



An
Coimisiún
Pleanála

Inspector's Report

PL-500957-KY-26

Development

Retention of additional internal floorspace and visitor centre use within existing distillery building, together with proposed demolition of projecting elements, internal modification and extension, grain storage, change of use to retail, industrial and storage and associated site works.

Location

The Dingle Distillery Old Mill, Milltown Co. Kerry V92 E7YD, (also drainage connection at Ballyhea Road Commons of Milltown Dingle Co. Kerry)

Planning Authority

Kerry County Council

Planning Authority Reg. Ref.

25/60068

Applicant(s)

Drioglann Uisce Beatha Dhaingean U Chuis Teoranta

Type of Application

Permission

Planning Authority Decision

Grant Permission with conditions

Type of Appeal

Third Party Normal Planning Appeal

Appellant(s)

Peter Malone and Eileen O'Sullivan

Observer(s)

None

Date of Site Inspection

21st May 2026

Inspector

Suzanne White

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1.0 Site Location and Description

- 1.1. The appeal site of 0.6647ha is located in Milltown, on the western outskirts of the town of Dingle. The site overlooks Dingle Harbour to the south, is located on the western bank of the River Milltown and fronts onto the R559 (Slea Head Drive/Wild Atlantic Way) which bridges over the river. There is an established distillery on site (0.46ha) which occupies an industrial building complex set back from the road. The site also includes a narrow strip of ground (0.2587ha) that extends northeast across the river to the existing public sewer.
- 1.2. The distillery site is occupied by an industrial style building which has been extended, together with large areas of hardstanding presently in use for car parking, storage of materials and equipment. The front boundary treatment comprises a rendered wall with gated vehicular entrance, together with a low stone boundary wall, wire mesh fence and hedging. Other boundaries comprise a stone and earth wall with hedging (on the riverside), an unrendered block wall and hedging (on the western side) and a mixture of hedging, trees and the old mill wheel and wall (on the northern side).
- 1.3. Levels on site slope up gradually from southeast to northwest across the site. The distillery is visible from the Harbour Road as it is approached from the town and is set against the mountainous back drop of the Dingle Peninsula.
- 1.4. An existing dormer dwelling adjoins the site to the west and is elevated relative to the distillery site and regional road. There are other dwellings to the west and south of the site. Lands to the north/northwest are agricultural in nature. Milltown River (tidal) flows from north to south along the eastern boundary of the site, through saltmarshes and mudflats, before discharging to Dingle Harbour. Milltown Bridge is located c. 20m east of the site entrance.
- 1.5. A 60kph sign fronts the eastern end of the site frontage (visible on exiting the town westbound) and the site straddles 50/60kph zone.

2.0 Proposed Development

- 2.1. The proposal relates to the expansion of facilities at an existing distillery and comprises the following components:

Retention permission is sought to:

- (1) Retain installed first floor area in Distillery Production Building 183m² consisting of: staff kitchen 12.7m², shop with tasting bar 26.9m²; visitor area 143.4m².

Permission is sought for:

- (1) Partial demolition of single storey projecting elements on south side (103 m².)
- (2) Replacement of external cladding (including reconfiguration of openings)
- (3) Internal layout modifications
- (4) Additional 323 m² at upper level (including visitor use)
- (5) Change of use of 59.5 m² of lower level production area to retail
- (6) Change of use of 12m² of lower level production area to open office area
- (7) Change of use from permitted storage (Upper Shed) 412m² to proposed industrial use (Distilling and ancillary storage)
- (8) New retail area at lower level 14m²
- (9) Two new (8.8m high) freestanding steel grain storage silos to front
- (10) Connection of sewage system to mains (to replace septic tanks) involving new c. 145m length foul rising main and foul sewer pump
- (11) Landscaping
- (12) Bicycle, car and bus parking provision on site and all associated site ancillary works.
- (13) SuDs features and a stormwater attenuation soakaway with overflow to the river are proposed on site.

Letters of consent for the lodgement of the planning application were submitted with the application from the landowners, Department of Agriculture, Food and the Marine and Údarás na Gaeltachta.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority resolved to grant planning permission, by order dated 13th February 2026, subject to twelve conditions.

Conditions

Condition 6 requires that the proposed development is connected to the public water supply and public foul sewerage system.

Condition 7 includes wide ranging measures in respect of: the management/recycling/disposal of waste materials arising from the distillation process; a construction stage surface water management plan; water quality protection measures; storage of fuels etc; oil interceptors; water quality monitoring; waste management plan; noise nuisance; odour nuisance.

Condition 8 requires a construction and environmental management plan, incorporating mitigation measures in the EcIA.

Condition 9 requires revised lighting proposals.

Condition 10 requires measures to be implemented to prevent impacts on water quality and movement of migratory fish.

Condition 11 requires that all recommendations of the Stage 1/2 Road Safety Audit are implemented, a Stage 3 Safety Audit is carried out , that the proposed route of the foul sewer is offset from the existing bridge across the Milltown River and includes requirements to prevent surface water runoff or material entering the public road.

Condition 12 requires that landscaping is carried out in accordance with the submitted plan.

Further information

Prior to making a decision on the application, the Planning Authority requested further information from the applicant on the 4th April 2025. The further information request related to eleven matters, as follows:

- The existing development which does not have the benefit of planning permission: the existing visitor centre; first floor extension comprising shop, kitchen and bar area.

- The proposals should allow for the planned addition of a pedestrian and cycle bridge across the Milltown River by Kerry County Council.
- Road Safety Audit and Traffic and Transportation Assessment required; sightlines to be shown on the plans; allocation of car parking spaces; lighting design; site drainage details.
- Clarification as to whether changes are proposed to the roadside boundary wall and vehicular entrance; there will be any increase in production at the distillery as a result of the proposed works; proposals for waste waters from the distillation process and whether Uisce Eireann has been consulted in this regard; inconsistency between the plans with regard to proposed roller shutter doors; opening hours for the distillery and visitor centre; and presence of Japanese Knotweed on or in the vicinity of the site.
- Updated Ecological Impact Assessment (EclA) requested.
- Flood Risk Assessment requested.
- Landscaping proposals requested.

3.2. Planning Authority Reports

Planning Reports

3.2.1. The key points of the initial Planner's Report (01/04/2025) may be summarised as follows:

- Notes that there is no permission for the existing visitor centre and internal first floor extension.
- The current proposal is a substantially scaled back proposal compared to that proposed under PRR 21/424 (ABP-312009-21) and can be considered.
- The land at this location is zoned Rural General.
- The proposal is not likely to impact negatively on residential amenities in the area.
- The visual impact is acceptable.
- AA screened out. The proposal is not one which requires EIA Screening or EIA.

The key points of the Planner's Report (11/02/2026), following receipt of further information, may be summarised as follows:

- Notes that the Flooding, Coastal and Marine Unit have reviewed the FI detail submitted and have no further comments.
- The current proposal is a substantially scaled back proposal compared to PRR 21/424 (ABP-312009-21) and is considered to address the reasons for refusal issued by ABP.
- The reasons for the decision states that, having regard to the nature, extent and location of the proposed development it is considered that the proposed development would not be visually obtrusive, would not seriously injure the amenities of the area or be otherwise contrary to the proper planning and sustainable development of the area.

