



An
Coimisiún
Pleanála

Inspector's Report

PL-500627-KY-26

Development	Construction of two storey dwelling with connection to main sewer.
Location	38A Cois Li, Ballyvelly, Tralee
Planning Authority	Kerry County Council
Planning Authority Reg. Ref.	2560962
Applicant	John O'Connell
Type of Application	Permission
Planning Authority Decision	Refusal
Type of Appeal	First Party
Appellant	John O'Connell.
Observer(s)	None.
Date of Site Inspection	18/02/26.
Inspector	Ann Bogan

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1.0 Site Location and Description

- 1.1. The site is located in Cois Li estate, Ballyvelley Tralee, at the edge of an established residential area, 1.5km to the south-west of Tralee Town Centre. The 0.010ha site is positioned in the side garden of an existing semi-detached two storey, 133sqm dwelling, at No 38 Cois Li. The rear wall of the site bounds the adjoining Springfield housing estate to the north-west, while the western boundary is formed by a hedgerow adjoining undeveloped land in agricultural use. The site fronts onto a turning area serving a cul de sac of 12 semi-detached houses.
- 1.2. At present the site, as part of the curtilage of No 38 Cois Li, accommodates the vehicular entrance, car parking area and part of the private amenity space of that dwelling, and is currently surfaced with stone chippings. Creation of the proposed site in the side garden would therefore involve a re-drawing of the boundaries of the site of the existing dwelling.
- 1.3. The site and the existing dwelling at 38 Cois Li are stated to be in the ownership of the applicant, while he resides at a separate Tralee address.

2.0 Proposed Development

- 2.1. The development consists of:
 - Construction of a two storey, two-bedroom, dwelling stated to be 92sqm in area, in the side garden of No 38 Cois Li
 - Connection to the main sewer
 - Provision of vehicular entrance off existing turning area and car parking area in front of proposed dwelling
 - Construction of 1.8m side boundary wall adjoining rear garden of No 38 Cois, and a 1.2m side boundary wall enclosing a car parking space to serve No 38 Cois Li (note the new car parking space and vehicular entrance serving No 38 Cois Li are not within the application boundary).

3.0 Planning Authority Decision

3.1. Decision

Kerry County Council refused permission on 16th December 2025 for the following reasons:

1. Having regard to the location and layout of the proposed development, including the reduction of the site curtilage at the adjacent property [Number 38 Cois Li], it is considered that the proposed development would result in over development and would constitute a substandard form of development. Furthermore, the proposed development would result in disorderly development and would be contrary to the requirements under Section 1.5.6.3 of Volume 6 of the Kerry County Development Plan 2022 to 2028 [Corner/Side Garden Sites]. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.
2. It is considered that the proposed development by reason of proposed site layout would result in sub-standard amenity space for the occupants of the proposed dwelling and would be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- Notwithstanding changes to the proposals from previous applications, the planning officer considered the proposal “would still result in overdevelopment, substandard development and disorderly development” and that the proposed layout would result in sub-standard amenity space for the occupants of the dwelling. Refusal of permission was recommended for the reasons outlined above.
- Having regard to nature and scale of the proposal and distance from protected sites, Planning Report concluded no likely potential for significant effects on Nature 2000 sites and therefore AA not required
- Having regard to the nature, scale and location of the proposal it was considered it does not require EIA Screening or EIA.

3.2.2. Other Technical Reports

- Flooding, Coastal and Marine Unit: No flooding identified at this location

3.3. Prescribed Bodies

None

3.4. Third Party Observations

None

4.0 Planning History

4.1. On-site

Ref No 2560121: Permission refused to John O'Connell on 16th April 2025 to build a private two storey dwelling with connection to main sewer at 38aCois Li Ballyvelly, Tralee for following reasons:

1. Having regard to the location and layout of the proposed development, including the reduction of the site curtilage at the adjacent property [Number 38 Cois Li], it is considered that the proposed development would result in over development and would constitute a substandard form of development. Furthermore, the proposed development would result in disorderly development and would be contrary to the requirements under Section 1.5.6.3 of Volume 6 of the Kerry County Development Plan 2022 to 2028 [Corner/Side Garden Sites]. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.
2. It is considered, the development would result in the removal of parking from an adjacent property, which would be contrary to the parking requirements, as set out in 1.20.7, Table 4 [Volume 6] of the Kerry County Development Plan 2022-2028. The proposed development would endanger public safety by reason of loss of car parking to an adjacent property, encouraging informal car parking at the nearby turning head, resulting in a traffic hazard and obstruction of road users. The proposed development would endanger public safety by reason of traffic hazard and would therefore be contrary to the proper planning and sustainable development of the area.

