



An
Coimisiún
Pleanála

Inspector's Report

PL-500980-DF-26

Development	3 year period for campervan parking
Location	Malahide Rugby Club, Estuary Road, Malahide, Co. Dublin, K36 R654
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	F25A/1174E
Applicant(s)	Malahide RFC
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party Normal Planning Appeal
Appellant(s)	Malahide RFC
Observer(s)	None
Date of Site Inspection	6 th June 2026
Inspector	Aisling MacNamara

1.0 Site Location and Description

- 1.1. The proposed development relates to the site of existing Malahide rugby club which is located at the western outskirts of Malahide and is accessed from the Estuary Road. Broadmeadow estuary flanks the northern side of the road. The site contains pitches, club house and parking area. The proposed development relates to the use of the existing car park on the site. Ground levels at the site rise from the estuary in a southerly direction. The western boundary of the site adjoins a residential property and undeveloped agricultural land. The eastern boundary of the site adjoins residential properties and Malahide Park open space. The rear boundary adjoins undeveloped lands.

2.0 Proposed Development

- 2.1. Permission is sought for the provision of summer season campervan parking for 20 units utilising a portion of the existing car park, for a temporary period of 3 years.
- 2.2. The submitted cover letter with the application states that it is proposed to allow campervans to park during summer season from 20th April to 30th August (rugby season is 1st September to 20th April).
- 2.3. The area of the overall rugby ground site is 5.1ha.

3.0 Planning Authority Decision

3.1. Decision

By order dated 17th February 2026, the planning authority refused permission for three reasons:

1. *The supporting vision for the 'HA' High Amenity zoning objective seeks to 'Protect these highly sensitive and scenic locations from inappropriate development and reinforce their character, distinctiveness and sense of place. In recognition of the amenity potential of these areas opportunities to increase public access will be explored. '.The development in its proposed form and lack of information submitted, would set an undesirable precedent and cumulatively result in the unsustainable and unsuitable use of the land and would contravene materially the*

'HA' High Amenity Zoning Objective which seeks to ' Protect and enhance High Amenity Areas ' and as such would be contrary to the proper planning and sustainable development of the area.

- 2. As a consequence of insufficient information submitted it cannot be concluded that the development, would not cause serious water pollution, and for that reason be a serious danger to human health and the environment. The absence of evidence that the proposal would not result in a significant impact on the conservation objectives of European sites, precludes the planning authority from permitting the proposal. In addition, the proposed development would be contrary to Objective DMSO1 and DMSO145 of the Fingal Development Plan 2023-2029 which seeks to Ensure that sufficient information is provided as part of development proposals to enable Screening for Appropriate Assessment to be undertaken and to enable a fully informed assessment of impacts on biodiversity to be made. The development would, therefore, be contrary to the proper planning and sustainable development of the area.*
- 3. Having regard to the location of the subject site within a highly sensitive landscape and the preserved views along Estuary Road as set out in the Fingal County Development Plan, the proposed development as presented is considered to be contrary to Objectives GINHO58 and GINHO67 of the Fingal County Development Plan, 2023-2029, which seek to resist development which will interfere with the character of highly sensitive areas or with a view or prospect of special amenity value, which it is necessary to preserve and is therefore, contrary to the proper planning and sustainable development of the area.*

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The report of the Case Planner dated 16th February 2025 sets out a recommendation to refuse permission as per the decision.

3.2.2. Other Technical Reports

- Architectural Conservation Officer (14/01/2026) – no comment or observation as no architectural conservation issues arise.

- Transportation Planning Section (27/01/2026) – no objection
- Water Services Department (30/01/2026)

Flood risk – no objection

Surface water – no objection

3.3. **Prescribed Bodies**

None

3.4. **Third Party Observations**

Three submissions received from local councillors – In support of the application, lack of such facilities in area which has led to haphazard campervan parking in areas that have no facilities for waste disposal resulting in littering; this is badly needed facility which Fingal County Council has not catered for; will benefit rugby club, the local community, local economy, broaden tourism offering in area; campervan use has been managed well by club to date.