3.2.2. Other Technical Reports

- Environment Section: initial report dated 19/03/25 raised queries in respect of any changes to production at the distillery; disposal of waste waters; and whether the applicant had consulted Uisce Eireann. Report dated 16/01/26, following receipt of further information, raised no objection subject to conditions.
- Roads and Transport Section: issues raised in initial report dated 25/03/25 in respect of the proposal making allowance for a proposed pedestrian/cycle bridge over Milltown River; Road Safety Audit, Traffic Transportation Impact Assessment, sightlines information, lighting design and site drainage layout required; and clarification as regards any proposed changes to the entrance. Report dated 10/02/26, following receipt of further information, raised no objection subject to conditions.
- Flooding, Coastal and Marine Unit: initial report dated 13/03/25 identified that the site is defined as Flood Zone A based on current CFRAM Fluvial Maps, however due to climate change effects expected to be significant in this area, a Flood Risk Assessment is required.
- Environmental Assessment Unit: report dated 05/03/25 raises no objection, subject to conditions.

3.3. Prescribed Bodies

Inland Fisheries: the Milltown River is a valuable salmonid river with the lower reaches utilised for angling when available. The upper river is currently a 'Priority Area of Restoration' under WFD. Measures outlined for the protection of fishery habitat during any works.

3.4. Third Party Observations

One third party submission was submitted to the Planning Authority in respect of the application, by the appellants in this case. The issues raised related to the roadside wall, parking, landscaping, lighting, fenestration, retail/visitor use, foul drainage connection and the local environment. A further submission was made by the appellants in relation to the further information submitted by the applicant to the Planning Authority, seeking a condition in respect of boundary hedging, and raising concerns in respect of lighting and impacts on local biodiversity.

4.0 Planning History

ABP-312009-21 (21/424): Retention permission **refused** to retain existing distillery and existing dormer house (to remain in residential use) within revised site boundaries (to overall 0.6317 HA (net) and permission to redevelop the existing Dingle Distillery, including: demolition of part of the existing distillery building (135 sqm), construction of 1,762 sqm total additional floor area, consisting of: a new circular, three storey lift and stair tower, with reception, to the front of the building, new extensions to the building at ground and first floor level and a new first floor area within the existing building, to accommodate: new first floor visitor centre with bar and viewing balcony, new and extended first floor and ground floor production, storage and plant areas, new ground floor retail area including change of use of part of existing ground floor area to retail use, ancillary office and sanitary facilities, upgrading the existing building to include revised architectural treatment, including elevations, external finishes consisting of new glazing, external cladding (slate and natural stone) and new metal sheet roof incorporating new roof lights, new external signage, revised access including additional service entrance, expanded car parking, bus set down facility and cycle parking, relocated gas tanks to be under ground, repositioned front boundary with new boundary treatment, permission for new

drainage including (a) decommissioning of two septic tanks (b) construction of new surface water system, with attenuation and (c) construction of new foul sewer rising main from distillery to cross under the Milltown river to connect to public sewerage network at Ballyhea Road, Commons of Milltown, Dingle and all ancillary development works including landscaping, boundary treatment, services lighting and alterations to ground levels near western boundary.

The reason for refusal was:

Having regard to the proposed industrial and residential use on the site, and the provisions of the Kerry County Development Plan, the Board were not satisfied that, the retention of and proposed industrial development, with an intensification of operations, would not seriously injure the residential amenities of the property immediately to the west and the adjacent house on the road frontage. The Board considered that the proposed development would represent over development of the site and had concerns for the wider capacity of the site to facilitate the increased traffic expected on foot of the development and would not be acceptable in terms of traffic safety capacity. The Board also had concerns in relation to visual amenity from the proposed development of the tower and viewing balcony at the third floor of the development. The proposed development would, therefore, not be in accordance with the proper planning and sustainable development of the area.

PA ref. 13/6: permission granted to retain (1) modifications to the structure from that granted planning permission under planning reg. no. 86/903, including extensions both to west and south of original structure (2) recently installed 2 no. bulk lpg storage tanks and (b) permission to (1) erect signage to both eastern gable and front/south facade (2) erect protective railing to lpg bulk storage tanks (3) connect clean water outflow from distillery process to existing discharge pipe under licence (4) all within revised site boundaries, with associated security type fencing and concrete walls and served by existing septic tank and percolation area.

PA ref. 86/903 refers to permission for construction of sawmill and store and septic tank.

5.0 Policy Context

5.1. Corca Dhuibhne Electoral Area Local Area Plan 2021-2027

Central to this plan is a hierarchy of settlements of which Dingle is the principal town. Dingle Distillery is mentioned at Section 2.1.2.1 of the Plan, which relates to The Local Economic and Community Plan (LECP) 2016-2022, in the context of the importance of building on the history of entrepreneurship in the county, through brand leaders such as Dingle Distillery and Fexco. The Plan seeks to promote the development and employment potential of brownfield sites and encourages the diversification and provision of year-round tourism facilities.

5.2. Development Plan

Kerry County Development Plan 2022-2028 is the operative development plan.

Dingle is categorised as a Regional Town within the Settlement Hierarchy of the Development Plan (Map 3.3, Volume Four). Regional Towns provide a housing, employment, or service function serving a local region within the county. The category is broad and ranges from large commuter towns to more peripheral towns.

The appeal site is located outside the settlement boundary of Dingle town, in a Rural General area landscape category.

11.6.3.2 Rural General Rural - landscapes within this designation generally have a higher capacity to absorb development than visually sensitive landscapes.

Notwithstanding the higher capacity of these areas to absorb development, it is important that proposals are designated to integrate into their surroundings in order to minimise the effect on the landscape and to maximise the potential for development. Proposed developments should, in their designs, take account of the topography, vegetation, existing boundaries and features of the area. Permission will not be granted for development which cannot be integrated into its surroundings.

A designated Prospect passes along the Milltown River bridge directly southeast of the site, travelling east and south along the eastern side of the estuary. The view is south, away from the appeal site.

Chapter 4: Towns and Villages

KCDP 4-2 Facilitate and support the sustainable development of towns and villages of sufficient scale and quality to be drivers of growth, investment, and prosperity.

KCDP 4-63 Encourage and facilitate sustainable tourism related retail developments and initiatives, of appropriate scale, in the vicinity of tourist town centres.

Chapter 9: Economic Development

KCDP 9-4 Facilitate and support County Kerry's economic recovery through the sustainable implementation of County Kerry's COVID-19 Economic Recovery Plan and the emerging Kerry Local Economic and Community Plan, focusing on a transition to a low carbon and digital economy [assisted by the encouragement of Smart Villages] and through sustainably expanding the county's economic sectors, increasing innovation and research, supporting entrepreneurship, the creation of new and expansion of existing businesses, product exports, access to new markets and the development of intellectual property in conjunction with the higher education sector and research centres.

KCDP 9-21 Ensure that sufficient land is reserved around site boundaries, in both individual sites and industrial parks to accommodate landscaping which will soften the visual impact and reduce the biodiversity loss of the development and improve the quality of the environment.

KCDP 9-40 Promote employment growth in rural towns to support the population of the towns and their wider rural catchments.

Chapter 10: Tourism & Outdoor Recreation

KCDP 10-1 Adhere to the principles of sustainable tourism and have regard to its current and future economic, social and environmental impacts on local infrastructure, sensitive areas and sites, water quality, biodiversity, soils, ecosystems, habitats and species, climate change.

KCDP 10-7 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.

KCDP 10-21 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.

KCDP 10-29 Direct tourism-based development including Hotels, Guesthouses and B&Bs to towns and villages where there is adequate infrastructure to service the development, except where the proposal involves the re-use or diversification of an existing building, subject to normal planning criteria.

KCDP 10-59 Support the sustainable development of Kerry's food and drink sector, especially locally sourced organic food, and liaise with other relevant agencies to facilitate growth within this sector.