3. Having the regard to the lack of appropriate boundary treatments, the Planning Authority is not satisfied that the subject site meets the requirements set out in Section 1.5.4.11 [Volume 6] of the Kerry County Development Plan 2022-2028. The proposed development would therefore injure the residential amenity of the proposed dwelling and the adjacent property and would, therefore, be contrary to the proper planning and sustainable development of the area.

4.2. **Adjacent Site:**

Ref No. 2560122: Permission refused to John O'Connell on 16th April 2025 to retain existing dwelling at 38 Cois Li, Ballyvelly, Tralee as constructed within revised boundaries, for the following reasons:

1. Having regard to the layout and design of the proposed development, including the reduction of the site curtilage, it is considered that the proposed development would result in over development and constitute a substandard form of development. Furthermore, the proposed development would result in disorderly development and would be contrary to the requirements under Section 1.5.6.3 of Volume 6 of the Kerry County Development Plan 2022 to 2028 [Corner/Side Garden Sites]. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.
2. It is considered, the proposed development and revised site boundaries would result in the removal of vehicular access and car parking within the curtilage of 38 Cois Li and would be contrary to the parking standards Section 1.20.7, Table 4 [Volume 6] of the Kerry County Development Plan 2022-2028. In addition, the proposed development would endanger public safety by reason of loss of car parking to the subject dwelling, encouraging informal car parking at the nearby turning head, resulting in an obstruction of road users, endangering public safety by reason of traffic hazard and would therefore be contrary to the proper planning and sustainable development of the area.
3. Having the regard to the lack of appropriate site boundary proposals, the Planning Authority is not satisfied that the applicant has provided the required level of detail. The proposed development does not comply with Section 1.5.4.11 [Volume 6] of the Kerry County Development Plan 2022-2028. The proposed

development would therefore injure the residential amenity of the host dwelling and neighbouring properties and would, therefore, be contrary to the proper planning and sustainable development of the area

Ref No. 2560990: Permission refused to John O'Connell on 16th December 2025 for permission to retain existing dwelling at 38 Cois Li, Tralee as constructed within revised site boundaries for following reason:

1. Having regard to the layout and design of the proposed development, including the reduction of the site curtilage, it is considered that the proposed development would result in over development and constitute a substandard form of development. Furthermore, the proposed development would result in disorderly development and would be contrary to the requirements under Section 1.5.6.3 of Volume 6 of the Kerry County Development Plan 2022 to 2028 [Corner/Side Garden Sites]. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

4.3. Overall development

PDAS:02/210/6414 (a) 12 no semi-detached dwellings on sites numbered 25-46, (b) 18 two storey terraced dwellings numbered 47-64, on foot of Tralee Town Council decision to grant permission for site service roads and outline permission for houses under PDA 6036/45/01.

5.0 Policy Context

5.1. Development Plan

Kerry County Development Plan 2022-2028

Volume Two - Town Development Plans, Variation No1: Tralee Municipal District Settlements Plan

Site zoned 'R2' Existing Residential. Objective: Provide for residential development and protect and improve residential amenity. For existing predominately residential areas allowing for the protection of existing residential amenity, balanced with new infill development.

Volume 6 Section 1 Development Management Standards and Guidelines

Section 1.5.4.6 Private Open Space

- All houses should have an area of private open space of a suitable gradient, exclusive of car parking, to the rear of the building line. The minimum area of private open space to be provided shall be in accordance with Table 1 for all new residential units.
- The prescribed private amenity space will allow for a private amenity area, which can accommodate the storage of bins/garden shed etc, and the provision of an area for vegetable growing, etc. Reduced quantum may be considered in respect of well-designed high-quality development where it can be demonstrated by the applicant the space is usable, appropriately located & shaped and of high quality
- It should be noted that housing developments which provide private open space at the minimum standard throughout the scheme will be discouraged.

Table 1: Minimum Private Open Space Requirements for dwelling units

No of bedrooms	Minimum Private Open Space
1-2 bedroom	50sqm
3 bedroom	60sqm
4 bedroom or more	75sqm

Section 1.5.4.11 Screen Walls in Urban Areas

- Screen walls constructed of brick/ stone/ rendered blockwork, 1.8 metres in height, and constructed in accordance with current standards and regulations, shall be provided to enclose private open space and where the boundaries of the house sites abut roads, pedestrian ways or open spaces. The walls shall be capped and plastered on the public side, and the design and finish should be consistent with the design/finish of the house design.
- Concrete post and timber/ concrete panel fencing may also be permitted for inter-site, side boundaries boundary treatment.

