so as to modify wetland habitats of the site. While physical loss might be considered more historic in nature (e.g. land claim, the construction of piers, slipways etc.), on-going modifications to intertidal habitats may occur due to changes in natural processes (e.g. sedimentation or erosion rates) as a result of former physical events. The most obvious on-going activities within the SPA are human-related and attributed to both

recreational walking (with/without dogs) and aquaculture. It is clear that both of these activities displace waterbirds. The significance of the impact that results from even a short-term displacement should not be underestimated. In terms of foraging habitat, displacement from feeding opportunities not only reduces a bird's energy intake but also leads to an increase in energy expenditure as a result of the energetic costs of flying to an alternative foraging area. Displacement also has knock-on ecological effects such as increased competition within and/or between different species for a common food source. In areas subject to heavy or on-going disturbance, waterbirds may be disturbed so frequently that their displacement is equivalent to habitat loss. When disturbance effects reduce species fitness (reduced survival or reproductive success) consequences at population level may result.....

'Subtidal areas refer to those areas contained within the SPA that lie below the mean low water mark and are predominantly covered by marine water. Tidal rivers, creeks and channels are included in this category. For Carlingford Lough SPA this broad category is estimated to be 304 ha. Subtidal areas are continuously available for benthic and surface feeding ducks (e.g. Shelduck, Shoveler) and for the listed species Light-bellied Brent Geese. Various waterbirds roost in subtidal areas. The intertidal area is defined, in this context, as the area contained between the mean high-water mark and the mean low water mark. For Carlingford Lough SPA this is estimated to be 282 ha. When exposed or partially exposed by the tide, intertidal habitats provide important foraging areas for many species of waterbirds, especially wading birds, as well as providing roosting/loafing areas. When the intertidal area is inundated by the tide it becomes available for benthic and surface feeding ducks, geese and piscivorous/other waterbirds. During this tidal state this area can be used by various waterbirds as a loafing/roosting resource.... However, for the species of Special Conservation Interest, the scope of Objective 1 covers the need to maintain, or improve where appropriate, the different properties of the wetland habitats contained within the SPA'. The construction activities associated with the development of the boundary wall and railings, whereby silt and sediment would have been generated from soil clearance for the development of foundations and generated silt and sediment and the residue from cement mixing/pouring for foundations and binding the concrete blocks together would potentially adversely impact the wetland habitat upon which the Brent Geese rely during their overwintering stay. Given the location of the

boundary works within or immediately adjacent to the designated boundary of the Carlingford Lough SPA, I consider that there is potential for conflict with the stated conservation objective for the Carlingford Lough SPA, which is 'To maintain the conservation status of the Wetland habitats within the SPA'. There was potential from the direct construction impacts to have adversely impacted the Wetland habitat, a qualifying interest feature of the SPA and, therefore, would not align with 'maintaining the conservation status' of the site as required under the sites' conservation objective.

Therefore, any activity, including construction activities associated with the development of the boundary wall and railings which would have resulted in silt and sediment run-off from the clearance of soils to provide for the boundary wall foundations as well as residue from concrete mixing/pouring and the noise associated with the construction activities which are said to have coincided with the over wintering season may have had the potential to disturb the protected Brent Goose species and also adversely impact the wetland habitat upon which the Brent Goose relies upon in terms of roosting and or/foraging as set out in the NPWS 2013 supporting document. Based on the information submitted, including the information set out within the AA screening Report submitted no details of construction methods, details when the works took place, over what period of time they took place, the weather conditions at the time which could impact the rate of run off of silt/sediment/residue within the Lough and the noise levels that were generated by the construction works were submitted. This level of detail would often be provided within a Stage 2 AA report, which can incorporate mitigation measures to reduce/negate the construction impacts on the Wetland habitat and the Brent Geese species.

From the information submitted by the applicants and the appellants, I consider that there was potential for significant adverse impacts on the qualifying interest species and habitat in the Carlingford Lough SPA arising from the development. In terms of cumulative impact, the AA screening report does not reference a number planning permissions recently developed/permitted within the settlement of Carlingford. Some of these permissions have not yet been implemented. Others have been enacted and relate to relatively modest scaled developments including domestic extensions, replacement dwellings, single urban dwellings, a modest residential development and a modest holiday chalet scheme. Cumulative impacts arising from recently constructed/permitted developments in addition to the development currently being

assessed would need to be considered by the applicants as part of their AA Report, in terms of in-combination impacts upon the conservation objectives and Qi's associated with the Carlingford Shore SPA.

Having considered the location of the development, within or immediately adjoining the boundary of the designated Carlingford Lough Special Protection Area, I am not satisfied that it can be eliminated from further assessment because there was potential for disturbance of the Brent Geese Species and from run off from sediment, silt and cement mixing/pouring to adversely impact the Wetland habitat which the applicants acknowledge within their AA screening report is used by the protected Brent Geese Species for feeding and foraging purposes and therefore would potentially result in an adverse risk to this European Site. The reason for this conclusion is as follows:

- The location of the subject site and development within/immediately adjacent to the designated boundary of the Carlingford Lough Special Protection Area,
- The absence of a separation distance from the Carlingford Lough Special Protection Area,

I conclude, that on the basis of objective information, the boundary wall and railings and associated site works is considered to have the potential for significant effects on the Carlingford lough Special Protection Area, either alone or in combination with other plans or projects. Likely significant effects cannot be excluded at this stage and, therefore, Appropriate Assessment (Stage 2) under Section 177V of the Planning and Development Act 2000 (as amended) is required. I have conducted my own Appropriate Assessment screening exercise and completed an examination and identification of any potential significant effects of the development, alone, or in combination with other plans or projects on European sites. The screening is supported by a review of National Parks and Wildlife Service (NPWS) datasets, Ordnance survey mapping and aerial photography.

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 it is not possible to exclude that the boundary wall and railings development alone or in combination with other plans and projects within Carlingford

will give rise to significant effects on the Carlingford Lough Special Protection Area in view of the sites' conservation objectives. Appropriate Assessment is required.

This determination is based on:

- The location of the development, which relates to the development of a block boundary wall and railings above within or immediately adjacent to the designated boundary of the Carlingford Lough Special Protection Area,
- The absence of a separation distance from the Carlingford Lough Special Protection Area.