Chapter 11: Landscape

Section 11.3.3 Light Pollution

KCDP 11-1 Ensure that the requirements of relevant EU and national legislation, are complied with by the Council in undertaking its functions, including the requirements of the EU Birds and Habitats Directives.

KCDP 11-5 Support and facilitate the actions in the National Biodiversity Action Plan and Kerry County Councils Biodiversity Action Plan 2022 – 2028.

KCDP 11-42 Require proposals for development that include the provision of external lighting, to clearly demonstrate that the lighting scheme is the minimum needed for security and working purposes and also to ensure that external lighting and lighting schemes are designed so that the incidence of light spillage is minimised ensuring that the amenities of adjoining properties, wildlife and the surrounding environment are protected.

KCDP 11-44 Take into consideration the Bat Conservation Trust 2018 Note 08/18 Bats and Artificial Lighting in the UK Guidelines when choosing lighting specifications for developments and/or Bat specialist advice, so as to ensure the requirements of the Habitats Directive are adhered to, including Article 10.

KCDP 11-46 Take an ecosystems-based approach to the assessment of the potential impact of development proposals on coastal and maritime areas. Proposals

will be required to demonstrate that there will be no likely significant adverse impact on key environmental attributes.

KCDP 11-70 Protect the landscapes of the County as a major economic asset and an invaluable amenity which contributes to the quality of people's lives

KCDP 11-71 Protect the landscapes of the County by ensuring that any new developments do not detrimentally impact on the character, integrity, distinctiveness or scenic value of their area. Any development which could unduly impact upon such landscapes will not be permitted

KCDP 11-77 Protect the landscapes of the County as a major economic asset and an invaluable amenity which contributes to the quality of people's lives.

KDCP 11-78 Protect the landscapes of the County by ensuring that any new developments do not detrimentally impact on the character, integrity, distinctiveness or scenic value of their area. Any development which could unduly impact upon such landscapes will not be permitted.

Chapter 13: Water and Waste Management

KCDP 13-8 Protect rivers, streams and other watercourses and where applicable ensure developments follow guidelines outlined in the IFI's Planning for Watercourses in the Urban Environment, 2020.

Development Management Standards and Guidelines – Volume Six

1.12 Tourism Related Developments

1.12.1 Tourism Infrastructure Developments

The Council also recognises that existing tourism infrastructure facilities may require ancillary facilities (for example club houses, accommodation and other structures associated with them). These facilities must be subsidiary and connected to the main facility and at an appropriate scale. Any application for new or additions to an existing tourism facility shall include;

- Comprehensive justification of need for the facility
- Overall master plan of the facility

- Documentary evidence of compliance with the other requirements of the Development Plan

1.14.2 Lighting and illumination

1.19 Noise

1.20 Parking Standards

5.3. **Relevant National or Regional Policy / Ministerial Guidelines**

National Planning Framework – First Revision April 2025

NPO 32 Enhance the competitiveness of rural areas by supporting innovation in rural economic development and enterprise through the diversification of the rural economy into new sectors and services, including ICT-based industries and those addressing climate change and sustainability.

NPO 34: Continue to facilitate tourism development and in particular the Strategy for the Future Development of National and Regional Greenways, and a Blueways and Peatways Strategy, which prioritises: A coordinated approach to the sustainable management of outdoor recreation sites; Projects on the basis of their environmental sustainability, achieving maximum impact and connectivity at national and regional level while ensuring their development is compliant with the National Biodiversity Action Plan, the national climate change objective and requirements for environmental assessments.

Regional Spatial and Economic Strategy for the Southern Region 2019-2031

RPO 49 Innovation in Rural areas: It is an objective to support innovation, enterprise start-ups and competitiveness of our rural Region.

RPO 50 Diversification: It is an objective to further develop a diverse base of smart economic specialisms across the rural Region, including innovation and diversification in agriculture (agri-Tech, food and beverage), the marine (ports, fisheries and the wider blue economy potential), forestry, peatlands, renewable energy, tourism (leverage the opportunities from the Wild Atlantic Way, Ireland's Ancient East and Ireland's Hidden Heartlands brands), social enterprise, circular

economy, knowledge economy, global business services, fin-tech, specialised engineering, heritage, arts and culture, design and craft industries as dynamic divers for the rural economy.

RPO 53 Tourism: It is an objective to:

a. Enhance provision of tourism and leisure amenity to cater for increased population in the Region including recreation, entertainment, cultural, catering, accommodation, transport and water infrastructure.

5.4. Natural Heritage Designations

The nearest Natura 2000 sites are:

- Mount Brandon SAC & pNHA 000375 is c. 730m to the northeast
- Dingle Peninsula SPA 004153 is c. 2.64km to the south via the harbour
- Blasket Islands SAC 002172 c. 11.79km to the southwest
- Tralee Bay and Magharees SAC & pNHA 002070 c. 12.9km to the northeast
- Blasket Islands SPA 004008 c. 14.2km to the west
- Castlemaine Harbour SAC 000343 c. 16.4km to the east
- Castlemaine Harbour SPA 004029 c. 16.4km to the east

The nearest nationally designated sites are:

- Burnham Inlet pNHA 001960 c. 1.34km to the southwest
- Emlagh East Salt Marshes pNHA 001961 c. 4.2km to the southeast
- Ventry Dunes And Marshes pNHA 001384 c. 4.8km to the southwest
- Smerwick Harbour Sandhills and Marshes pNHA 001958 c. 5.6km to the northwest
- Parkmore pNHA 001372 c. 5.5km to the southwest
- Sleah Head pNHA 001377 c. 10.4km to the southwest
- Sybil Point/Carrigbrean pNHA 001379 c. 11.9km to the northwest

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

One third party appeal was received from Peter Malone and Eileen Sullivan, local residents situated to the northeast of the appeal site, on the opposite side of the Milltown River. The grounds of appeal can be summarised as follows:

- Concern raised that the proposed external lighting is excessive to serve the distillery and would create a bright concentration of illumination in a rural area.
- Query whether the lights would be switched off at night.
- Lighting would impact on the estuary habitat. The introduction of artificial lighting would be a significant change in the habitat.
- Night-time light disturbs insect and bat behaviour patterns. Moths and other flying insects fail to forage, find mates etc. Artificial lighting is contributing to the collapse in insect numbers.
- Request that lighting on this site is modest in scale and switched off at night.
- The Milltown river estuary is one of the most important sites in West Kerry for bird life. The Dingle Distillery site itself is home to several bird species. The Milltown river is a tidal estuary, a marshy wetland, with several confluent micro habitats – riverine, estuarine and shoreline. The river estuary is a wintering ground for diverse wader and wildfowl species.

- Bird-life and other habitats occur where they may and do not need to be within designated categories to be valued or require protection. Consider that further surveys of the area would discover more wildlife in the Milltown estuary habitat.
- The Dingle Local Area Plan 2021-2027 notes that West Kerry has a variety of physical features and biodiversity and states that recreational and amenity pressure must be developed and managed in a sustainable manner and that potential for wildlife disturbance must be carefully controlled.
- The proposed development draws people, noise, traffic and lighting onto the bank of the river estuary, impacting on the natural environment, disturbing the local habitat significantly. A key strategic issue in the Dingle Local Area Draft Plan includes a requirement 'to conserve, manage and where possible enhance the area's natural heritage, including habitats, species, landscapes'.
- The National Biodiversity Action Plan 2017-2021 highlights the importance of ecology and good planning.
- The Habitats Directive Assessment, Natural Impact Report, Kenmare Municipal District 2023-2029 from KCC's Environment Assessment Unit (August 2023) points out that development can be harmful to biodiversity as it can involve a change or intensification of land use in an area, can impact on ecological integrity by way of increased disturbance associated with noise or light.
- Ask ACP to consider the many proposals devoted to biodiversity and habitat conservation issued by KCC and other bodies over recent years and implement the spirit of these guidelines. Note also the protections for bird species under the Wildlife Acts 1976/2000 and EU Birds Directive.