Section 1.5.6.3 Corner/Side Garden Sites

The sub-division of an existing house curtilage and/or an appropriately zoned brownfield site, to provide an additional dwelling(s) in existing built-up areas will be considered in line with the following:

- Size, design, layout, relationship with existing dwelling and adjoining properties.
- Impact on the amenities of adjacent properties.
- Development Plan standards for existing and proposed dwellings.
- Building lines followed, where appropriate.
- Car parking for existing and proposed dwellings on site.
- Access arrangements including side/ gable and rear access/maintenance space.
- Adequate usable private open space for existing and proposed dwellings provided.
- Side gable walls as side boundaries facing corners in estate roads are not considered acceptable and should be avoided.
- Appropriate boundary treatments should be provided.

Section 1.20.7 Car Parking Standards

The subject site is located in 'Area 3' where a maximum car provision allocation of 2 spaces per dwelling applies.

5.2. Relevant National or Regional Policy / Ministerial Guidelines

Sustainable Residential Development and Compact Settlements - Guidelines for Planning Authorities (Dept of Housing, Local Government and Heritage

SPPR 1 Separation distances of at least 16m required between opposing windows above ground floor level, serving habitable rooms to rear and side of houses

SPPR 2 - Minimum Private Open Space Standards for Houses

It is a specific planning policy requirement of these Guidelines that proposals for new houses meet the following minimum private open space standards:

1 bed house 20 sq.m

2 bed house 30 sq.m

3 bed house 40 sq.m

4 bed + house 50 sq.m

A further reduction below the minimum standard may be considered acceptable where an equivalent amount of high quality semi-private open space is provided in lieu of the private open space, subject to at least 50 percent of the area being provided as private open space (see Table 5.1 below). The planning authority should be satisfied that the compensatory semi-private open space will provide a high standard of amenity for all users and that it is well integrated and accessible to the housing units it serves.

Apartments and duplex units shall be required to meet the private and semiprivate open space requirements set out in the Sustainable Urban Housing:

Design Standards for New Apartments, Guidelines for Planning Authorities 2023 (and any subsequent updates).

For building refurbishment schemes on sites of any size or urban infill schemes on smaller sites (e.g. sites of up to 0.25ha) the private open space standard may be relaxed in part or whole, on a case-by-case basis, subject to overall design quality and proximity to public open space.

In all cases, the obligation will be on the project proposer to demonstrate to the satisfaction of the planning authority or An Bord Pleanála that residents will enjoy a high standard of amenity.

5.3. **Natural Heritage Designations**

Site is 200m north of Tralee Bay and Magherees Peninsula, West to Cloghane SAC (Site Code 002070)

Site is 200m north of Tralee Bay Complex SPA (Site Code 004188)

Site is approximately 2.5km north of Slieve Mish Mountains SAC (Site Code 002185)

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

Grounds of appeal in summary:

- Appellant confused by local authority decision, refused permission twice on site which is in ownership of applicant;
- Wants to stay in the area, but cannot afford existing larger dwelling next door
- Proposes to rent existing dwelling and build smaller house for himself
- Was also refused permission for retention of new boundary to existing dwelling which includes parking area and pedestrian access
- Proposal reduces site of existing dwelling site but does not take away its off-road parking, or interfere with turning bay, and includes front and rear gardens and is no smaller than surrounding properties
- Proposal for new dwelling does not interfere with any other property, does not devalue surrounding properties or interfere with privacy or car access
- New proposal includes rear and side gardens and off road parking and is same size as surrounding sites in area
- Contends proposal is a better option and more in keeping with existing dwelling than government proposal to allow building of 45sqm unit at rear of dwellings

7.2. Planning Authority Response

- None

7.3. Observations

- None

8.0 **Assessment**

8.1. . Having examined the application details and all other documentation on file, including the appeal documentation, the report of the local authority, having inspected the site, and having regard to the relevant national and local policies and guidance, I consider that the substantive issues to be considered in this appeal are:

- Residential amenity
- Car parking provision

8.2. **Residential Amenity**

8.2.1. The subject site is zoned R2,' Existing Residential, with the aim of protecting and improving residential amenity, balanced with new infill development. The proposed development of a dwelling in the side garden of an existing dwelling can be considered to constitute infill development and can therefore be considered acceptable in principle, subject to protection of the residential amenity of neighbouring dwellings and of the occupants of the proposed dwelling.

