



## Inspector's Report

**PL-500537-CE-25**

### Development

Continue the use of the existing public car park and associated site signage, previously permitted under planning reference P14/149 and P19/334 to serve the Hags Head Area and the Cliffs of Moher Coastal Walk.

### Location

Kilconnell Tld. Liscannor, Co. Clare

### Planning Authority

Clare County Council

### Planning Authority Reg. Ref.

2560606

### Applicant(s)

Patrick and Mary Nagle

### Type of Application

Permission

### Planning Authority Decision

Refuse Permission

### Type of Appeal

First Party Normal Planning Appeal

### Appellant(s)

Patrick and Mary Nagle

### Observer(s)

None

### Date of Site Inspection

6<sup>th</sup> March 2026

### Inspector

Sarah O'Mahony

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[Appendix 1: Environmental Impact Assessment Screening](#)

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## 1.0 Site Location and Description

- 1.1. The 0.091ha site comprises a car park situated in a rural coastal area 4km west of Liscannor, Co. Clare and 1km southeast of Hags Head. It is situated on a peninsula and as such the coast is situated c. 1km to the north, west and south.
- 1.2. The site is situated between a dwelling at the west and a farmyard at the east. Access is provided from a local tertiary road (L51523) at the north via an informal wide entry point from the road. A private driveway to the dwelling situated between the road and the car park forms most of the northern boundary to the car park itself. The entrance was closed off to vehicular traffic by the placement of a large agricultural trailer and a chain at the time the site inspection was undertaken.
- 1.3. Adjacent land to the south comprises fields of improved grassland with a low masonry wall separating the car park from the fields.
- 1.4. The car park is surfaced with gravel and has paving sets delineating 20no. parking spaces. There are 4no. portacabin type sheds in the southwest corner providing a total floorspace of 17.34m<sup>2</sup> which comprise toilets, shower and changing facilities as well as an underground wastewater tank.
- 1.5. The site slopes gently down from north to south as well as west down to east which reflects the wider ground form in the area.

## 2.0 Proposed Development

- 2.1. Planning permission is sought to:
  - Recommence and continue the use of the existing public car park and associated site signage, previously permitted under planning reference P14/149 and P19/334, and to recommence and continue the use of the existing WC and Changing Facility and effluent holding tank previously permitted under planning reference P19/335, to serve the Hags Head Area and the Cliffs of Moher Coastal Walk.

## 3.0 Planning Authority Decision

### 3.1. Decision

3.1.1. Clare County Council issued a notification to refuse permission on 27<sup>th</sup> November 2025 for the following 2no. reasons:

1. The proposed development would facilitate the parking of vehicles for visitors to Hags head and the southern section of the Cliffs of Moher cliff walk. However, as these amenities are not currently open to the public, the Planning Authority considers that it has not been adequately demonstrated that there is a requirement for the opening of this car park. In addition, the Planning Authority considers that the reopening of the car park would draw increased numbers of people to the cliff top amenity which is closed due to safety issues. Therefore, the proposed development would represent haphazard, uncoordinated development which would detract from the planned approach to the development of facilities to serve the Cliffs of Moher and its associated attractions, would have negative impacts on the character of this rural area and detract from the amenities of the area, and would therefore be contrary to the proper planning and sustainable development of the area.
2. The proposed site is in close proximity to the Cliffs of Moher Special Protection Area (Site Code:004005). Having regard to the nature of the proposed development the Planning Authority considers that it would lead to an increase in numbers of visitors to Hags head and the Cliffs of Moher cliff walk which is located within the Cliffs of Moher SPA. In this regard, considering the existing issues pertaining to the Special Conservation Interests of the SPA (in particular the Chough species), and in the absence of evidence to the contrary, the Planning Authority is not satisfied that the proposed development, either individually or in-combination with other plans or projects, would not be likely to have adverse effects on one of the key Special Conservation Interests of the Cliffs of Moher Special Protection Area based on the risk of displacement and disturbance, in view of the conservation objectives of this site. The proposed development would therefore contravene Objective CDP 15.3 of the Clare County Development Plan 2023-2029 and would be contrary to the proper planning and sustainable development of the area.

## 3.2. **Planning Authority Reports**

### 3.2.1. Planning Reports

- The Planners report recommendation to refuse permission is consistent with the notification of decision which issued.
- Environmental Impact Assessment (EIA) issues were screened out
- Appropriate Assessment (AA) was screened in and formed one reason for refusal due to impacts to the chough bird species and the nearby Cliffs of Moher SPA. The report states: *'the development would lead to an increase in numbers of visitors to the cliff walk and that this issue should have been considered in the AA screening process. With regard to the potential for significant effects on the chough bird species I also concur with the EAO, that on the basis of the available information, the continued use of the cliff walk area by visitors "has at a minimum, the potential for a disturbance effect on this species and may very well be contributing to the loss of fledglings and absence of breeding".'*
- It noted that the development description did not specify a temporary period of permission/operation as was previously permitted but stated that in the event of a grant of permission, a similar condition should be applied.
- With regard to the principle of development, it states the following:

*On the basis of the available information, and in the context of the cliff walk being closed I consider that the applicants have not adequately demonstrated a requirement for the reopening of this car park. In addition, I would have concerns that the reopening of the car park may draw increased numbers of people to the southern section of the cliff walk which is closed for safety reasons. Therefore, I consider that in the context as outlined herein, that the proposed development would represent haphazard, uncoordinated development which would detract from the planned approach to the development of facilities to serve the Cliffs of Moher and its associated attractions and as a result would have a negative impact on the character of the rural area and detract from the amenities of the area. Permission should be refused on this basis.*

### 3.2.2. Other Technical Reports

- Municipal District: No comments or observations to make.

- Environmental Assessment Officer: References made to an internal Clare Co. Co. survey carried out in 2024 to assess the impact of human and other presence/disturbance to the chough species in the Cliffs of Moher SPA in order to inform future management of the SPA. It identified a nesting site close to the subject site and states that the fields in the area of the subject site, encompassing the applicant's lands, were used for foraging grounds which serves to highlight the importance of the area to chough and the need to protect the SPA. It suggested that chough were reliant on sub-optimal foraging grounds such as improved grassland due to continued degradation of natural maritime grasslands likely due to visitor footfall. It also considered the issue of visitor presence and noise disturbance to fledglings and noted that foraging duration of fledglings was the longest in 2024 when there was an absence of visitor presence.
- The EAO's report noted the applicant's AA screening report but considered it failed to address the matter of supporting increased visitor numbers to the area and the subsequent effect of disturbance and degradation of habitat which leads to negative impacts on the chough species. It states there has been no cumulative or in-combination impact assessment carried out on the effects of facilitating visitors in the SPA and the EAO is of the opinion that *'it is highly likely that continuation of this operation, has at minimum, the potential for disturbance effect on this species and may very well be contributing to the loss of fledglings and absence of breeding.'*
- It concludes by stating: 'It is highly likely that the commencement and continued use as outlined in the application should have triggered a requirement for Appropriate Assessment and the preparation of a Natura Impact Statement as it cannot be concluded beyond scientific doubt that there is no risk of significant effects indirectly on the Cliffs of Moher SPA (Site Code:004005) based on the risk of displacement and disturbance to one of the key Special Conservation Interests of the European Site.'