One submission from member of public raising concerns in relation to compatibility with zoning, impact on character of landscape, compliance with CDP provisions, enforcement issues, failure to submit appropriate assessment screening, concern over lack of information regarding lighting and services provision, need for a visual impact statement, concern over intensification of use, reference to signage at site notifying campervan users that grey waste is not to be emptied into road gully.

4.0 **Planning History**

4.1. Details of the planning history of the site is set out in the planners report. Of relevance to the current proposal is the following:

- ENF25/115 – Unauthorised operation campervan parking service and beauty salon.
- F25A/0372E – Refuse - Planning permission for the erection of floodlights to Pitch No.2 consisting of 6 no. 18 m high columns with 3 no on each side with low energy lights, lighting required for training purposes only. Refusal reason no.1 – absence of NIS means precluded from granting permission under Article 6(3) of Habitats Directive.

- F23A/0099 – permission granted to replace 18m floodlight with 18m multi user floodlit monopole mobile and broadband tower with telecommunications equipment enclosed with 2.4m palisade fence and access track.
- F18A/0690 – permission granted for retention of antennae and dish on high game field lighting structure.
- F17A/0086 – permission granted for extension and alterations to existing club premises.
- F09A/0165 – permission granted for antenna and transmission dishes onto game field flood light.
- F05A/1335 – permission granted for alterations to F03A/1591. The development will consist of use of part of clubhouse as childcare facility.
- F03A/1591 – permission granted for new two storey sports pavilion and two playing pitches.

5.0 Policy Context

5.1. Fingal County Development Plan 2023-2029 including variations

Site is located outside of the development boundary for the settlement of Malahide.

Site is located on lands zoned HA High Amenity where the objective is 'Protect and enhance high amenity areas'. The objective vision is 'Protect these highly sensitive and scenic locations from inappropriate development and reinforce their character, distinctiveness and sense of place. In recognition of the amenity potential of these areas opportunities to increase public access will be explored'.

Use classes 'Not Permitted' include 'caravan park – residential'.

Uses which are neither 'Permitted in Principle' nor 'Not Permitted' will be assessed in terms of their contribution towards the achievement of the Zoning Objective and Vision and their compliance and consistency with the policies and objectives of the Development Plan.

Objective ZO3 – Non-Conforming Uses Generally, permit reasonable intensification of extensions to and improvement of premises accommodating non-conforming uses, subject to normal planning criteria.

Objective ZO4 – Ancillary Uses Ensure that developments ancillary to the parent use of a site are considered on their merits.

Appendix 7 Technical guidance

Campsite: The use of land for accommodation of touring caravans, campervans and camping. Static mobile homes will not be accommodated at camp sites.

Caravan Park – Holiday: The use of land for the accommodation of caravans, tents, recreational vehicles and/or mobile homes in which people may stay for a holiday.

Caravan Park – Residential: The use of land for the accommodation of caravans, chalets, mobile homes, recreational vehicles and/or tents which are intended for permanent habitation. This does not include any accommodation that may be provided as part of the Traveller Community Accommodation Programme.

Estuary Road contains objective for indicative coastal walk and ‘greenway’ under the GDA Cycle Network Plan.

There are preserved views around the coastline of the estuary and to the east of the site.

Site is in a Highly Sensitive Landscape.

Site is located in Estuary landscape character type. This has ‘exceptional’ landscape value and ‘high’ landscape sensitivity.

Site is in the Malahide Ecological Buffer Zone.

Settlement Strategy and Core Strategy indicates Malahide is a ‘self sustaining town’, with population targeted to increase from 18,608 in 2022 to 21,485 in 2029. Malahide is designated a Self-Sustaining Town within the RSES and benefits from a high quality built and natural environment. Integral to its character and its exceptional amenity offer is Malahide Castle and Demesne, its coastal environment, tourism offer, its strong built heritage including the presence of Architectural Conservation Areas as well as excellent public transport accessibility. It is envisaged that Malahide will develop as a self-sustaining

centre through the provision of a range of facilities to support existing and new populations.

Objective CSO51 – Support Growth of Self-Sustaining Towns Proactively support and promote high quality services, social infrastructure, facilities, tourism offer, appropriate retail mix, and economic activity within Self-Sustaining Towns to meet the needs of existing and future growth in line with the scale and function of these towns within the Fingal Settlement Hierarchy.