7.2. **Applicant Response in the case of a 3rd Party Appeal**

The applicant's response to the grounds of appeal can be summarised as follows:

- Note that Condition 9 (of the Planning Authority's decision) requests a revised lighting proposal in accordance with a scheme that shall 'minimise obtrusive lighting emanating from both the building and the site grounds outside the boundaries of the development at all times and shall be properly cowled and directed downwards and away from the public road and the Milltown River.' The Planning Condition also requires that the light temperature be 2700K or lower.

- The lighting design submitted with the planning application meets this requirement, providing a low level of light in the site (12.79 lux average). The LED optic will project light exactly where it is needed with no uplight component and minimal backward light spill. The light temperature will be 2700K. The LED light fittings are all directed downwards and away from the public road and the Milltown River. There is no benefit in installing a cowl on the lights as the LED optic is already designed to prevent light glare and light trespass outside the site.
- Lux levels have been added to the attached drawing (25866-MWP-XX-XX-DR-E-9001 Rev P-02) showing light spread beyond the boundary of the site. The lighting design software does not take into account boundary walls etc, therefore actual lux levels outside the site will be lower and, in effect, negligible.
- The lighting will be photocell and timeclock controlled. This will bring the lights on at dusk and turn them off at a preset time. The lights will not be on all night – the running times will be determined by the hours of operation and not all lights need to be on at all times. For example, when the on-site staff numbers reduce (potentially after 6pm), then only the staff car parking areas need to be lit.
- The applicant maintains that a robust and comprehensive Ecological Impact Assessment (EclA), considering all habitats, flora, fauna and other potential ecological receptors within the zone of influence (ZOI) of the proposed development was submitted as further information. They state that all mitigation measures set out in Section 6 of the submitted EclA will be implemented.
- The applicant's response provides an overview of the proposed development, including: visitor use; distillery production; traffic & access; environment; and landscaping.

7.3. Planning Authority Response

None received.

7.4. Observations

None.

8.0 **Assessment**

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 inspected the site, and having regard to relevant local/regional/national policies and guidance, I consider that the main issues in this appeal are as follows:

- Principle of development
- Impact of proposed external lighting
- Other issues

I note that consideration was given to other relevant matters as part of the Local Planning Authority's assessment of the application, including visual impact, retail planning, flood risk, surface water drainage, invasive species management, traffic and parking. The Planner's Report considered that the proposed development was acceptable in reference to the objectives of the Development Plan regarding these matters, subject to conditions, and I concur with that assessment.

8.1. **Principle of development**

8.1.1. The proposed development concerns the extension and modification of an existing distillery building including the provision of ancillary visitor and retail facilities on site. The principle of development was considered acceptable by the Local Authority Planner in their report and was not raised in the 3rd party grounds of appeal.

8.1.2. Policy Objective KCDP 9-4 of the Development Plan 2022-2028 seeks to facilitate and support County Kerry's COVID -19 Economic Recovery Plan and the emerging Kerry Local Economic and Community Plan through measures including the expansion of existing businesses. The Corca Dhuibhne Electoral Area Local Area Plan 2021-2027 recognises Dingle Distillery as a brand leader and seeks to promote the development and employment potential of brownfield sites and encourages the diversification and provision of year-round tourism facilities. Policy

Objective KCDP 10-7 of the Development Plan promotes sustainable tourism, including visitor attractions, while Objective KCDP 10-59 supports the sustainable development of Kerry's food and drink sector. Policy Objective KCDP 10-29 generally directs tourism-based development to towns and villages, except where the proposal involves the re-use or diversification of an existing building. Appropriate rural economic and tourism development are supported by the NPF for example in NPOs 32 & 34 and by the Regional Spatial and Economic Strategy for the Southern Region, particularly in RPO 49, 50 & 53.

- 8.1.3. The proposal involves the demolition of two existing single storey projections on the front of the existing building. I do not consider that these are of any heritage or architectural value and, consequently, their removal is acceptable. In terms of the extent of ancillary uses, the proposed retail floor area is 73.5sqm. The extended upper floor area is indicated on the proposed floor plans as 'distillery production and visitor area' with a total floor area of 480sqm. I consider that the proposed tasting rooms and new viewing area on the upper level and the founder's exhibition/gathering area on the ground floor level can be defined as visitor areas, separate to distillery production. These areas amount to c. 117.9sqm. The proposed total floor area of the development is 1,587sqm. In this context, I consider that the proposed retail and visitor area uses would be ancillary to the main distillery (industrial) use.
- 8.1.4. Overall, having regard to the established distillery use on site, to the ancillary scale of the proposed retail and visitor centre uses and to Policy Objectives identified above which support the more efficient use of brownfield sites, the expansion of existing businesses and the sustainable development of tourism facilities, I consider that the proposed development is acceptable in principle.

8.2. Impact on biodiversity and the natural environment

- 8.2.1. The key issue raised by the 3rd party appellants in their grounds of appeal centres on the extent of external lighting proposed on site and the potential for negative impacts on local biodiversity and the character of this rural area. The grounds of appeal also raise concern that the proposed development, by virtue of drawing people, noise, traffic and lighting onto the bank of the river estuary, would result

in negative impacts on the natural environment and significant disturbance to local habitat.

- 8.2.2. The applicant, in their response to the grounds of appeal, notes that Condition 9 of the Planning Authority's decision required the submission of a revised lighting proposal for agreement. The applicant states that the lighting design submitted at application stage met the requirements of Condition 9 by providing a low level of light in the site (12.79 average), with no uplight component, minimal backward light spill and light temperature of 2700K. The applicant has included with their response to the grounds of appeal a revised proposed external lighting layout plan showing Lux levels within and around the site. The applicant adds that the lighting will be photocell and timeclock controlled i.e. the lights would come at dusk, would turn off at a preset time and would not run through the night. It is also stated that some lights would be turned off when staff numbers reduce on site, in the evening.
- 8.2.3. The Planner's Report noted submissions on these issues from third parties and Inland Fisheries and states that they were taken into consideration in the decision. The report of the Local Authority's Environmental Assessment Unit (EAU) identified that no significant ecological impact was likely to arise from the development, provided that the mitigation measures outlined in the EcIA submitted under the previous application, PRR 21/424 (ABP-312009), are adhered to and subject to conditions, including in respect of lighting and construction environmental management. Notwithstanding the comments of the EAU, the Planning Authority requested an updated EcIA as further information from the applicant.
- 8.2.4. In relation to the proposed lighting, the appellant's specific concerns are that the amount of lighting is excessive for the rural area, that there is a lack of clarity as to whether the lighting would be switched off at night and that it might impact negatively on local biodiversity and the rural character of the area.
- 8.2.5. The applicant submitted (on the 23rd December 2025) an Ecological Impact Assessment (EcIA) dated November 2025 in response to a further information request from the Planning Authority. The EcIA provides an assessment of the potential impacts of the proposed development on local biodiversity, at construction

and operational stages and sets out recommended mitigation measures for the identified impacts.