### 3.3. Prescribed Bodies

- The Heritage Council: No response.
- Transport Infrastructure Ireland: Request that the planning authority has regard to the provisions of official policy for development proposals.

- Uisce Éireann: No response.
- An Taisce: No response.
- Department of Housing, Local Government and Heritage: *'While the development application area is at a physical remove from the SPA, it is directly linked to the SPA via tracks. The potential for indirect impacts on the chough population at the Cliffs of Moher SPA must be assessed by the Planning Authority. In carrying out its assessment, Clare County Council must consider the development in combination with other developments (including tourism-related development) within and in proximity to the SPA.'*

### 3.4. Third Party Observations

- No submissions were received from the general public however representation was made by Cllr. Rita McInerny of Clare County Council on behalf of the applicants.

## 4.0 Planning History

- 99/2577: Planning permission granted to construct a dormer house, garage and septic tank.
- 14/149: Planning permission granted for a public car park to access the "Cliffs of Moher Coastal Walk" and associated road signage. This temporary permission was granted for a period of 5 years.
- 17/566: Planning permission sought for development which will consist of RETENTION of a portaloo and portacabin changing facilities together with ancillary site works. Application withdrawn.
- 19/334: Planning permission granted to continue the use of the existing public car park as granted permission under planning reference P14-149 as a public car park with associated site signage to serve the Cliffs of Moher Coastal Walk. This temporary permission was granted for a period of 3 years. This permission expired on 20<sup>th</sup> July 2022.
- 19/335: Retention permission sought for the existing WC and changing facility and planning permission sought to construct an effluent holding tank to serve the existing WC and an extension area for 23 no. cars to the existing public car park to

serve the Cliffs of Moher Coastal Walk. This temporary permission was granted for a period of 3 years and expired on 20<sup>th</sup> July 2022, however permission was refused for the proposed additional 23 parking spaces for the following reasons:

1. In light of the preparation of the Cliffs of Moher Strategy 2040, which is ongoing at present, and which will set out key proposals with regard to future developments and the future of the Cliffs of Moher experience, it is considered that the development of 23 additional car parking spaces at this site would represent haphazard, uncoordinated development which would detract from the planned approach to the development of facilities to serve the Cliffs of Moher and its associated attractions and as a result would have a negative impact on the character of the rural area and detract from the amenities of the area.
  2. Having regard to the nature of the road network at this location and the volumes of both tourism related and agricultural traffic in the area and in the absence of details as to traffic levels to and from the subject site, it is considered that the proposal to develop 23 additional car parking spaces at this site would result in haphazard development and endanger public safety by reason of a traffic hazard.
- UD16-112 – This relates to non-compliance with a number of conditions attached to P14-149.
  - UD18-041 – This related to unauthorised signage.
  - UD22-109 – This relates to the cessation of use of the car park and the reinstatement of lands.
  - UD25-052 – This relates to the operation of a car park, and overflow car park, the placing of WC and changing facilities on lands, the use of structures for a wedding venue, the provision of raised platform, the creation of an access road (partly within SPA), the provision of parking close to cliff edge and the provision of signage.

## 5.0 Policy Context

### 5.1. Development Plan

5.1.1. The site is governed by the policies and provisions contained in the Clare Development Plan 2023-2029 (referred to hereafter as the CDP). The site is situated in a rural area and thus is not subject to a land use zoning objective. It is also situated in a heritage landscape and CDP objective 14.5 applies in this regard as follows:

*Require that all proposed developments in Heritage Landscapes demonstrate that every effort has been made to reduce visual impact. This must be demonstrated for all aspects of the proposal - from site selection through to details of siting and design. All other relevant provisions of the Development Plan and the RSES must be complied with. All proposed developments in these areas will be required to demonstrate;*

- (i) That sites have been selected to avoid visual prominence.*
- (ii) That site layouts avail of existing topography and vegetation to minimise visibility from scenic routes, walking trails, public amenities and roads;*
- (iii) That design for buildings and structures minimises height and visual contrast through careful choice of forms, finishes and colour and that any site works seek to reduce the visual impact of the development.*

5.1.2. Section 6.21 of the CDP refers to rural enterprises and states small scale rural enterprises will be considered on the basis of the following:

- the nature of the activity;*
- where the workforce is likely to be sourced;*
- evidence that its scale is appropriate to a rural area;*
- evidence that the enterprise would not be viable on industrial or commercial zoned land in towns and villages nearby;*
- evidence that a suitable site is available.*

5.1.3. CDP objective 6.26 refers to tourism development and seeks to:

*harness the economic potential of tourism in County Clare through the enhancement of tourism and leisure amenities and through supporting the*

*coordination and promotion of appropriate tourism initiatives in accordance with CDP Objective 3.3.*

5.1.4. CDP objective 3.3 refers to a need to comply with EU directives such as SEA, SFRA and AA.

5.1.5. CDP objective 8.3 refers to rural innovation, enterprise and employment.

5.1.6. CDP objective 9.3 refers to integrated tourism products and seeks to:

- (a) To work with all relevant stakeholders to achieve an integrated and co-ordinated tourism product. Particular emphasis will be placed on the integration of tourism attractions with accommodation and tourist services in the wider community including those located in nearby town and village centres;*
- (b) To support and encourage the creation of linkages between tourism activities and businesses in key areas;*
- (c) To ensure a well-signed and interpreted heritage and landscape;*
- (d) To improve connectivity to those areas that are difficult to access through the sustainable development of the road network and public transport services, and facilities for improved visitor access and longer dwell times; and*
- (e) To support sustainable travel in the tourism sector by the promotion of public transport use and by undertaking enhancements to overall accessibility.*

