



An
Coimisiún
Pleanála

Inspector's Report

PL-500752-KY-26

Development	Construction of outdoor activity centre and associated site works
Location	Inch East, Lisselton, Co. Kerry
Planning Authority	Kerry County Council
Planning Authority Reg. Ref.	2561056
Applicant(s)	Thomas Flahive
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party
Appellant(s)	Thomas Flahive
Observer(s)	None
Date of Site Inspection	27 th April 2026
Inspector	Lorraine Dockery

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1.0 Site Location and Description

- 1.1. The subject site, which has a stated area of 6.56 hectares, is located within the townland of Inch East, south of Lisselton, Co. Kerry. It is located approximately 5.5 km north-west of Listowel and 8.7 km south-east of Ballybunion, Co. Kerry.
- 1.2. The site mainly consists of agricultural land with hedgerows- it is generally level. The existing land-use is agriculture and there are no structures currently located thereon. The site is well screened and its boundaries are delineated by hedgerows, earthbanks and the regional road R553. An electric fence was visible along the roadside boundary, at the time of my site visit.
- 1.3. There are a number of residential properties within 200m of the subject site, with a residential property located immediately the site. There is an existing ringfort/rath located approximately 161m to the southwest.
- 1.4. Traffic volumes were relatively high along the R553 at the time of my site visit and many vehicles appeared to be travelling at speeds greater than the speed limit (80kph).

2.0 Proposed Development

- 2.1. The proposal comprises the construction of an outdoor activity centre comprising of a modular welfare building with office space and toilet / changing facilities, car parking, storage containers and canopies, an outdoor activity area, a new wastewater treatment system, upgrading of existing access, fencing and all associated site works necessary to facilitate the development.

Site Area	6.56 ha
Proposal	3 no. storage containers- equipment storage when not in use. Space between will be covered with shelter canopies- used for briefings and shelter 1 No. Steel Tech insulated modular unit (activity centre)- accommodate changing/shower/toilet facilities (92.14m ²)

Activities	Archery, bubble soccer, cyclocross, karting, paintballing and obstacle racing
Opening Hours	9.30-5.30 daily (activities 10.00-5.00)
Staff	5-10 no. staff daily
Access	Access from R563. Adapt existing entrance to create sufficient sightlines
Drainage	A new connection to a conventional septic tank is proposed for wastewater management while a new connection to public mains is proposed for water supply. Surface water disposal is proposed to watercourse.
Car Parking	1600m ² of hardcore finish- 24 car parking spaces (inclusive of 2 no. accessible spaces)

2.2. A letter of consent from Tomas Flahive authorising Caoimhe O'Connor (MWP) to submit an application for this development has been included in the documentation.

2.3. The submitted documentation includes for:

- Waste Management Plan
- Stage 1 Road Safety Audit
- Noise Impact Study
- Site Suitability Assessment Report

3.0 Planning Authority Decision

3.1. Decision

REFUSE permission for 3 no. reasons as follows:

1. The proposed development contravenes objective KCDP 10-11 that encourages tourism developments, increased visitor accommodation, interpretation centres, and commercial / retail facilities serving the tourism sector to be located within established

settlements thereby fostering strong links to a whole range of other economic and commercial sectors and sustaining the host communities. The proposed development would be inappropriate in terms of its location outside of an established settlement in a rural area and would set an undesirable precedent for similar development in the rural landscape. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed development contravenes objective KCDP 10-21 and KCDP 10-22 of the Kerry County Development Plan 2022-2028 which is to facilitate the development of the necessary tourism infrastructure, visitor attractions and supporting facilities at appropriate locations in the County in a manner that does not have an adverse impact on the locality, host community and environment. The proposed development would be inappropriate in terms of its location in a rural area having regard to the nature and scale of the proposed development, the use of substandard structures and the proximity of the proposed development and activities to residential development. It is considered that the proposed development would seriously injure the amenities and depreciate the value of properties in the vicinity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
3. The planning authority is not satisfied based on the information submitted that the noise levels generated by the proposed development would not seriously impact on the residential amenities of properties in the vicinity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3.2. **Planning Authority Reports**

3.2.1. **Planning Reports**

Planner's Report- reflects decision of planning authority; recommends refusal of permission (dated 16/01/2026)