- 8.2.6. The EclA categorises the impact of elevated noise, lighting and activity during the construction phase of the development as an overall temporary slight negative effect on species in the adjacent habitats. It notes that small mammals, bats and birds utilising hedgerows, scrub and adjacent habitats during the construction phase are likely to avoid the area and adds that this will not impede access to other foraging habitats in the area however, as commuting corridors will be maintained between the site and the wider landscape via the site boundaries. For birds specifically, the EclA finds that there is potential for disturbance/displacement effects on important bird species within Sleah Head pNHA, Emlagh East Salt Marshes pNHA and Sybil Point/ Carrigbrean, primarily due to reduced water quality and increased noise emissions, however the report states that these can be adequately prevented through implementation of a programme of mitigation measures set out in Section 6 of the report.
- 8.2.7. In terms of the operational phase, the EclA notes that, as the distillery is fully operational and has been for a number of years, the operational phase of the development is expected to have a short-term imperceptible negative effect on local populations of fauna in the surrounding habitats. The EclA notes also that there is a degree of existing light overspill in the area owing to existing houses and traffic and at the distillery site itself. Visual disturbance to intertidal birds is identified in the EclA as a potential impact, linked to an increase in visitor numbers and vehicular movement, particularly near the eastern boundary of the site. This impact is categorised as temporary, slight to moderate, negative in the absence of mitigation.
- 8.2.8. The proposed mitigation measures set out in Section 6 of the EclA include requirements for low level directional lighting, angled away from hedgerows, treelines and boundaries of the site; a requirement that the construction site compound is located at least 25m from the Milltown River; vegetation removal to only take place outside bird nesting season; prevention of encroachment of vehicles etc onto habitats beyond the development footprint; screen planting in the form of hedgerows (native) to be maintained or planted at the eastern boundary of the distillery site in order to prevent moving vehicles and people visually disturbing foraging and roosting birds on

the mud shore, saltmarsh and tidal river habitats. With the recommended mitigation implemented, the EclA states that there will be no significant residual effects on important ecological features (habitats and species).

- 8.2.9. The landscape plan submitted by the applicant to the Planning Authority on the 23rd December 2025 indicates that the existing hedgerow along the eastern boundary of the site is to be retained and protected and bolstered where any gaps exist with a native whip planting mix and, for the riverside, a native riparian mix. This is in line with the mitigation measures recommended by the EclA.
- 8.2.10. KCDP 11-5 of the Development Plan seeks to support and facilitate the actions in the National Biodiversity Action Plan and Kerry County Council's Biodiversity Action Plan (BAP) 2022 – 2028. The Kerry County Council BAP (Volume 6 of the County Development Plan 2022-2028), on page 72 includes guidance on public lighting. A preference for LED luminaires is stated, due to their highly directional, lower intensity, good colour rendition and dimming capability. Lighting specification should include a warm white spectrum (<2700 Kelvins), luminaires should be mounted on the horizontal, not tilted, and luminaires with an upward ratio of 0% should be used. Based on the submitted plans and description of the lighting provided by MWP Engineers, the proposed lighting design complies with these requirements.
- 8.2.11. Development Plan Policy Objective KCDP 11-42 requires that proposals for external lighting demonstrate that the lighting is the minimum needed for security and working purposes and that light spillage is minimised in the interests of neighbouring amenity, wildlife and the environment.
- 8.2.12. In terms of the lighting scheme itself, the applicant submitted Drawing No. 25866-MWP-XX-XX-DR-E-9001 Rev P01 as further information to the Planning Authority. The lighting layout shows 12no. luminaires, 9no. to the front and 2no. to the eastern side of the building. Of the 3no. luminaires located on the eastern side of the distillery building, one would be building mounted at a height of 4.5m, with the other two being column mounted at a height of 6m. The applicant's cover letter with the further information states that the layout was designed to ensure no additional light spill where the development borders Milltown River. The luminaires are LED type. The lighting spill diagram submitted with the application showed Lux levels of up to 16lux on the eastern boundary of site. As part of their grounds of appeal, the

applicant submitted a revised version of the external lighting layout plan, with lux levels outside the site boundary also shown. This plan indicates Lux levels immediately outside the site boundary of 1.0-3.8lux. The letter from MWP Engineers submitted as part of the applicant's response to the grounds of appeal states that 1lux is equivalent to a clear moonlit night. They also state that the lighting design software used to generate the lux levels does not take account of boundary treatments and, therefore, actual lux levels would be lower than indicated on the revised lighting plan.

- 8.2.13. At present, there are two luminaires mounted on the eastern gable end of the building, one of which is at high level. The proposed lighting column on the eastern boundary of the site would introduce new artificial lighting on this boundary. I note that the mitigation measures recommended by the EclA include the provision of low level lighting to car park areas. Having regard to the recommendations of the EclA, to the proposed 6m height lighting column on the eastern boundary of the site and to the light spill diagram which indicates some lightspill adjacent to Milltown River I consider that revised lighting proposals in line with the EclA should be sought for this portion of the site. This can be secured by condition.
- 8.2.14. Otherwise, I consider that the number and type of luminaires proposed within the distillery site is reasonable to provide for site security and a safe working environment to support the existing use on site. I note that the lighting specification includes measures to minimise light spillage outside of the site and, based on the information submitted by the applicant, I am satisfied that lux levels generated by the proposed lighting outside the site boundaries would be low.
- 8.2.15. I also note that lighting and other means of potential disturbance to biodiversity was assessed as part of the EclA submitted to the Planning Authority and, with the implementation of mitigation measures, that the EclA concluded that the proposed development would have very slight impact on any habitats or species locally. I consider that, subject to conditions to control the lighting specification, hours of usage and secure the implementation of mitigation measures set out in the EclA, that the proposed development would not result in excessive light spillage causing harm to wildlife, neighbouring amenities or the character of the area and would therefore

be in accordance with Policy Objectives KCDP 11-42 and KCDP 11-5 of the Development Plan.

8.3. **Other issues**

Conditions

- 8.3.1. The planning authority's decision included a condition requiring that, in the event of concerns regarding the quality of the surface water adjacent to any of the proposed development, the developer/operator would arrange to have physical, chemical and biological monitoring of the surface water carried out, as agreed in advance by Kerry County Council Environmental Department. Having regard to the nature and scale of the proposed development, to the operational waste management plan, proposed foul & storm drainage layout plan (Dwg. No. 25866-MWP-ZZ-ZZ-DR-C-2001 Rev P01) and associated SuDS Implementation Report submitted with the application, and subject to appropriate conditions, I consider that the risk of surface water pollution arising from the operation of the proposed development is adequately mitigated and that such a condition is not necessary in this case.
- 8.3.2. The planning authority's decision included a condition requiring that the activities at the facility should not give rise to any noise nuisance at the nearest or any other NSLs (noise sensitive locations) in the area, set out a procedure for the management of complaints and for noise impacts to be assessed at the request of the planning authority. I note that the distillation process will extend into the existing storage shed within the western portion of the site under the proposed plans. The dwelling immediately adjacent to the west is in the applicant's ownership. Having regard to the nature and scale of the proposed development, which does not include any proposed intensification of the use, I consider that a condition limiting noise levels on site would be sufficient in this case.
- 8.3.3. The planning authority's decision included a condition requiring that the proposed development should not give rise to any odour nuisance and that, in the event of complaints being received regarding alleged odour nuisance from the development the applicant would be required to engage the services of a qualified individual to establish the cause of the odour nuisance and to implement remediation measures. Having regard to the nature and scale of the proposed development, which does not

include any proposed intensification of use or change to production methods on site, I do not consider that a condition is necessary in this regard.