5.1.7. CDP objective 9.4 refers to tourism development and tourist facilities and seeks to:

- (a) To permit tourism-related developments and facilities inside existing settlements where the scale and size of the proposed development is appropriate and in keeping with the character of the settlement, subject to normal site suitability considerations;*
- (b) To permit tourism-related developments outside of settlements where there is a clear need for the specific location and the benefits to the local community are balanced with any potential environmental impact;*
- (c) To ensure that development of new or enhanced tourism infrastructure and facilities include an assessment of the environmental sensitivities of the area including an Environmental Impact Assessment (EIA); Appropriate Assessment*

*(AA) and Strategic Flood Risk Assessment (SFRA) if required in order to avoid adverse impacts on the receiving environment; and*

*(d) To work with the relevant authorities to develop specific monitoring protocols for visitor pressure on the county's natural, archaeological and built heritage asset and to ensure that tourism activities are maintained within sustainable limits for the European sites in the county.*

5.1.8. CDP Objective 9.6 refers to tourism corridors and part (d) is relevant as it refers to the Cliffs of Moher as follows:

It is an Objective of Clare County Council to:

*(d) To develop the potential of the Cliffs of Moher as a key destination on the Wild Atlantic Way by supporting and facilitating the delivery and implementation of the Cliffs of Moher Strategy 2040 in line with the findings of the Cliffs of Moher Strategy Environmental Assessments.*

5.1.9. CDP Objective 9.8 refers to activity and adventure tourism and parts b, d, e and f are relevant in so far as they relate to the development and operation of greenways and supporting facilities. Part (f) in particular is set out below

*(f) To ensure that development of new or enhanced tourism infrastructure and facilities includes an assessment of the environmental sensitivities of the area including and Environmental Impact Assessment (EIA); Appropriate Assessment (AA) and Strategic Flood Risk Assessment (SFRA) if required in order to avoid adverse impacts on the receiving environment.*

5.1.10. CDP Objective 9.17 refers to Sustainable and Responsible Tourism and seeks to:

*support sustainable and responsible tourism initiatives across County Clare in order to ensure that on-going growth in the tourism industry is balanced with the long term protection of the natural environment and cultural identity of the County.*

5.1.11. CDP Objective 9.24 refers to tourism in north Clare and parts (a) and (b) are relevant as it seeks to:

*(a) maintain and enhance the Cliffs of Moher as one of Ireland's premier tourist attractions and harness its potential as a driver of tourism in County Clare through the implementation of the Cliffs of Moher Strategy 2040 in accordance with the*

*recommendations and mitigation measures as outlined in the accompanying SEA Environmental Report and Natura Impact Report;*

*(b) support Park and Ride sites at appropriate locations which provide for visitor parking associated with the Cliffs of Moher and in line with the findings of the CoM 2040 Strategy including the associated Environmental Assessments;*

## **5.2. Cliffs of Moher Coastal Walk Management Plan, published April 2025 by Clare County Council**

5.2.1. This non-statutory strategy sets out an intent and support to reopen the entire coastal walk including the section close to the subject site. Section 14.5 states:

*In compiling this programme, it assumed that a planning application is required for the upgrade of the trail. Given that the upgrades would be proposed in an SPA, the development is unlikely to screen out for Appropriate Assessment under the Habitats Directive, and therefore a planning application to an Bord Pleanála will be required.*

5.2.2. A timeline suggests a planning application would be lodged in early 2026 with consent secured in Q3 2026 and construction works to secure the path underway in Q3-Q4 2027.

5.2.3. The strategy identifies the subject site as an unauthorised development but also highlights ongoing issues with uncontrolled cars parking on the verges of local roads. In response, section 9.7.1 states:

*In developing proposals for sustainable transport for the Coastal Walk, it is recommended to base any proposals on the recommendations of the overarching strategy for the Cliff of Moher Strategy 2040 given that the majority of users access the Coastal Walk at the Cliffs of Moher Experience. For this reason, the concept of a Park and Ride service is a key aspect of the future operation of the Coastal Walk.*

5.2.4. It later recommends providing car park hubs at the park and ride bases in Lisdoonvarna and Lahinch.

5.2.5. Section 13 sets out recommendations with the '5' series related to trailheads, parking and sustainable transport. Recommendation number 5.5 seeks to 'discontinue unauthorised developments' and the accompanying comment is as follows:

*'This item has been raised by NPWS as it is compromising the conservation objectives of the SPA. The proposed Park and Ride initiative should also reduce demand for the use of unauthorised car parks'*

**5.3. Draft Cliffs of Moher Strategy 2040, published by Clare County Council and Fáilte Ireland, June 2024**

- 5.3.1. The non-statutory strategy in draft form was not finalised at the time of writing this report. It was guided by a steering group which included NPWS and was accompanied by SEA and an NIS.
- 5.3.2. It identifies the coastal walk as a key tourism and economic asset to the area and sets out an intent to reopen the walk, subject to the Management Plan as described above. It focuses on the provision of park and ride facilities in Lisdoonvarna and Ennistymon to provide a more sustainable access system to the cliffs with potential additional parking for walkers in Doolin and Liscannor. Key elements of future transport and access focus on reducing the number of car-borne independent visitors to the Cliffs of Moher site.

5.3.3. It states:

*Clare County Council, Clare Local Development Company, Fáilte Ireland and the Department of Rural and Community Development have commissioned the preparation of a new 'Management Plan for the Cliffs of Moher Coastal Walk'. This will consider sustainable transport options including appropriate trailhead / car parking facilities and ancillary trail infrastructure. The plan will also identify technology solutions to support visitor management, wayfinding and interpretation. The Cliffs of Moher Coastal Walk is located within the Cliffs of Moher Special Protection Area and consideration for the protection of sensitive habitats must also be incorporated.*

**5.4. County Clare Tourism Strategy 2030**

- 5.4.1. CDP objective 9.1 supports the implementation of the Tourism Strategy. The strategy sets out strategic directions, one of which is to develop walking trails and associated infrastructure. It specifically seeks to *'implement the Cliffs of Moher Coastal Walk project in partnership with landowners to address safety, repairs and maintenance on this iconic trail ...'*

## 5.5. Natural Heritage Designations

5.5.1. The site is situated 500m southeast from the Cliffs of Moher Special Protection Area. The SPA overlaps with the Cliffs of Moher proposed Natural Heritage Area closer to the cliff edge, 800m northwest of the site.

## 5.6. Built Heritage Designations

5.6.1. The CDP has designated the landscape in which the site is situated as a heritage landscape. I note the following built heritage records in the area:

- CL014-014--- Mound situated 350m northeast.
- CL014-015--- Ringfort/rath situated 450m northeast.
- CL014-013--- Children's burial ground 500m southeast
- RPS no. 625 comprises a cluster of stone built agricultural structures situated 30m east of the site which are protected structures. There are 3no. detached dwellings with associated outbuildings also situated within 150m to the east which are all protected structures under refs. RPS no. 618, 619 and 620.