3.2.2. **Other Technical Reports**

Environment Section (Site Assessment Unit)- Further Information requested with regards excavation of new trial hole near proposed polishing filter, further details regarding

inspection, separation distances and mains supply in locality, together with additional calculations (dated 16/01/2025) (note error in date, assumed to be 2026)

Environmental Assessment Unit (Ecology)- No objections, conditions recommended (dated 18/12/2025)

Listowel Municipal District- Roads Report- Further Information requested in relation to drawings of proposed recommendations of Stage 1 Road Safety Audit and parking (dated 13/01/2026)

Building Control Authority, Fire Division- No objections (dated 26/11/25)

3.3. **Prescribed Bodies**

HSE- No objections, recommendations included (dated 12/12/25)

3.4. **Third Party Observations**

None

4.0 **Planning History**

25/60093- Permission REFUSED for similar development to that currently proposed for outdoor activity centre and associated site works. Reasons for refusal related to (i) absence of Road Safety Audit endanger public safety by reason of traffic hazard and an obstruction to road users (ii) seriously injure the amenities and depreciate the value of properties in the vicinity; would be inappropriate in terms of its location in a rural area and would set an undesirable precedent for similar development in the rural landscape

5.0 **Policy Context**

5.1. National Planning Policy

Section 28 Ministerial Guidelines

The following list of section 28 Ministerial Guidelines are considered to be of relevance to the proposed development. Specific policies and objectives are referenced within the assessment where appropriate.

- Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities

- Design Manual for Urban Roads and Streets
- The Planning System and Flood Risk Management (including the associated Technical Appendices)
- Appropriate Assessment Guidelines for Planning Authorities
- Guidelines on the Information to be Contained in Environmental Impact Assessment Reports
- Climate Action Plan 2025 (as informed by Climate Action Plan 2024)

Other policy documents of note:

- National Planning Framework, First Revision
- Regional Spatial & Economic Strategy for the Southern Region
- Our Rural Future: Rural Development Policy 2021-2025
- Embracing Ireland's Outdoors- National Outdoor Recreation Strategy 2023-2027

5.2. Local Planning Policy

Development Plan

The Kerry County Development Plan 2022-2028 applies.

Located outside of a settlement boundary in a rural area, between Listowel town and the settlement node of Lisselton Crossroads.

Chapter 10 Tourism and Outdoor Recreation

Chapter 10.4.4 Rural Tourism

Objective KCDP 10-7 seeks to 'Promote and facilitate sustainable tourism as one of the key economic pillars of the County's economy and a major generator of employment and to support the provision of facilities such as hotels, aparthotels, guesthouses, bed and breakfasts, tourist hostels, caravan and camping, glamping, cafes, restaurants, visitor attractions and activity tourism'.

Objective KCDP 10-11 seeks to 'Encourage tourism developments, increased visitor accommodation, interpretation centres, and commercial / retail facilities serving the

tourism sector to be located within established settlements thereby fostering strong links to a whole range of other economic and commercial sectors and sustaining the host communities’.

Objective KCDP 10-21 seeks to ‘Promote and support the sustainable development of all weather and family-friendly attractions and amenities in appropriate locations that will contribute to the dispersal of tourism throughout the County’.

Objective KCDP 10-22 seeks to ‘Facilitate the development of the necessary tourism infrastructure, visitor attractions and supporting facilities at appropriate locations in the County in a manner that does not have an adverse impact on the locality, host community and environment’.

Objective KCDP 10-67 seeks to ‘Promote opportunities for enterprise and employment creation in rural-based tourism where it can be demonstrated that the development will not have a negative impact on the rural environment’.

5.3. **Natural Heritage Designations**

There are no Natura 2000 sites within the boundary of the appeal site nor are there any Natura 2000 sites directly abutting or within the immediate context of the site.

6.0 **EIA Screening**

- 6.1. The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended (or Part V of the 1994 Roads Act).