8.2.2. I note that, as well as refusal of the subject application for construction of a new dwelling in the side garden of No 38 Cois Li, planning permission was also refused by the planning authority for retention of the existing dwelling within revised boundaries and that this refusal of permission has not been appealed. However, it is appropriate to consider potential impacts of the proposed development on the amenity of the adjoining dwelling as part of the assessment of the appeal.

8.2.3. Residential amenity issues to be considered in this case include the amount and quality of private open space to be provided to serve existing and proposed dwellings, the potential for overlooking of neighbouring dwellings and concerns re the development being overbearing in relation to existing dwellings and constituting over development and disorderly development.

8.2.4. The neighbouring semi-detached dwellings in Cois Li are set back approximately 2m from the edge of the footpath, they have on-site car parking to the side and rear gardens are approximately 8 to 9m long. The building line of the proposed dwelling is approximately 5m behind the established building line of the neighbouring semi - detached dwellings, due to its location at the turning area serving the cul de sac and

because it is set back 4.5m from the edge of the site, in order to provide on-site parking. As a result, the site depth available for position in the proposed dwelling is constrained and rear wall of the dwelling is just over 3m from the adjoining rear boundary of the site. I agree with the planning report that the substantial variation in building line results in somewhat disorderly development, out of keeping with the pattern of development in the area.

- 8.2.5. The proposed rear garden is limited to approximately 3m deep. There are some additional areas on each side of the dwelling shown as amenity space but they are limited in scale and usability. While the overall quantum of space when added together would meet minimum Development Plan standards and exceed those of the Sustainable Residential Development and Compact Settlements Guidelines (the Guidelines), I am not satisfied that the form and configuration of private amenity space provided is adequate to provide a high quality of amenity to occupants, contrary to Section 1.5.4.6 of Volume 6 of the Kerry County Development Plan 2022-2028 (the Development Plan).
- 8.2.6. The rectangular shaped private rear garden amenity space which would remain with the existing dwelling, is somewhat smaller than that of most other dwellings in the area, but at approximately 60sqm would meet minimum Development Plan standards and exceed Guidelines quantum standards. It can therefore be considered to be of adequate scale and configuration to provide an acceptable, if minimum, standard of residential amenity.
- 8.2.7. The rear of the proposed dwelling is approximately 13m from the rear of the neighbouring house to the north, which is below the standard of 16m set out in the Guidelines between opposing windows at above ground level. However, the only window at first floor level in the rear of the proposed dwelling serves a bathroom and as such is not a habitable room, and risk of direct overlooking of the neighbouring house could be reduced by installation of obscured glass. The proximity of the proposed two storey dwelling to the shared boundary, however, result in it being somewhat overbearing when viewed from the existing dwellings and gardens to the north.
- 8.2.8. The proposed 7m high two storey dwelling, which is just 3m from the proposed shared side boundary with 38 Cois Li, is likely to appear significantly overbearing when viewed from the rear of the existing dwelling and its garden, due to the new house's position offset to the rear of the existing dwelling, and I believe this could have a significantly

negative impact on the residential amenity of the occupants of the existing dwelling as well as leaving the garden in shadow for much of the day.

- 8.2.9. The upper floor window in the side elevation of the proposed dwelling serving the stairway/landing would overlook the back garden of the existing dwelling at 38 Cois Li. Although the stairway is not a habitable room, overlooking from the window could impact negatively on the privacy and amenity of the neighbouring house and garden. This could perhaps be mitigated by requiring it to be of obscured glass and to limit the size of opening elements.
- 8.2.10. The drawings submitted show a proposed 1.8m high wall between the proposed dwelling and the adjacent dwelling at No 38 Cois Li, and a 1.2m wall bounding the proposed parking area to serve that dwelling. A 1.2m wall would not in my opinion be sufficient to ensure privacy of either dwelling and I believe a 1.8m high wall bounding the part of the parking area to rear of the front building line of the proposed dwelling would be desirable to ensure privacy. In the event that the Commission is minded to grant permission, the height and form of construction of the wall could be addressed by condition.
- 8.2.11. While infill development is to be welcomed in principle, it must be balanced by its impact on amenity of existing and future occupants of existing dwellings and the proposed dwelling. Overall, taking into account the pattern of development in the area and the size and configuration of the site, I believe that the proposal would result in overdevelopment of the site and that it would impact negatively on residential amenity of the existing neighbouring dwelling, and therefore would not be in accordance with Section 1.5.6.3 of the Development Plan. Furthermore, it would not provide an adequate standard of residential amenity for the occupants of the proposed dwelling, particularly in relation to the provision of satisfactory of private open space, contrary to Section 1.5.4.6 of the Development Plan.