## 6.0 EIA Screening

6.1. The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

## 7.0 The Appeal

### 7.1. Grounds of Appeal

- The applicants are from the area, have farmed for generations and believe in the importance of respecting the history, heritage, landscape, wildlife and local area.

- The car park was established 'in or around 2001' to park the applicant's own vehicles and farm machinery. It is situated 550m from Hags Head and 750m from the official trailhead at Moher/Liscannor GAA Club. The trail passes alongside the site which also forms part of the Burren Way. The coastal walk has become one of the most popular trails in the west of Ireland since its launch in 2013.
- The applicants have worked with the Local Authority and relevant stakeholders including previous agreements to works on their lands to facilitate the walk.
- They accept that the coastal cliff walk is currently closed but consider the reason for refusal on the basis the walk is closed is factually incorrect. Hags Head itself remains open for visitors and continues to function as a recognised viewing point. The temporary closure of the coastal walk does not extinguish visitor demand to the area with 1.5million visitors in 2024 according to Clare Co Co figures and Hags Head continues to operate as an attraction requiring proper management which is a function served by the development. Any reference in the refusal to purported closures is not relevant to the assessment of visitor demand or site functionality at Hags Head and in this regard the refusal reason is factually incorrect. Photographs are submitted which show continued visitor activity.
- There is no evidence that reopening the car park would increase the number of people visiting the cliff top amenity which is described as world-renowned in the CoMCWMP. The 2019 Case Planner's report acknowledged this. Demand is driven by long-standing marketing and promotion and not by the existence of a car park.
- Planning decisions should not be made on short-term operational circumstances. Published reports including the Cliffs of Moher Coastal Walk Management Plan (CoMCWMP) and the Cliffs of Moher Strategy 2040 support long term development and reopening of the trail. Tenders were published in Q4 2025 by the Local Authority seeking maintenance and repair of the walk. Additional documentation submitted with the appeal demonstrates the Council's commitment to reopening the walk including a letter from the Local Authority received by the applicants on the eve of submitting the appeal requesting the applicants to sell or lease land for the coastal walk once it reopens. It is noted that a timeline of works is set out in the CoMCWMP.

- An Bord Pleanála previously relied on long-term visitor demand relying on projected visitor numbers and tourism strategies, granting permission where appropriate mitigation is provided. Examples outlined include the ‘Dublin Mountains Visitor’ and ‘Dursey Island cable car and visitor centre’. It is submitted that temporary or non-planning matters such as temporary access restrictions or ongoing local works are not material considerations in determining development proposals.
- The reason for refusal is inconsistent as the Local Authority has provided 18no. parking spaces at Moher/Liscannor GAA Club, 750m from the site in May 2025, to serve the trail head. This recognises visitor activity and demand regardless of closures and demonstrates an established practical understanding that the closure does not remove visitor pressure, eliminate traffic or negate the need for managed parking. The public car park is a similar scale to the appellant’s and has a tourist information board highlighting its purpose. It is therefore contradictory for the Planning Authority to assert that the applicant’s car park is unnecessary and constitutes inconsistent decision making and unreasonable and inconsistent application of planning policy.
- With regard to the assertion of haphazard development, the public car park is 750m from the applicant’s site. The applicant’s site was established as car park for the applicant’s private use c.2001 and the appearance has remained largely unchanged with no significant alteration to the character of the area. It is serviced by existing infrastructure.
- It was opened as a public car park in 2014 in response to traffic issues associated with uncontrolled car parking on narrow local roads causing restrictions and blockages. Permission was granted twice to retain it for commercial purposes for temporary periods and it is accepted that this permission expired in 2022. It operated safely and effectively in compliance with the permissions. Visitors still come to the area and uncoordinated parking is a significant issue with submitted photographs dated August to December 2025 demonstrating this matter which has arisen since the subject site was closed on foot of the Planning Authority’s direction. Therefore, the assumption that it would negatively impact traffic is not supported by evidence as the car park is a solution to traffic management and does not generate traffic.

- Given the long-standing and continued nature of this use, the site cannot reasonably be characterised as haphazard, ad hoc or uncoordinated. It does not prejudice proper planning or sustainable development. It accords with the relevant objectives and strategy of the CDP and has become an established component of the local visitor access, representing orderly development. Granting permission would enhance structure, safety and appropriate management as demonstrated in the Case Planner's reports for the permitted development which acknowledges the need and demand as well as evidence on site of uncontrolled parking.
- Operation of the council's own park and ride facility and marketing strategy which bring visitors to the area is inconsistent with the refusal of permission on the grounds of traffic generation.
- The site is not situated within the Cliffs of Moher SPA.
- Development of the coastal path led to increased visitor numbers who require facilities. The applicant regularly had people queuing at the family home asking to use a bathroom. The applicant therefore sought permission to install a toilet and changing facilities which was granted a temporary permission. This has provided a much-needed facility for the area addressing basic human need which increases safety, privacy and dignity while eliminating the issue of people engaging in inappropriate and undignified behaviours. This protects local habitats so visitors are not leaving the path to seek privacy and therefore represents coordinated development, enhancing amenities and is consistent with proper planning and sustainable development.
- There is no proposal to alter the development or carry out further works which is a continuation of an existing development, on a previously existing gravelled car park and does not detract from the character of the rural area or amenities of the area. Its operation would in fact enhance the area and complies with the CDP including objectives 9.10, 10.10, 10.11 and 10.12 regarding tourism and active recreation. It is also consistent with the NPF and represents the kind of supporting infrastructure envisaged by the CDP in facilitating countryside recreation and rural development. The car park is advertised on the Council's own information board at the trailhead at Liscannor GAA grounds.