7.0 **The Appeal**

7.1. **Grounds of Appeal**

The grounds of the first party appeal may be summarised as follows:

- Outlines pre-planning discussions with planning authority, together with planning history on site
- Sets out primary differences between 2560093 and current application

- Flexible reflective posts proposed to alleviate concerns regarding parking on roadside verge
- Proposal represents a well-considered, site-appropriate and sustainable form of rural tourism that fully accords with principles of proper planning and sustainable development

Refusal Reason No. 1

- Proposal represents a sustainable and appropriate form of rural tourism and complements, rather than conflicts, with the objectives of the Kerry County Development Plan 2022
- Considers that KCDP 10—11 is primarily directed at developments such as accommodation, retail and interpretation centres, namely uses which rely on urban infrastructure and benefit from proximity to town centres
- Nature of proposal is such that it inherently requires a rural setting where natural landscapes form part of the visitor experience.
- Attempting to locate such a use within an urban setting would undermine its purpose and diminish its viability
- Aligns with national and regional policy promoting outdoor recreation, active lifestyles and rural economic diversification including ‘Our Rural Future’ and ‘National Outdoor Recreation Strategy’; emphasises the importance of creating high quality outdoor amenities in rural areas
- Proposal would strengthen established settlements by generating additional visitor movement around North Kerry; would act as a catalyst for wider economic activity
- Site specific proposal; concerns regarding precedent are unfounded; unique environmental characteristics

Refusal Reason No. 2

- Fully aligns with intent of Objectives KCDP 10-21 and 10-22
- Outdoor recreation facilities by their nature require a rural setting
- Modest in scale, low impact and specifically designed to integrate sensitively into its rural context; high quality visually unobtrusive solution

- Reduces ground disturbance and allows for future removal, if required
- Proposal does not detract from visual amenity of the area
- Small-scale, activity based and operates during daytime hours, ensuring that there are no adverse impacts on neighbouring properties; would not generate noise, lighting or traffic beyond what is typical for rural tourism
- Supports local employment; contributes to local economy and provides responsible outdoor recreation facility

Refusal Reason No. 3

- Noise assessment demonstrates that proposed development would not adversely affect residential amenities and will operate well within acceptable acoustic limits for a rural environment
- Current ambient levels are already higher than maximum noise levels recorded at comparable off-road activity centre in mid-Wales.; demonstrates that activities proposed will not introduce any new or dominate noise source into the area and do not generate excessive/intrusive noise levels
- Design incorporates a dedicated buffer zone functioning as a noise attenuation area, providing additional acoustic screening
- Proposes to continually monitor noise levels at nearby dwellings; will be an effectively managed development
- No risk of serious impact on residential amenities and fully consistent with the principles of proper planning and sustainable development

7.2. Planning Authority Response

None

7.3. Observations

None

7.4. Further Responses

None

8.0 **Assessment**

8.1. Having regard to the requirements of the Planning and Development Act, 2000 (as amended), this section considers the likely consequences for the proper planning and sustainable development of the area. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the local authority and prescribed bodies, 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 proposed development/policy context
- Other refusal reasons
- Other matters

8.2. It is noted that permission was refused by the planning authority for a similar type of development, under 2560093 (April 2025). This current application was subsequently lodged in November 2025 for a similar type of development with some alterations including setback of carparking and welfare building from R553, provision of accessible parking spaces/toilets and submission of a Waste Management Plan. A Noise Study was also undertaken.

8.3. **Principle of proposed development/policy context**

8.3.1. The proposal comprises the construction of an outdoor activity centre comprising of a modular welfare building with office space and toilet / changing facilities, car parking, storage containers and canopies, an outdoor activity area, a new wastewater treatment system, upgrading of existing access, fencing and all associated site works necessary to facilitate the development. It is stated that that will be between 5-10 staff. It does not appear to be stated in the application documentation the number of expected visitors per day/annually.

8.3.2. The Kerry County Development Plan 2022-2028 supports the development of tourism throughout the county and recognises its economic role. Objective KCDP 10-7 seeks to 'Promote and facilitate sustainable tourism as one of the key economic pillars of the County's economy and a major generator of employment and to support the provision of facilities such as hotels, aparthotels, guesthouses, bed and breakfasts, tourist hostels,

caravan and camping, glamping, cafes, restaurants, visitor attractions and activity tourism'. The subject development could be described as a visitor attraction and activity tourism. Furthermore, Objective KCDP 10-21 seeks to 'Promote and support the sustainable development of all weather and family-friendly attractions and amenities in appropriate locations that will contribute to the dispersal of tourism throughout the County'. It could therefore be concluded that the principle of such a development is acceptable at a location such as that proposed.