9.0 AA Screening

9.1. 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 the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on any European Sites, including Dingle Peninsula SPA 004153, Blasket Islands SAC 002172 and Castlemaine Harbour SPA 004029, in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.

9.2. This determination is based on:

- The relatively minor scale of the development and lack of impact mechanisms that could significantly affect a European Site.
- The distance from the nearest European sites and lack of connections.
- The existing distillery use of the site.
- The qualifying interests and conservation objectives of the Dingle Peninsula SPA 004153, Blasket Islands SAC 002172 and Castlemaine Harbour SPA 004029.
- Regard had to the determination of the Planning Authority.

10.0 Water Framework Directive

10.1. 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.

10.2. The receiving water environment has been identified and assessed, see Table 1 attached. Having regard to the nature, scale, and location of the proposed development, and the mitigation measures incorporated into the design and conditioned, 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.

10.3. Any residual risks are capable of being addressed through the proposed mitigation measures and implementation of a Construction Environmental Management Plan (CEMP), as conditioned.

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

11.0 Recommendation

11.1. I recommend that permission is granted.

12.0 Reasons and Considerations

Having regard to the planning history of the site and the established industrial use on the site, the site location and its connectivity with the town and access to public infrastructure, the pattern of development in the area and the provisions of the Kerry County Development Plan which support the more efficient use of brownfield sites, the expansion of existing businesses and the sustainable development of tourism facilities, it is considered that, subject to compliance with the conditions set out below, the retention of development and proposed development would not seriously injure the amenities of the area or property in the vicinity, would not undermine the policies for Dingle town, would not be prejudicial to the environment or public health, would be acceptable in terms of traffic safety and convenience and would otherwise be in accordance with the proper planning and sustainable development of the area.

13.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 23rd day of

December 2025 and by An Coimisiún Pleanála on the 7th April 2026, except as may otherwise be required in order to comply with the following conditions.

Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Prior to the commencement of development, the developer shall enter into a Connection Agreement with Uisce Éireann (Irish Water) to provide for a service connection to the wastewater collection network.

Reason: In the interest of public health and to ensure adequate wastewater facilities.

3. Prior to the commencement of any works associated with the development hereby permitted, the developer shall submit a detailed Construction Environmental Management Plan (CEMP) for the written agreement of the planning authority. The CEMP shall incorporate all the construction stage mitigation measures set out in Section 6 of the Ecological Impact Assessment received by the planning authority on the 23rd December 2025, together with proposals construction practice for: the collection and disposal of construction waste; control of surface water run-off such that no silt or other pollutants enter local surface water sewers or drains from the site; invasive species management; construction lighting; and environmental management measures during construction including working hours, noise control, dust and vibration control and monitoring of such measures. A record of daily checks that the construction works are being undertaken in accordance with the CEMP shall be kept at the construction site office for inspection by the planning authority. The agreed CEMP shall be implemented in full in the carrying out of the development.

Reason: In the interest of public safety, amenity and environmental protection.

4. (a) All recommendations set out in Section 6 of the Ecological Impact Assessment Report, received by the planning authority on 23rd December 2025, shall be implemented in full.

(b) Prior to commencement of any works in and adjacent to Milltown River, the developer shall submit, for the written agreement of the planning authority in consultation with Inland Fisheries, a method statement for the installation of the proposed foul rising main and any other works in proximity to the Milltown River. The method statement shall include: details of appropriate buffer zones adequate to protect the river and flood zone from siltation or damage; details of the proposed timing of the works; and mitigation measures to be employed throughout the duration of the works (including prior to site clearance and excavation) to prevent negative impacts on water quality of the Milltown River and the movement of migratory fish.

Reason: To protect the ecology and amenities of Milltown River.

5. a) Waste generated on site, including by-products generated by the distillation process, shall be managed in accordance with the Waste Management Plan 1.3, received by the planning authority on the 23rd December 2025, unless otherwise agreed in writing with the planning authority.

b) No distillation by-products (spent lees/washings, pot ale or draff) shall be discharged to waters.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment and the amenities of properties in the vicinity.

6. a) The proposed wastewater pumping station/tank shall incorporate a suitable alarm system (both audible and visible) which shall activate in the event of any malfunction of the system.

b) Upon connection of the site to the public wastewater collection network, the existing septic tank(s) on site shall be removed or backfilled with inert material.

Reason: In the interests of public health, residential amenity and to prevent water pollution.

7. In order to safeguard the potential future addition of a footway/cycleway bridge on the upstream side of the existing masonry bridge across the Milltown River, the proposed route of the foul sewer which forms part of the application proposals (as indicated on Drawing No. 25866 MWP ZZ ZZ DR C 2001 Rev P01 received by the planning authority on the 23rd December 2025) shall be offset a minimum distance of 20 metres from the bridge. Revised drawings showing compliance with this requirement shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of public amenity.

8. All water quality and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the relevant section of the Council for such works and services. Prior to the commencement of development, the developer shall submit all drainage details to the planning authority for written agreement.

Reason: in the interest of public health and surface water management.

9. During the operational phase of the proposed development the noise level shall not exceed (a) 55 dB(A) rated sound level between the hours of 0700 to 2300, and (b) 45 dB(A) 15min and 60 dB LAfmax, 15min at all other times, (corrected for a tonal or impulsive component) as measured at the nearest dwelling.

Reason: To protect the residential amenities of property in the vicinity of the site

10. Landscaping and Biodiversity planting measures for this site shall be carried out in accordance with the mitigation measures set out in Section 6 of the Ecological Impact Assessment and Landscape Plan, received by the planning authority on the 23rd December 2025 and as updated by conditions of planning herein. All tree and shrub planting shall be native species only. All landscape/biodiversity planting shall be completed within 18 months of the completion of this development. Any trees/planting that die or are removed within three years of planting shall be replaced in the first planting season thereafter.

Reason: To protect biodiversity.

11. a) All external lighting on site shall be of a warm white colour, fitted and maintained with 'warm white spectrum' bulb type lighting with 2700K (degrees of Kelvin) or lower.
- b) All external luminaires on site shall be mounted on the horizontal, not tilted, and shall have an upward ratio of 0%.
- c) All external lighting fixtures shall be designed, orientated, maintained and of a lighting level such that light spillage outside the site boundary shall be minimised.
- d) Prior to the commencement of development, revised external lighting details for the eastern car parking area, to address the recommended mitigation measure set out in Section 6.1.1.1 of the EclA which specifies low level lighting for car park areas, in accordance with the 2023 BCT Lighting Guidance (GN08/23 Bats and Artificial Lighting At Night), shall be submitted to and approved by the planning authority. The lighting shall be installed as agreed.
- e) The operational hours of the external lighting on this site shall not extend beyond 2200 hours, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of protecting the residential amenities and biodiversity of the area.

13. In respect of traffic safety the following requirements shall apply:

- a. All recommendations of the Stage 1&2 Road Safety Audit, received by the planning authority on the 23rd December 2025, shall be implemented in accordance with the written agreement of the Planning Authority.
- b. Prior to the occupation of the proposed visitor, retail or extended industrial floorspace areas of the development, the developer shall prepare a Stage 3 Road Safety Audit in accordance with current TII standards, and recommendations if any shall be completed in accordance with the written agreement of the planning authority.
- c. Works adjacent to the public road shall not affect the surface water drainage regime of the public road and no surface water within the development shall be allowed to flow onto the public road.