- To suggest the car park would affect the special conservation interests of the SPA does not stand up to scrutiny. The welfare facilities reduce visitors leaving the designated path and creating further habitat damage, thereby reducing impacts to the SPA. The previous 2019 Case Planner's report also screened out impacts.
- The applicant submitted an AA screening report prepared by MKO which concluded beyond scientific doubt that the development will not result in likely significant impacts either individually or in combination with other plans and projects and specifically concludes that there is no realistic prospect of adverse effects on the conservation interests of the SPA, including the chough. The report concludes that as no pathway or impact mechanism was identified arising from the development site on its own, there is therefore no potential for it to contribute to any such effects when considered in combination with any other development.
- The appeal states that it is accepted that *'the use of the cliff walk has the potential for a disturbance effect on this species and may well be contributing to the loss of fledglings and absence of breeding'*. The appeal states however that the applicants have submitted two AIE requests to view a screening report or assessment associated with works which have commenced on the walk within the SPA or associated with plans to upgrade reopen the walk but no report has been received.
- Save for the suggestion that the car park would lead to an increase in visitors, as addressed previously, there are no grounds or reasons set out that would suggest that the car park or welfare facilities would have adverse effects on the SPA. There is no evidence provided to contradict the applicant's screening report. The Planning Authority has not identified any pathway by which the development could cause habitat loss or significant disturbance to the SPA and has disregarded evidence presented.
- Refusal reason no. 2 referenced CDP objective 15.3 which requires the highest level of protection to be afforded to European sites and to require AA to be undertaken. The applicants have demonstrated their commitment to the environment by obtaining the screening report.
- The Planning Authority's conclusion that there is a lack of evidence to screen out impacts is not supported by the factual or scientific evidence presented. It concludes that the walkway may affect the SPA but not the car park and welfare

facilities. It does not address the effect of not having such facilities available and the refusal is based on a misapplication of the precautionary principle and an error in law in the interpretation of article 6(3) of the Habitats Directive. *'It is submitted that in the absence of any objective scientific evidence linking the proposed development to adverse effects on the chough species, planning permission should not be refused on a speculative or generalized basis'*.

- The Planning Authority's 2024 Chough report identifies the presence of a nesting site with fledglings on the applicant's land which provides proof that the appellants create a supportive and favourable habitat for chough. The applicant's car park was in operation until 2025 and the 2024 report therefore shows that its operation did not impact the chough.
- On the other hand, Clare County Council operates the Cliffs of Moher visitor centre, car park, pathways and viewing areas etc all of which are within the SPA and the adjacent 4.5acre car park, which is in use despite its temporary permission. The appeal suggests that the visitor centre clearly has an impact on the Chough due to the large influx of visitors a demonstrated in the 2024 chough report which noted the presence of a nest close to the visitor centre in which all 4no. fledglings died.
- The appeal notes an AA Screening report submitted with planning application ref. 148002 for works at the visitor centre including surfacing, kerbing, footpaths and a coach parks attendant cabin etc, which concluded that the development would not facilitate increased visitor numbers and will not have potential to result in likely significant affects to the future conservation status of the chough population. The 2024 chough report however suggests otherwise. To suggest therefore that the applicants small scale car park outside the SPA will lead to an increase in visitor numbers but that the Council's large scale development within the SPA will not, does not stand up to reason.
- The Board is referred to a report from the DAHG relating to the above 2014 application at the visitor centre which advised that the applicant's screening report did not cover all parts of the project. Further, the appeal refers to a 2017 Part 8 application for similar car park related works such as lining, paving, ducting, etc including surface water drainage. The appeal highlights inaccuracies in the application documents, alluding to unauthorised developments and that no

appropriate assessment screening was undertaken for associated intensification. It states that the imposition of more onerous standards on third party applicants undermines the principles of consistency, transparency and procedural fairness.

- The appeal refers to ref. 25/60021 100m east of the site which sought to retain demolition of a shed in which the Planning Authority screened out the need for environmental impact assessment.
- The appeal states *'It is submitted that proposed development is located entirely outside the boundaries of the Special Protection Area (SPA), and no credible evidence has been provided by the Planning Authority to demonstrate any likely significant effect on the qualifying interests or conservation objectives of the designated site. The refusal relies on concerns regarding the affects of the walkway (which the County Council are promoting and carrying out works on) rather than identifying specific impact the carpark, WC and changing facilities have or could have on the SPA and therefore does not meet the evidential threshold required under the Habitats Directive or established precedent for Appropriate Assessment screening.'*
- The council's own facilities demonstrate that car parking is not inherently incompatible with the SPAs conservation objectives and that the authority has accepted such land use within far more environmentally sensitive lands. The applicants development will reduce congestion and meet parking demand.

## 7.2. Planning Authority Response

- Request made to uphold the refusal decision and to refer to the Planner's Report with regard to assessment of the various issues associated with the development.

## 8.0 Assessment

8.1. Having examined the application details and all other documentation on file, including all of 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

- Appropriate Assessment
- Other Matters

## 8.2. Principle of development

- 8.2.1. Refusal reason no. 1 states *'it has not been adequately demonstrated that there is a requirement for the opening of this car park'* and that *'reopening of the car park would draw increased numbers of people to the cliff top amenity'* and therefore it would represent *'haphazard, uncoordinated development which would detract from the planned approach to the development of facilities to serve the Cliffs of Moher and its associated attractions'*. The appeal disputes this and sets out a case suggesting that visitors come to the area regardless of the coastal walk being closed, particularly as the Hags Head area is not closed. The appeal provided evidence of ongoing haphazard and uncoordinated car parking which has occurred in the time since the coastal walk was officially closed. Further, the appeal demonstrates significant intent by the Local Authority to reopen the coastal walk, which is also evident in my view from the various plans and strategies set out previously in the policy section of this report.
- 8.2.2. I therefore do not agree that the development would increase visitor numbers and agree with the appellant that the Local Authority's own signage and marketing strategy is responsible for drawing visitors to the area in the first instance. In this context, I consider the development facilitates existing visitors to the area and it is complementary in addressing a need for car parking and welfare facilities and supporting rural recreational tourism as supported by the CDP.
- 8.2.3. I note the refusal reason suggests that the car park would detract from the planned approach to manage visitors to the area, however I again disagree and consider its small scale of 20no. parking spaces is unlikely to detract from the wider movement aspects of the various management plans and strategies.
- 8.2.4. The refusal reason also suggests that the development would have negative impacts on the character of the rural area as well as the amenities of the area and again I disagree having regard to the evidence submitted in the appeal demonstrating the ongoing demand for off-road car parking. I also note that the car park was in use privately by the applicants for domestic and agricultural use prior to its commercial

operation. Its location between the dwelling and farmyard and its small scale at 0.091ha results in minimal landscape and visual impacts on the designated heritage landscape in my opinion and therefore I am unclear on what aspect of the development would detract from the amenity or character of the area.