8.3.3. The **first reason for refusal** which issued from the planning authority stated that:

The proposed development contravenes objective KCDP 10-11 that encourages tourism developments, increased visitor accommodation, interpretation centres, and commercial / retail facilities serving the tourism sector to be located within established settlements thereby fostering strong links to a whole range of other economic and commercial sectors and sustaining the host communities. The proposed development would be inappropriate in terms of its location outside of an established settlement in a rural area and would set an undesirable precedent for similar development in the rural landscape. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

8.3.4. The first party considers that Objective KCDP 10-11 is primarily directed at developments such as accommodation, retail and interpretation centres, namely uses which rely on urban infrastructure and benefit from proximity to town centres. I acknowledge the submission of the first party appellants and the justification for the need for such an activity centre outside of the built-up area. However, notwithstanding this, as stated above, Objective KCDP 10-11 of the Kerry County Development Plan 2022 seeks to encourage tourism developments, increased visitor accommodation, interpretation centres, and commercial / retail facilities serving the tourism sector to be located within established settlements thereby fostering strong links to a whole range of other economic and commercial sectors and sustaining the host communities. The objective specifically references commercial/retail facilities serving the tourism sector and the proposed outdoor activity centre can be considered a commercial facility serving the tourism sector. It is located outside of an established settlement, in open countryside, approximately 2.1km south-east of Lisselton village, 5.5 km north-west of Listowel and 8.7 km south-east of

Ballybunion, Co. Kerry. Therefore, the proposal must be considered not to be in compliance with this objective of the Kerry County Development Plan 2022.

8.3.5. While I acknowledge that each application is assessed on its own merits, I consider that the granting of permission for such a development outside of the established settlement boundaries has the potential to create a precedent for similar type developments in the rural area. I would therefore generally concur with the opinion of the planning authority in this first reason for refusal and based on the above, consider the proposal to be contrary to the proper planning and sustainable development of the area and in contravention of Objective KCDP 10-11 of the Kerry County Development Plan 2022. Having regard to the above, I recommend that permission be refused in this regard.

8.4. Other Refusal Reasons

8.4.1. The **second reason for refusal** which issued from the planning authority stated that:

The proposed development contravenes objective KCDP 10-21 and KCDP 10-22 of the Kerry County Development Plan 2022-2028 which is to facilitate the development of the necessary tourism infrastructure, visitor attractions and supporting facilities at appropriate locations in the County in a manner that does not have an adverse impact on the locality, host community and environment. The proposed development would be inappropriate in terms of its location in a rural area having regard to the nature and scale of the proposed development, the use of substandard structures and the proximity of the proposed development and activities to residential development. It is considered that the proposed development would seriously injure the amenities and depreciate the value of properties in the vicinity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

8.4.2. The first party in their submission contend that fully aligns with intent of Objectives KCDP 10-21 and 10-22 of the County Development Plan 2022 and that outdoor recreation facilities by their nature require a rural setting. They further note that the proposal is modest in scale, has been specifically designed to integrate sensitively into its rural context and provides a high quality visually unobtrusive solution at this location. They state that the proposal does not detract from visual amenity of the area and highlights that it is a small-scale, activity based enterprise that operates during daytime hours. This, they contend ensures that there are no adverse impacts on neighbouring properties and they

further highlight that the proposal would not generate noise, lighting or traffic beyond what is typical for rural tourism