- d. All works adjacent to or on the public road shall be subject of the necessary road opening licence(s).
- e. The applicant shall ensure no earth, soil or other material from the site shall be deposited on the public road or footpath.

Reason: In the interest of traffic safety and to protect public property.

14. Prior to the commencement of development, the developer shall submit details of the materials, colours and textures of all the external finishes to the existing distillery buildings.

Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.

15. The details of any proposed external signage to buildings or structures on site shall be submitted to and agreed in writing with the planning authority prior to the occupation of the proposed visitor, retail or extended industrial floorspace areas of the development.

Reason: in the interest of visual amenity.

16. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the

Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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.

Suzanne White

Planning Inspector

26th May 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-500957-KY-26
Proposed Development Summary	Retention of internal first floor extension and visitor centre use (including retail areas), proposed demolition of single storey projecting elements, internal extension and layout modification, grain storage, change of use from storage to industrial (distillery), new retail area at lower level, two new 8.8m high freestanding steel grain storage silos, connection to foul sewer mains and associated site works.
Development Address	The Dingle Distillery Old Mill, Milltown Co. Kerry V92 E7YD, (also drainage connection at Ballyhea Road Commons of Milltown Dingle 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?	☒ Yes, it is a 'Project'. Proceed to Q.2.
	☐ 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)?	
☐ 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
☒ 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?	
☐ 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.	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	State the Class and state the relevant threshold
☒ Yes, the proposed development is of a Class but is sub-threshold.	7. Food Industry (d) Installations for commercial brewing and distilling; installations for malting, where the production capacity would exceed 100,000 tonnes per annum.

Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	
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 ☐	
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: Suzanne White

Date: 26th May 2026

Appendix 2: Form 2 - EIA Preliminary Examination

Case Reference	PL-500957-KY-26
Proposed Development Summary	Retention of internal first floor extension and visitor centre use (including retail areas), proposed demolition of single storey projecting elements, internal extension and layout modification, grain storage, change of use from storage to industrial (distillery), new retail area at lower level, two new 8.8m high freestanding steel grain storage silos, connection to foul sewer mains and associated site works.
Development Address	The Dingle Distillery Old Mill, Milltown Co. Kerry V92 E7YD, (also drainage connection at Ballyhea Road Commons of Milltown Dingle Co. Kerry)
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 relates to the extension and modification of an existing distillery building and ancillary works. The footprint of the building will decrease as most of the increase in floor area is internal and two small projections to the existing building will be demolished. Ancillary visitor facilities and retail use will be added to the distillery use on site. It is stated that the proposals will not result in any increase in production on site. The proposals include connection of the facility to the public sewer network and decommissioning of existing septic tanks. Waste generated on site is either reused or collected by licensed providers.

	The project comes forward as a standalone project, does not require the use of substantial natural resources, or give rise to significant risk of pollution or nuisance. The development, by virtue of its 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 on the outskirts of Dingle Town. It is an existing industrial site, surrounded by a mix of dispersed residential, commercial and open space uses. The application site also includes a strip of land extending east from the distillery site, under the Milltown River, to accommodate a connection to the foul sewer network. The site itself is not subject to any environmental or natural heritage designations. The Milltown River is an ecological resource for aquatic species including Atlantic salmon, trout and European eel, mammals such as otter and bats, invertebrates such as dragonflies and damselflies and birds of many orders. The intertidal habitats of the Milltown River are considered locally valuable as foraging, commuting and roosting habitat.
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative	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.

effects and opportunities for mitigation).	
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.

Inspector: Suzanne White

Date: 26th May 2026

Appendix 3: Standard AA Screening Determination Template

Test for likely significant effects

Screening for Appropriate Assessment Test for likely significant effects	
Case Reference Number: PL-500957-KY-26	
Step 1: Description of the project and local site characteristics	
Brief description of project	Retention of internal first floor extension and visitor centre use (including retail areas), proposed demolition of single storey projecting elements, internal extension and layout modification, grain storage, change of use from storage to industrial (distillery), new retail area at lower level, two new 8.8m high freestanding steel grain storage silos, connection to foul sewer mains and associated site works.
Brief description of development site characteristics and potential impact mechanisms	The development is situated on the outskirts of Dingle Town. It is an existing industrial site, surrounded by a mix of dispersed residential, commercial and open space uses. The existing distillery site comprises industrial structures and artificial surfaces. The application site also includes a strip of land extending east from the distillery site, under the Milltown River, to accommodate a connection to the foul sewer network. The site itself is not subject to any environmental or natural heritage designations. The Milltown River is an ecological resource for aquatic species including Atlantic salmon, trout and European eel, mammals such as otter and bats, invertebrates

	such as dragonflies and damselflies and birds of many orders. The intertidal habitats of the Milltown River are considered locally valuable as foraging, commuting and roosting habitat for bird and bat species and otter. There are also scrub, treeline and hedgerow habitats around the site boundaries.			
Screening report	None submitted			
Natura Impact Statement	None submitted			
Relevant submissions	The third party grounds of appeal identify that the Milltown River estuary is one of the most important sites in West Kerry for bird life. They raise concern at the potential impact of the proposed development (particularly through lighting, noise and disturbance) on bird, bat and insect species, in particular.			
Step 2. Identification of relevant European sites using the Source-pathway-receptor model				
European Site (code)	Qualifying interests ¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections ²	Consider further in screening ³ Y/N
Mount Brandon SAC 000375	https://www.npws.ie/protected-sites/sac/000375	0.73 km NE	None identified. The SAC is upstream of the site.	N

Dingle Peninsula SPA 004153	Dingle Peninsula SPA National Parks & Wildlife Service	2.64 km S	Suitable coastal foraging habitat near the application site for QI species	Y
Tralee Bay and Magharees Peninsula, West to Cloghane SAC 002070	Tralee Bay and Magharees Peninsula, West to Cloghane SAC National Parks & Wildlife Service	12.9 km NE	None identified. The SAC is a separate Bay to the north of the Dingle Peninsula.	N
Blasket Islands SAC 002172	Blasket Islands SAC National Parks & Wildlife Service	11.79 km WSW	Potential for QI marine mammals to forage in Milltown River or Dingle Bay	Y
Blasket Islands SPA 004008	Blasket Islands SPA National Parks & Wildlife Service	14.2 km W	None identified - suitable breeding habitat not available at the site	N

Castlemaine Harbour SPA 004029	Castlemaine Harbour SPA National Parks & Wildlife Service	16.4km E	Potential for over-wintering SCIs to utilise Milltown River or Dingle Bay in the vicinity of the site	Y
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¹ Summary description / **cross reference to NPWS website** is acceptable at this stage in the report

² Based on source-pathway-receptor: Direct/ indirect/ tentative/ none, via surface water/ ground water/ air/ use of habitats by mobile species

³ if no connections: N

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
Site 1: Dingle Peninsula SPA 004153 QI list: Fulmar (<i>Fulmarus glacialis</i>) [A009]	Direct: None. Indirect Construction phase: potential negative impacts on surface water/water quality due to spills/runoff, disturbance arising from noise/dust/lighting associated	There is low potential for pollution of surface and ground waters, given the limited scale of the proposed works, the distance to the SPA (over

		development. New lighting in this area is designed to limit lightspill beyond the site boundary and would only be used during operational hours of the distillery. Given the limited scale of the proposed development, the nature of the site as an operational distillery, the distance to the SPA and the availability of alternative foraging area for QI species, significant effects arising from disturbance can be excluded.
	Likelihood of significant effects from proposed development (alone): N	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? N	
*Where a restore objective applies it is necessary to consider whether the project might compromise the objective of restoration or make restoration more difficult.		
Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
Site 2: Blasket Islands SAC 002172	Direct: None.	