8.2.5. In conclusion, I consider there is a need for the development and do not consider that it would increase visitor numbers to the area. In my view it does facilitate however visitors and provides a complimentary service to the actual tourist attraction itself at Hags Head. I do not consider it would detract from the planned approach of access to the coastal walk or general Cliffs of Moher area and I do not consider it would detract from the character or amenity of the rural area. In my opinion the development represents an appropriate scale of rural diversification complying with objectives 9.3 and 9.4 of the CDP in all matters aside from appropriate assessment as discussed later. In this regard, the principle of the development is acceptable in my view, regardless of the current closed status of the coastal walk.

### 8.3. **Appropriate Assessment**

8.3.1. The second reason for refusal reiterates the Planning Authority's opinion that the development would lead to an increase in visitors to the coastal walk and that *'the Planning Authority is not satisfied that the proposed development, either individually or in-combination with other plans or projects, would not be likely to have adverse effects on one of the key Special Conservation Interests of the Cliffs of Moher Special Protection Area based on the risk of displacement and disturbance, in view of the conservation objectives of this site'*. An emphasis is placed on the chough which is a species of bird which nests on coastal cliffs and in sea caves and forages nearby on invertebrates at or near the soil surface.

8.3.2. The appropriate assessment screening determination set out in appendix 2 of this report determines that the proposed development is not likely to impact the Cliffs of Moher SPA on its own.

8.3.3. It does however conclude that there would be likely significant in-combination impacts when operation of the coastal walk is taken into account. This is also reflected in the refusal reason issued by the Planning Authority.

8.3.4. The appeal contends that the AA Screening report submitted with the application was prepared in light of best available scientific evidence and screens out impacts to the

SPA, however that report does not reference the coastal walk as a plan or project, despite the development description clearly stating that the purpose of the development is *'to serve the Hags Head Area and the Cliffs of Moher Coastal Walk'* and therefore the development does facilitate visitors and is intrinsically linked with the coastal walk in my view. Further, there is significant policy support for operation of the coastal walk as well as documented plans and strategies such as the CoMCWMP and the draft 2040 strategy. The CoMCWMP is underpinned by the draft 20240 strategy, which in turn is underpinned by Objectives 9.6 and 9.24 of the CDP.

- 8.3.5. The appeal highlights planning history on the site and how the Case Planner's report for the most recent decision to grant temporary planning permission in 2019 screened out impacts to the SPA. I note however that this decision is 7 years old and significant new scientific information has come to light in the interim such as updated site-specific conservation objectives and multiple studies on the population and distribution of chough in the area as well as the aforementioned plans and strategies.
- 8.3.6. The screening determination concludes that the development would be likely to result in significant in-combination effects, and those effects and associated mitigation measures ultimately cannot be clarified until an appropriate assessment is carried out for the operation of the walk. In the absence of such an AA, or NIS as is stated in the plans and strategies to be likely, it is not possible to screen out potential significant impacts to the conservation objectives of the Cliffs of Moher SPA and I therefore recommend that planning permission is refused in accordance with CDP objectives 3.3, 9.4(c) and 9.8(f).

#### 8.4. **Other Matters**

- 8.4.1. The appeal refers to planning history in the area and particularly the Local Authority's development of the Cliffs of Moher visitor centre. It suggests there may be unauthorised development at the visitor centre which is situated within the SPA, and that there may be inconsistent appropriate assessment decisions, or a lack thereof in some case. An Coimisiún Pleanála has no authority to comment on the planning status or otherwise of the visitor centre and impacts it may have on the SPA as this report and assessment is only focused on the application site and proposed development. The matter is outside the scope of an appeal which assesses each

planning application and appeal on its own merits. Matters relating to alleged unauthorised development are under the remit of the Local Authority.

8.4.2. I do however note the planning history outlined in the appeal and suggestions of inconsistent appropriate assessment leading to a lack of transparency and procedural fairness. I do not consider it appropriate to comment on the merit of any decided cases however in the case of carrying out an objective appropriate assessment for this proposed development, I highlight the following new scientific information which was likely not available for much of the referenced planning history:

- The 2024 Birdwatch Ireland report commissioned by the Local Authority, and
- Updated Conservation Objectives as published by NPWS. In particular the Cliffs of Moher Conservation Objectives were updated in May 2025.

8.4.3. Such matters are highly relevant and were taken into account in carrying out appropriate assessment for the subject development in this report, the conclusions of which are set out in the next section of this report.

## 9.0 **Appropriate Assessment**

### 9.1. **Screening Determination: Significant effects cannot be excluded**

9.1.1. 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, in combination with other plans and projects, will give rise to significant effects on the Cliffs of Moher Special Protection Area in view of the sites conservation objectives. Appropriate Assessment is required.

9.1.2. This determination is based on:

- The Cliffs of Moher Coastal Walk Management Plan, April 2025,
- The draft Cliffs of Moher 2040 Strategy and associated NIS, June 2024,
- The report of the Environmental Assessment Officer of Clare County Council, and
- The Conservation Objectives for the Cliffs of Moher SPA dated May 2025.

## 10.0 Water Framework Directive

- 10.1. The subject site is located in the Mal Bay catchment area and the Inagh (Ennistymon) sub-catchment area. It is situated 170m west and uphill from the Beaghy\_010 river. It is situated on a peninsula and in this regard is surrounded by the Shannon Plume coastal waterbody to the north, west and south with a separation distance of c.1km in each case.
- 10.2. The proposed development comprises a 20-space car park, WC, changing and showering facilities.
- 10.3. No water deterioration concerns were raised in the planning appeal.
- 10.4. I have assessed the car park 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.
- 10.5. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively. The reason for this conclusion is as follows:
- The small scale and nature of the development.
  - The contained wastewater holding tank which does not discharge to ground, and
  - The lack of hydrological connectivity to waterbodies.
- 10.6. Conclusion
- 10.6.1. 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.

## 11.0 Recommendation

11.1. I recommend that permission is refused in accordance with the reason set out below:

1. Having regard to the location of the site in proximity to the Cliffs of Moher Special Protection Area (004005) it is considered that recommencing and continuing the use of the existing public car park and associated site signage, previously permitted under planning reference P14/149 and P19/334, and recommencing and continuing the use of the existing WC and changing facility and effluent holding tank previously permitted under planning reference P19/335, to serve the Hags Head Area and the Cliffs of Moher Coastal Walk would result in continued disturbance to birds, including chough (which is a protected species included on Annex I of the European Union Birds Directive) and loss of breeding and foraging habitat for chough, from human visitor activity on the Cliffs of Moher coastal walk.

The Board is not satisfied, on the basis of the submissions made in connection with the planning application and the appeal, that adequate information has been provided identifying and assessing in-combination impacts of the proposed development in tandem with the Cliffs of Moher coastal walk.