- 8.4.3. As stated above, Objective KCDP 10-21 seeks to 'Promote and support the sustainable development of all weather and family-friendly attractions and amenities in appropriate locations that will contribute to the dispersal of tourism throughout the County'. Objective KCDP 10-22 seeks to 'Facilitate the development of the necessary tourism infrastructure, visitor attractions and supporting facilities at appropriate locations in the County in a manner that does not have an adverse impact on the locality, host community and environment.
- 8.4.4. The proposed development could be described as a family-friendly attraction. However, I consider that there is inadequate detail provided as to what groups this proposal would be catering to, for example families, corporate, school groups. The location of the proposed development may contribute to the dispersal of tourism within the County, as per Objective KCDP 10-21. I note the locational context of the proposed development, within the open countryside, removed largely from high levels of development. Notwithstanding my opinion above in relation to consistency with the County Development Plan, in particular Objective KCDP 10-11, I would generally be of the opinion that the location of the subject site within a rural area is such that it may be appropriate in principle for a development of the nature proposed. I accept the first party submission that such outdoor recreation facilities by their nature require a rural setting. Many similar type developments are located within rural areas, generally removed from development.
- 8.4.5. Notwithstanding this, I consider that given the level of detail attached to the file, it is difficult to assess whether or not the proposal will have an adverse impact on the locality, host community and environment, as per Objective KCDP 10-22. I consider that it is difficult to ascertain whether the proposal is appropriate, or otherwise, at this location, given the level of detail provided. The first party states that the proposal is small-scale in nature. I note the site size in excess of 6 hectares, with inadequate details provided as to the extent of development to be located thereon. There are no detailed drawings/information relating to facilities/works required to facilitate archery, bubble soccer, cyclocross, karting, paintballing or obstacle racing activities. No details of where the karting track is to be located or the cyclocross/obstacle courses. There are no details provided as to whether/what ground level changes are required to facilitate the cyclocross and obstacle

racing and where exactly any of these facilities are to be located on the overall site. There are no details provided in relation to the anticipated number of visitors per day. If groups are to be accommodated, no details have been put forward as to where will coach parking be located. The submitted Noise Impact Survey deals primarily with karting and provides no details in relation to noise associated with the other activities. There is no management plan submitted (aside from Waste Management Plan) in relation to how the proposal will be managed/run on a day-to-day basis. No signage or lighting details have been included in the documentation. These are some of the shortfalls of the proposed application.

8.4.6. I concur with the opinion of the planning authority that the use of storage containers is inappropriate at this location and if permitted would injure the amenities of this rural area. A development such as this requires a high standard of development, and based on the information before me, this is not being put forward in this current proposal. It has not been adequately demonstrated to me, based on the information before me, that the proposal would not seriously injure the amenities or depreciate the value of properties in the vicinity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

8.4.7. The **third reason for refusal** which issued from the planning authority stated that:

The planning authority is not satisfied based on the information submitted that the noise levels generated by the proposed development would not seriously impact on the residential amenities of properties in the vicinity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

8.4.8. The first party in their submission contends that the submitted noise assessment demonstrates that proposed development would not adversely affect residential amenities and will operate well within acceptable acoustic limits for a rural environment. They state that the current ambient levels are already higher than maximum noise levels recorded at comparable off-road activity centre in mid-Wales which they state demonstrates that activities proposed will not introduce any new or dominate noise source into the area and do not generate excessive/intrusive noise levels. They highlight that the design incorporates a dedicated buffer zone functioning as a noise attenuation area, providing additional acoustic screening and they propose to continually monitor noise levels at nearby dwellings.

8.4.9. A Noise Impact Study was included in the application documentation, which aims to evaluate potential noise emissions from the centre and assess their impact on the surrounding environment, particularly the nearest residential property. This property is stated to be 35m distant. Baseline noise levels were recorded at the proposed site, which is adjacent to a busy road (R553) where traffic volumes are relatively high. It is stated that noise levels from the activity centre are expected to be below ambient traffic levels and the assessment concludes that based on comparative measurements and site-specific baseline data, the proposed activity centre is unlikely to introduce disruptive noise levels to the surrounding area. Mitigation measures are proposed. Noise measurements were based on an off-road karting facility from mid-Wales. Noise levels from any of the other proposed activities have not been examined nor cumulative impacts if all activities are taking place simultaneously on the site.

8.4.10. I acknowledge that there are a limited number of residential properties in the vicinity (5 properties within 250m as per the Site Characterisation Form) and the area is generally rural in nature. I note the buffer provided along the site frontage, which will act as a noise attenuation area. No third-party submissions were received. It may be the case that the proposal would not impact on residential amenities to such an extent as to warrant a refusal of permission. However, given the lack of detailed information provided with the application, as set out above, it has not been adequately demonstrated in this current application that the proposal would not seriously impact on the residential amenities of the area. I therefore recommend a refusal of permission in this regard.