8.3. Car parking provision

- 8.3.1. The Development Plan car parking standard in this area, which is 1.5km from the town centre (Sections 1.20.6 and 1.20.7), refers to a provision of 2 parking spaces (maximum) per dwelling (to be on-site for detached and semi-detached houses). A reason for refusal of the previous applications (Ref 2560122 and Ref 2560121) related

to deficiency in car parking provision. The previous proposal provided on-site parking for the proposed dwelling, but removed parking from the existing dwelling.

- 8.3.2. The current proposal has revised the layout to provide a parking space or two end to end spaces for the existing dwelling, accessed by a somewhat awkwardly positioned new vehicular entrance off the turning area. It also proposes to has set back the proposed dwelling from the road edge to provide an on-site parking space, albeit of limited size. I accept the planning authority view in previous refusals that absence of car parking on-site for the proposed dwelling would be likely to result in informal parking in the turning area and would not therefore be acceptable from a traffic and public safety perspective. Unfortunately, however, the setting back of the building line to provide space for parking contributes to other concerns as outlined above, reflecting the fact that the proposal represents over-development of the site.

9.0 AA Screening

- 9.1. I have considered the development in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is Site is 200m north of Tralee Bay and Magherees Peninsula, West to Cloghane SAC (Site Code 002070). 200m north of Tralee Bay Complex SPA (Site Code 004188) and 2.5km north of Slieve Mish Mountains SAC (Site Code 002185). The proposed development comprises construction of a dwelling in the side garden of an existing dwelling at 38A Cois Li, Ballyvelley, Tralee, Co Kerry.
- 9.2. No nature conservation issues were raised in the planning appeal.
- 9.3. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site. The reason for this conclusion is as follows:
- Nature of the works i.e. small scale and nature of the development
 - Location and distance from nearest European site and lack of connections
- 9.4. I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and

therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

10.0 **Water Framework Directive**

10.1. The subject site is located at 38A Cois Li, Ballyvelley, Tralee, Co Kerry and the nearest waterbody is the River Lee (Tralee) 040. The development comprises of construction of a dwelling, connected to the main sewer, in the side garden of an existing dwelling. No water deterioration concerns were raised in the planning appeal.

10.2. I have assessed the proposed 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, 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.

10.3. The reason for this conclusion is as follows:

- The small scale and nature of the development
- The distance from nearest water bodies and lack of hydrological connections

10.4. 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. Refusal of permission is recommended

12.0 Reasons and Considerations

Having regard to the pattern of development in the area and the limited size and configuration of the site it is considered that the proposed development would result in an unsatisfactory standard of amenity for future occupants of the dwelling and of the occupants of the existing adjoining dwelling. It would result in overdevelopment of the site, inadequate provision of good quality open space for future occupants of the proposed dwelling and would have an overbearing impact on the rear of the existing house. The proposal would not be in accordance with the requirements of Section 1.5.6.3 (Corner/Side Garden Sites) Section 1.4.5.6 (Private Open Space) of Volume 6 of the Kerry County Council Development Plan 2022 to 2028 and would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Ann Bogan
Planning Inspector

06 March 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PI-500627-KY-26
Proposed Development Summary	Build a private two storey dwelling with connection to main sewer.
Development Address	38A Cois Li, Ballyvelly, Tralee, Co Kerry
IN ALL CASES CHECK BOX / OR LEAVE BLANK	
1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?	<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"> - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources) 	
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	

3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<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. No Screening required.	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
<input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	State the Class and state the relevant threshold Class 10 (b) (iv)
4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes <input type="checkbox"/>	
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: Ann Bogan

Date: 06/03/2026

Appendix 2: Form 2 - EIA Preliminary Examination

Case Reference	PI-500627-KY-26
Proposed Development Summary	Build a private two storey dwelling with connection to main sewer.
Development Address	38A Cois Li, Ballyvelly, Tralee, Co Kerry
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
<p>Characteristics of proposed development</p> <p>(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>Briefly comment on the key characteristics of the development, having regard to the criteria listed.</p> <p>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.</p>
<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>Briefly comment on the location of the development, having regard to the criteria listed</p> <p>The development is situated in an established residential suburb of a town in the side garden of an existing dwelling. It is not located within or very close to sensitive natural habitats, and designated sites and landscapes of identified significance in the County Development Plan.</p>
<p>Types and characteristics of potential impacts</p>	<p>Having regard to the characteristics of the development and the sensitivity of its location, consider the potential for SIGNIFICANT effects, not just effects.</p>