It is therefore considered that the Board is unable to ascertain in light of best available scientific knowledge that the proposed development, in combination with other plans and projects, would not be likely to have adverse effects on the Conservation Objectives of the Cliffs of Moher Special Protection Area. The proposed development therefore would not comply with objectives 3.3, 9.4(c) and 9.8(f) of the Clare County Development Plan 2023-2029 and would be contrary to the proper planning and sustainable development of the area.

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

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Sarah O'Mahony  
Planning Inspector

22<sup>nd</sup> April 2026

### Appendix 1: Form 1 EIA Pre-Screening

<b>Case Reference</b>	ACP-500537-CE-25
<b>Proposed Development Summary</b>	Retain existing 20no. space car park, WC, shower, underground wastewater tank.
<b>Development Address</b>	Kilconnell Tld. Liscannor, Co. Clare
<b>IN ALL CASES CHECK BOX / OR LEAVE BLANK</b>	
<b>1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?</b>	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q.2.
	<input type="checkbox"/> No, No further action required.
<p>(For the purposes of the Directive, "Project" means:</p> <ul style="list-style-type: none"> <li>- The execution of construction works or of other installations or schemes,</li> <li>- Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)</li> </ul>	
<b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in Part 1.	<del>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</del>
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
<b>3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?</b>	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. <b>No Screening required.</b>	

<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. <b>EIA is Mandatory. No Screening Required</b>	
<input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.  <b>Preliminary examination required. (Form 2)</b> <b>OR</b> <b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b>	<p>Class 10 (b)(ii) Construction of a car-park providing more than 400 spaces, other than a car-park provided as part of, and incidental to the primary purpose of, a development.</p> <p>Threshold = 400 spaces.  Proposal = 20 spaces</p>
<b>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</b>	
Yes <input type="checkbox"/>	<b>Screening Determination required (Complete Form 3)</b>
No <input checked="" type="checkbox"/>	<b>Pre-screening determination conclusion remains as above (Q1 to Q3)</b>

## Form 2 - EIA Preliminary Examination

**This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.**

**Characteristics of proposed development**

(In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).

The development has a modest footprint, comes forward as a standalone project, does not require demolition works, 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 type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change. It presents no risks to human health.

**Location of development**

(The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).

The development is situated in a rural area on a brownfield site between a dwelling and a farmyard. It is removed from centres of population but is situated close to the Cliffs of Moher SPA, is visually connected to protected structures adjacent the site and is also situated within a sensitive scenic landscape.

The development is small in scale and its location between the dwelling and farmyard means it does not visually impact the landscape or nearby protected structures.

Impacts to the nearby SPA are addressed in the Appropriate Assessment exercise.

<p><b>Types and characteristics of potential impacts</b></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 nature of the proposed development, likely limited magnitude and spatial extent of effects, and absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.</p> <p>Impacts on the Cliffs of Moher SPA are addressed in the Appropriate Assessment exercise.</p>
<p><b>Conclusion</b></p>	
<p><b>Likelihood of Significant Effects</b></p>	<p><b>Conclusion in respect of EIA</b></p>
<p>There is no real likelihood of significant effects on the environment.</p>	<p>EIA is not required.</p>

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

## Appendix 2: Screening for Appropriate Assessment

### Test for likely significant effects

**Case Reference Number:** ACP-PL-500537-CE-25

#### Step 1: Description of the project and local site characteristics

<b>Brief description of project</b>	Retain existing 20no. space car park, WC, shower, underground wastewater tank.
<b>Brief description of development site characteristics and potential impact mechanisms</b>	The 0.091ha site is situated 500m southeast of the Cliffs of Moher Special Protection Area. It comprises a gravelled car park with signage, WC and shower facilities. Wastewater is managed in a holding tank which is emptied periodically and surface water discharges directly to ground.
<b>Screening report</b>	Yes
<b>Natura Impact Statement</b>	No
<b>Relevant submissions</b>	Department of Housing, Local Government and Heritage: <i>'While the development application area is at a physical remove from the SPA, it is directly linked to the SPA via tracks. The potential for indirect impacts on the chough population at the Cliffs of Moher SPA must be assessed by the Planning Authority. In carrying out its assessment, Clare County Council must consider the development in combination with other developments (including tourism-related development) within and in proximity to the SPA.'</i>

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

European Site (code)	Qualifying interests	Distance from proposed development	Ecological connections	Consider further in screening Y/N

<p>Cliffs of Moher SPA [004005]</p>	<p>Fulmar (<i>Fulmarus glacialis</i>) [A009] Kittiwake (<i>Rissa tridactyla</i>) [A188] Guillemot (<i>Uria aalge</i>) [A199] Razorbill (<i>Alca torda</i>) [A200] Puffin (<i>Fratercula arctica</i>) [A204] Chough (<i>Pyrrhocorax pyrrhocorax</i>) [A346]  Conservation Objectives dated May 2025</p>	<p>500m</p>	<p>Tentative</p>	<p>Yes</p>
<p>Inagh River Estuary SAC [000036]</p>	<p>Salicornia and other annuals colonising mud and sand [1310] Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>) [1330] Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410] Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120] Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]  Conservation Objectives dated January 2017</p>	<p>5.5km</p>	<p>No</p>	<p>No</p>
<p>Black Head- Poulsallagh Complex SAC [000020]</p>	<p>Reefs [1170] Perennial vegetation of stony banks [1220]</p>	<p>8.5km</p>	<p>No</p>	<p>No</p>

	<p>Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]</p> <p>Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation [3260]</p> <p>Alpine and Boreal heaths [4060]</p> <p>Juniperus communis formations on heaths or calcareous grasslands [5130]</p> <p>Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [6210]</p> <p>Lowland hay meadows (Alopecurus pratensis, Sanguisorba officinalis) [6510]</p> <p>Petrifying springs with tufa formation (Cratoneurion) [7220]</p> <p>Limestone pavements [8240]</p> <p>Submerged or partially submerged sea caves [8330]</p> <p>Petalophyllum ralfsii (Petalwort) [1395]</p> <p>Conservation Objectives dated March 2026</p>			
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<p>Carrowmore Point to Spanish Point and Islands SAC [001021]</p>	<p>Coastal lagoons [1150] Reefs [1170] Perennial vegetation of stony banks [1220] Petrifying springs with tufa formation (Cratoneurion) [7220] Conservation Objectives dated April 2014</p>	<p>9.6km</p>	<p>No</p>	<p>No</p>
<p>Mid-Clare Coast SPA [004182]</p>	<p>Cormorant (Phalacrocorax carbo) [A017] Barnacle Goose (Branta leucopsis) [A045] Ringed Plover (Charadrius hiaticula) [A137] Sanderling (Calidris alba) [A144] Purple Sandpiper (Calidris maritima) [A148] Dunlin (Calidris alpina) [A149] Turnstone (Arenaria interpres) [A169] Wetland and Waterbirds [A999] Conservation Objectives dated September 2014</p>	<p>9.6km</p>	<p>No</p>	<p>No</p>
<p>Inisheer Island SAC [001275]</p>	<p>Coastal lagoons [1150] Reefs [1170] European dry heaths [4030] Semi-natural dry grasslands and scrubland facies on calcareous substrates</p>	<p>12.2km</p>	<p>No</p>	<p>No</p>