8.5. Other Matters

8.5.1. I note the Environment (SAU) section of the planning authority recommended a request for Further Information with regards to the excavation of a new trial hole near the proposed polishing filter, for inspection by the planning authority. The first party have not addressed this matter in their appeal documentation. A PE of 8 has been put forward in the Site Characterisation Form. The SAU section request that the applicant provide calculations in support of this figure. As stated above, given that there are no details provided in relation to the number of anticipated visitors and a range of staff from 5-10 number is cited, this matter requires clarification. Additionally, it has not been substantively clarified that all nearby residential properties are served by mains water.

- 8.5.2. I note that Section 3 of the Site Characterisation Form references the presence of rushes identified within the site which generally indicates poor drainage characteristics. Rushes were noted during my site visit. The trial hole log references water table at 2650mm BGL with dark greyish brown and dark yellowish brown soils. This in conjunction with the trial hole pictures showing similar colouration indicate definitive mottling in my view which indicates seasonal high-water tables or very low-permeability subsoils. Based on the trial hole pictures it would appear, in my opinion, that mottling is evident. As such, this could be prejudicial to public health. This matter would require clarification in any future application on the site. Therefore, based on the information before me, it has not been adequately demonstrated that the proposal would not be prejudicial to public health and therefore is considered to be inconsistent with the proper planning and sustainable development of the area. An Coimisiún may consider this to be a new issue.
- 8.5.3. I note the Roads Report from the planning authority requests Further Information in relation to the submission of detailed drawings of the proposed recommendations of the Stage 1 Road Safety Audit. I consider that the matter requires addressing in any possible future application on the lands. This is particularly pertinent given the very busy nature of the R553, the speeds of traffic travelling thereon and the current inadequate sightlines.
- 8.5.4. I note the location of a ringfort/rath, approximately 161m to the southwest of the subject site. It has not been referenced in the application documentation, aside from in the Site Characterisation Form. If An Coimisiún is disposed towards a grant of permission, I recommend that the matter of archaeology be dealt with by means of condition.

9.0 **AA Screening**

- 9.1.1. I have considered the proposal in light of the requirements S177U of the Planning and Development Act 2000 as amended.
- 9.1.2. In summary the proposal consists of an outdoor activity centre and associated works on a site of stated area 6.56 hectares at Inch East, Co. Kerry. The site is currently under grass and there are no open watercourses on, or adjacent to, the site. The site is outside any designated site.
- 9.1.3. Concerns regarding impacts on designated sites were not raised in the appeal submission received. The planning authority have not raised concerns in this regard.

9.1.4. An AA Screening Report was submitted with the application. It concludes that significant negative impacts upon Moanveanlagh Bog SAC (002351); Stack's to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA (004161); Kerry Head SPA (004189); River Shannon and River Fergus Estuaries SPA (004077) and Lower River Shannon SAC (002165) can be ruled out at screening stage. The planning authority state that the proposed development is not one which is likely to significantly effect any European Site as there is no realistic or meaningful pathway for impact. The planning authority state that AA is not required.

9.1.5. Having considered the nature, scale and location of the project, I am satisfied that the above designated sites can be eliminated from further assessment because there is no conceivable risk to any European Site. The reason for this conclusion is as follows:

- Nature of works
- Location-distance from nearest European site and lack of connections
- The hydrological distance of indirect pathways to these European Sites where any likely pollutant in surface waters would be sufficiently diluted and or dispersed
- Taking into account screening report by the PA

I conclude that 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.

9.1.6. I consider that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on a European Site and appropriate assessment is therefore not required.

10.0 **Water Framework Directive**

10.1.1. The proposed development comprises the construction of outdoor activity centre and associated site works. There are no watercourses or streams within 250m of the site.

10.1.2. An assessment of the proposed development has been undertaken in accordance with Article 4 of the EU Water Framework Directive (2000/60/EC), as transposed by the European Communities (Water Policy) Regulations 2003, as amended, and with regard to the River Basin Management Plan 2022–2027.

10.1.3. The receiving water environment has been identified and assessed, see Appendix 2 attached. Having regard to the nature, scale, and location of the proposed development, and the mitigation measures, which could be dealt with by condition, it is concluded that the proposed development will not:

- Result in deterioration of the ecological, chemical, or quantitative status of any relevant surface water or groundwater body;
- Increase pollutant loading or alter the hydrological regime of any receiving watercourse;
- Prevent or impede achievement of environmental objectives under the applicable River Basin Management Plan.