QI list: Reefs [1170] Vegetated sea cliffs of the Atlantic and Baltic coasts [1230] European dry heaths [4030] Submerged or partially submerged sea caves [8330] Phocoena phocoena (Harbour Porpoise) [1351] Halichoerus grypus (Grey Seal) [1364]	Indirect <u>Construction phase:</u> potential negative impacts on prey abundance due to impacts on water quality due to spills/runoff, disturbance arising from noise/dust/lighting associated with excavation/construction related activities and potential introduction of invasive species. <u>Operational phase:</u>	There is low potential for pollution of surface and ground waters, given the limited scale of the proposed works, the distance to the SAC (over 13km), the employment of standard construction practices and the inclusion of standard measures designed in to the scheme including decommissioning of the existing septic tank and provision of a soakaway to collect surface water runoff.
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	None.	Given the location and modest size and scale of the project and considering the extent of habitats available to QI species of the Blasket Islands SAC and in the general marine environment, significant disturbance/displacement effects on QI species can be excluded. There is no ecological pathway to facilitate the spread of invasive species.
	Likelihood of significant effects from proposed development (alone): N	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? N	
Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
Site 3: Castlemaine Harbour SPA 004029 QI list: Fulmar (Fulmarus glacialis) [A009]	Direct: None. Indirect: <u>Construction phase:</u> potential negative impacts on prey	 There is low potential for pollution of surface and ground waters,

Manx Shearwater (<i>Puffinus puffinus</i>) [A013] Storm Petrel (<i>Hydrobates pelagicus</i>) [A014] Shag (<i>Phalacrocorax aristotelis</i>) [A018] Lesser Black-backed Gull (<i>Larus fuscus</i>) [A183] Herring Gull (<i>Larus argentatus</i>) [A184] Kittiwake (<i>Rissa tridactyla</i>) [A188] Arctic Tern (<i>Sterna paradisaea</i>) [A194] Razorbill (<i>Alca torda</i>) [A200] Puffin (<i>Fratercula arctica</i>) [A204] Chough (<i>Pyrrhocorax pyrrhocorax</i>) [A346]	abundance due to impacts on water quality due to spills/runoff, disturbance arising from noise/dust/lighting associated with excavation/construction related activities and potential introduction of invasive species.	given the limited scale of the proposed works, the distance to the SPA (over 16km), the employment of standard construction practices and the inclusion of standard measures designed in to the scheme including decommissioning of the existing septic tank and provision of a soakaway to collect surface water runoff. Migratory QI bird species using the Milltown River mudflats or Dingle Bay during migration to and from the SPA may avoid the project site during construction due to noise. Given the limited size of the project area, the distance to the SPA and availability of alternative foraging areas locally a significant effect on these QI species is not expected. There is no ecological pathway to facilitate the spread of invasive species. The project site is an existing operational distillery. The part of the site closest to the locally important habitats along the Milltown River is currently in use as a car park and will remain so in the proposed development. New lighting in this area is designed to limit lightspill beyond the site
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		boundary and would only be used during operational hours of the distillery. Given the limited scale of the proposed development, the nature of the site as an operational distillery, the distance to the SPA and the availability of alternative foraging area for QI species, significant effects arising from disturbance can be excluded.
	Likelihood of significant effects from proposed development (alone): N	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? N	
Further Commentary / discussion (only where necessary) In terms of in-combination effects, I note that a Flood Relief Scheme for Dingle is at design stage and has not reached the planning or implementation stages yet.		
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 Dingle Peninsula SPA 004153, Blasket Islands SAC 002172 and Castlemaine Harbour SPA 004029. The proposed development would have no likely significant effect in combination with other plans and projects on any European sites. No further assessment is required for the project. No mitigation measures are required to come to these conclusions.		

Screening Determination

Finding of no likely significant effects

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 the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on Dingle Peninsula SPA 004153, Blasket Islands SAC 002172 and Castlemaine Harbour SPA 004029 European Sites in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- The relatively minor scale of the development and lack of impact mechanisms that could significantly affect a European Site.
- The distance from the nearest European sites and lack of connections.
- The existing distillery use of the site.
- The qualifying interests and conservation objectives of the Dingle Peninsula SPA 004153, Blasket Islands SAC 002172 and Castlemaine Harbour SPA 004029
- Regard had to the determination of the Planning Authority.

Appendix 4: WFD Screening Determination

WFD IMPACT ASSESSMENT SCOPING TABLE			
Step 1: Nature of the Project, the Site and Locality			
An Coimisiún Pleanála ref. no.	PL-500957-KY-26	Townland, address	The Dingle Distillery Old Mill, Milltown Co. Kerry V92 E7YD, (also drainage connection at Ballyhea Road Commons of Milltown Dingle Co. Kerry)
Description of project		Retention of internal first floor extension and visitor centre use (including retail areas), proposed demolition of single storey projecting elements, internal extension and layout modification, grain storage, change of use from storage to industrial (distillery), new retail area at lower level, two new 8.8m high freestanding steel grain storage silos, connection to foul sewer mains, decommissioning of existing septic tanks and associated site works.	
Brief site description, relevant to WFD Screening,		The development is situated on the outskirts of Dingle Town. It is an existing industrial site, surrounded by a mix of dispersed residential, commercial and open space uses. The existing distillery site comprises industrial structures and artificial surfaces. The application site also includes a strip of land extending east from the distillery site, under the Milltown River, to	

	accommodate a connection to the foul sewer network. The site itself is not subject to any environmental or natural heritage designations. Levels on site slope up gradually from southeast to northwest across the site. Milltown River (tidal) flows from north to south along the eastern boundary of the site, through saltmarshes and mudflats, before discharging to Dingle Harbour. Milltown Bridge is located c. 20m east of the site entrance. The soil within the area is dominated by deep well drained mineral derived from mainly acidic parent materials (AminDW), with this transitioning to deep poorly drained mineral derived from mainly acidic parent materials (AminPD) to the north of the site. A Site Specific Flood Risk Assessment submitted with the application has identified that the existing Dingle Distillery site is vulnerable to both fluvial and estuarine flooding, and is situated across Flood Zones A, B, and C.
Proposed surface water details	The proposed development will not increase the extent of hard surfaces on site and therefore no substantial increase in surface water runoff will arise. Surface water runoff is proposed to be managed on site by means of a soakaway and bioretention rain garden. Pollution control is proposed by means of natural infiltration and petrol interceptors.
Proposed water supply source & available capacity	Water supply to the distillery is from an existing private well.

Proposed wastewater treatment system & available capacity, other issues	The existing development on site is served by septic tanks. The development proposals include provision of a foul rising main routed under the Milltown River and connecting in to the public foul main sewer. The septic tanks are proposed to be decommissioned. Uisce Eireann have confirmed that a connection is feasible.
Others?	No

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)	Mitigation measures proposed	Is mitigation sufficient? Will there be any residual impacts?
River waterbody	Milltown (Kerry)_030	Moderate	Review	Upstream pressures for Milltown (Kerry)___020 are agricultural,	Surface water run-off	Construction Environmental Management Plan, SuDs	Mitigation is sufficient

				forestry and hydromorphology pressures.		features and oil separator	
Coastal waterbody	Dingle Harbour IE_SW_240_0000	Good	Review	None identified	Surface water run-off	Construction Environmental Management Plan, SuDs features and oil separator	Mitigation is sufficient