	(Festuco-Brometalia) (* important orchid sites) [6210] Lowland hay meadows (Alopecurus pratensis, Sanguisorba officinalis) [6510] Limestone pavements [8240] Conservation Objectives dated September 2014			
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**Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites**

**AA Screening matrix**

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*		
	Impacts	Effects	
Cliffs of Moher SPA 004005	<p><b>Direct:</b> None</p> <p><b>Indirect:</b> Negative - Facilitating and supporting visitors to the coastal path which is within the SPA.</p> <p>Positive – Provision of welfare facilities.</p>	<p>Visitor presence on the coastal path is leading to habitat loss for breeding and foraging for chough species.</p> <p>Visitor presence leads to disturbance and displacement to inferior quality habitat.</p> <p>Provision of welfare reduces number of visitors leaving the designated path.</p>	
<b>Likelihood of significant effects from proposed development (alone): No</b>			
<b>If No, is there likelihood of significant effects occurring in combination with other plans or projects?</b>			

No appropriate assessment has been undertaken to identify the impact of the closed section of the coastal walk on the integrity of the conservation objectives of the Cliffs of Moher SPA. The Cliffs of Moher Coastal Walk Management Plan (CoMCWMP) however refers to a future planning application for works to this southern section of the walk and identifies a likelihood that a Stage 2 NIS would be required with a subsequent planning application made directly to An Coimisiún Pleanála .

The draft Cliffs of Moher 2040 Strategy also identifies future upgrades to the coastal walk as an objective of the strategy. Table 12 assesses the potential of likely significant effects from implementing the strategy and in reference to an effect titled '*Cliffs of Moher Coastal Walk and the development of greenways present opportunities for sustainable access links with the Cliffs of Moher site.*' it states: '*The provision of new/upgraded walk paths and new and enhanced visitor facilities have the potential to cause significant negative impacts upon the SCIs of the Cliffs of Moher SPA if inappropriately designed or constructed. Potential impacts include habitat loss and disturbance to SCI species. Project-specific AA will be required before negative impacts upon the Cliffs of Moher SPA can be ruled out.*

A screening report and NIS were prepared for the draft strategy itself which states '*Overall, the number of breeding pairs of Chough in the Cliffs of Moher SPA has declined. Between 2002/03 and 2009, the number of breeding pairs within the SPA decreased from 12 to seven pairs, representing a 42% decline. Between 2009 and 2022, the numbers of breeding pairs have fallen from seven to two pairs within the SPA, a 71% decline between surveys. Just two pairs were recorded within the SPA during the 2022 breeding season (Kavanagh et al. 2023). This represents a decline of 83% since the peak of 12 breeding pairs recorded in 2002/03. Two pairs were also confirmed to be breeding within the SPA in 2021 (Kavanagh et al. 2023).*'

A further 2024 Birdwatch Ireland study is referenced in the Planning Authority's Environmental Assessment Officer's (EAO) report on the subject planning application. The same report is also referenced in the Conservation Objectives for the Cliffs of Moher SPA and in the first party appeal. It notes the presence of a nesting site close to the subject site and suggests chough are reliant on sub-optimal foraging habitat such as improved grassland, due to the degradation of high-quality habitat, likely due to high visitor footfall. The EAO's report also states: '*The 2024*

*study also highlighted the significant impact of visitor presence and attendance noise levels on foraging duration of the fledged chough, with quiet conditions and an absence of visitors facilitating the longest foraging durations.'*

Section 10.3 of the CoMCWMP notes that a number of unofficial trail heads have developed over time due to visitor curiosity to attain better views of the cliffs. It states '*Habitat for chough extends inland, up to 50m from the cliff edge and numbers using the Coastal Walk are such that disturbance of chough is difficult to mitigate.'*

The screening report submitted with the application does not identify the coastal walk as a plan or project which may have in-combination effects. I disagree with this approach and consider the proposed development has intrinsic links to the Cliffs of Moher coastal path as the development description as advertised on the statutory notices states that the purpose of the car park and associated welfare facilities is: '*to serve the Hags Head Area and the Cliffs of Moher Coastal Walk*'.

The conservation objective for Chough is: '*To restore the favourable conservation condition of Chough in Cliffs of Moher SPA, which is defined by the following list of attributes and targets: ...*'. Attributes include population size, population trend, productivity rate, foraging habitat, food availability, distribution of roosting sites and disturbance.

The appeal acknowledges the 2024 Birdwatch Ireland study and its conclusions by stating: '*the use of the cliff walk has the potential for a disturbance effect on this species and may well be contributing to the loss of fledglings and absence of breeding*'. The appeal did not however submit an updated AA screening report taking account of this scientific information.

In light of the scientific information available I therefore consider there would be a likely significant in-combination effect on chough and achieving the conservation objective to restore their favourable conservation condition as a result of operating the car park in order to serve the coastal walk.

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

I conclude that the proposed development (alone) would not result in likely significant effects on the Cliffs of Moher SPA however, the possibility of in combination effects with other plans and projects, namely operation of the coastal path, on Chough (*Pyrrhocorax pyrrhocorax*) at the Cliffs of Moher SPA from effects associated with disturbance of breeding sites and loss of foraging habitat cannot be excluded at this screening stage. An appropriate assessment is required on the basis of these combined effects.

**Screening Determination**

**Significant effects cannot be excluded**

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, in combination with other plans and projects, will give rise to significant effects on the Cliffs of Moher Special Protection Area in view of the sites conservation objectives. Appropriate Assessment is required.

This determination is based on:

- The Cliffs of Moher Coastal Walk Management Plan, April 2025,
- The draft Cliffs of Moher 2040 Strategy and associated NIS, June 2024,
- The report of the Environmental Assessment Officer of Clare County Council, and
- The Conservation Objectives for the Cliffs of Moher SPA dated May 2025.

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