10.1.4. Any residual risks are capable of being addressed through mitigation conditions.

10.1.5. The proposed development is considered to be in compliance with the requirements of Article 4 of the Water Framework Directive.

11.0 **Recommendation**

I recommend a REFUSAL of permission

12.0 **Reasons and Considerations**

1. Objective KCDP 10-11 of the Kerry County Development Plan 2022-2028 seeks to 'Encourage tourism developments, increased visitor accommodation, interpretation centres, and commercial/retail facilities serving the tourism sector to be located within established settlements thereby fostering strong links to a whole range of other economic and commercial sectors and sustaining the host communities'. The proposed commercial facility serving the tourism sector, which comprises of an outdoor activity centre, is located within a rural area, removed from established settlements. The proposal is therefore considered to contravene Objective KCDP10-11 of the Kerry County Development Plan 2022-2028 and would therefore, be contrary to the proper planning and sustainable development of the area.
2. The use of storage containers is considered inappropriate at this location and if permitted would injure the visual amenities and have an adverse impact on the rural environment at this location. The proposal is therefore considered to contravene

Objective KCDP 10-22 of the Kerry County Development Plan 2022-2028 in this regard and is therefore considered to be inconsistent with the proper planning and sustainable development of the area.

3. Having regard to the level of information provided with regards the nature and scale of the proposed development, it has not been adequately demonstrated to An Coimisiún Pleanála that the proposal would not seriously impact the residential amenities or depreciate the value of properties in the area. The proposed development must, therefore, be considered to be inconsistent with the proper planning and sustainable development of the area.
4. Based on the information before me, it has not been adequately demonstrated that the proposal would not be prejudicial to public health and therefore the proposal is considered to be inconsistent with 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.

Lorraine Dockery
Senior Planning Inspector

06th May 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-500752-KY-26
Proposed Development Summary	Construction of outdoor activity centre and associated site works
Development Address	Inch East, Lisselton, 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.
(For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	
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	

<p>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?</p>	
<p><input checked="" 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.</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required</p>	<p>State the Class and state the relevant threshold</p>
<p><input 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)</p>	<p>State the Class and state the relevant threshold</p>
<p>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)?</p>	
<p>Yes <input type="checkbox"/></p>	<p>Screening Determination required (Complete Form 3)</p>
<p>No <input checked="" type="checkbox"/></p>	<p>Pre-screening determination conclusion remains as above (Q1 to Q3)</p>

Inspector: Lorraine Dockery

Date: 06th May 2026

Appendix 2- WFD Screening

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

An Bord Pleanála ref. no.	PL-500752-KY-26	Townland, address	Inch East, Lisselton, Co. Kerry
Description of project	Construction of outdoor activity centre and associated site works		
Brief site description, relevant to WFD Screening,	Site is located within an area of little to no elevation with mineral poorly drained (mainly acidic), located in a rural location. The site is surrounded by well drained grassland. There are no watercourses located within 250 metres of the site.		
Proposed surface water details	Discharge to groundwater.		
Proposed water supply source & available capacity	New connection to public mains		
Proposed wastewater treatment system & available capacity, other issues	New Tertiary Treatment System and Infiltration /treatment area		
Others?			

Step 2: Identification of relevant water bodies and Step 3: S-P-R connection

Identified water body	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater) (Consider all phases)	Mitigation Measures proposed	Is mitigation sufficient? Will there be any residual impacts?
River	Glouria_010 IE_SH_23G750710	Moderate	Review	None	Not hydrologically connected to surface watercourse.	Standard mitigation measures included in CEMP by condition	Mitigation sufficient. No residual impacts predicted.
River	Galey_050 IE_SH_23G010700	Poor	At Risk	Hydrological, Morphological, Nutrients, organic	Not hydrologically connected	Standard mitigation measures included in CEMP by condition	Mitigation sufficient. No residual impacts predicted.
Groundwater	Ballybunion IE_SH_G_027	Good	At Risk	Agriculture	Potential for stormwater discharges to groundwater	Free draining soil conditions. Potential for spillages to enter groundwaters.	Mitigation sufficient. No residual impacts predicted.

Inspector: Lorraine Dockery

Date: 6th May 2026