Chapter 7 Employment and Economy

7.5.1 Employment and Economic Development

Objective EEO11 – Economic Growth of Metropolitan Area Ensure that towns, villages and other locations within the Metropolitan Area pursue development policies of consolidation, and maximise their economic strengths and competitive advantages such as tourism and marine sectoral activities in Malahide and Howth, while the lands within the southern part of the County maximise their economic potential through the strong functional linkages to the M50 and the lands to the north of the County maximise their economic potential through strong links to the M1 and the wider regional and national road network.

7.5.2 Tourism

Objective EEO45 – Tourism and Economic Growth Promote and facilitate tourism as one of key economic pillars of the County's economy and a major generator of employment and to support the provision of necessary significant increase in facilities such as hotels, aparthotels, tourist hostels, cafes and restaurants, visitor attractions, including those for children.

Policy EEP22 – Tourism Infrastructure Support development of 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 receiving areas and the receiving environment.

Objective EEO49 – Rural-Based Tourism Promote opportunities for enterprise and employment creation in rural-based tourism where it can be demonstrated that the resultant development will not have a negative impact on the receiving rural environment.

Objective EEO52 – Sustainable Tourism Initiatives Support sustainable tourism initiatives which develop the tourist potential of the rural area while recognising and enhancing the quality and values of the rural area.

Objective EEO59 – Campsites Support the development of appropriately located and sensitively designed campsites, with required ancillary facilities, as an alternative form of accommodation for visitors to the County.

Objective EEO60 – Campsites adjacent to Settlements Any campsite adjacent to settlements shall, in terms of scale, layout and design, have regard to the existing character of the village and residential amenity. A detailed hard and soft landscaping plan shall be submitted for camp site applications.

Chapter 9 Green Infrastructure and Natural Heritage

9.6.14 Landscape Character Assessment

Policy GINHP25 – Preservation of Landscape Types Ensure the preservation of the uniqueness of a landscape character type by having regard to the character, value and sensitivity of a landscape when determining a planning application.

Objective GINHO55 – Protection of Skylines Protect skylines and ridgelines from development.

Objective GINHO56 – Visual Impact Assessments Require any necessary assessments, including visual impact assessments, to be prepared prior to approving development in highly sensitive areas.

Objective GINHO57 – Development and Landscape Ensure development reflects and, where possible, reinforces the distinctiveness and sense of place of the landscape character types, including the retention of important features or characteristics, taking into account the various elements which contribute to their distinctiveness such as geology and landform, habitats, scenic quality, settlement pattern, historic heritage, local vernacular heritage, land-use and tranquillity.

Objective GINHO58 – Sensitive Areas Resist development such as houses, forestry, masts, extractive operations, landfills, caravan parks, and campsites, and large agricultural/horticulture units which would interfere with the character of highly sensitive

areas or with a view or prospect of special amenity value, which it is necessary to preserve.

Objective GINHO59 – Development and Sensitive Areas Ensure that new development does not impinge in any significant way on the character, integrity and distinctiveness of highly sensitive areas and does not detract from the scenic value of the area. New development in highly sensitive areas shall not be permitted if it: - Causes unacceptable visual harm. - Introduces incongruous landscape elements. - Causes the disturbance or loss of (i) landscape elements that contribute to local distinctiveness, (ii) historic elements that contribute significantly to landscape character and quality such as field or road patterns, (iii) vegetation which is a characteristic of that landscape type and (iv) the visual condition of landscape elements.

9.6.15 Views and Prospects

Objective GINHO60 – Protection of Views and Prospects Protect views and prospects that contribute to the character of the landscape, particularly those identified in the Development Plan, from inappropriate development.

Objective GINHO61 – Landscape/Visual Assessment Require a Landscape/Visual Assessment to accompany all planning applications for significant proposals that are likely to affect views and prospects.

9.6.17 High Amenity Zoning

Policy GINHP28 – Protection of High Amenity Areas Protect High Amenity areas from inappropriate development and reinforce their character, distinctiveness and sense of place.

Objective GINHO67 – Development and High Amenity Areas Ensure that development reflects and reinforces the distinctiveness and sense of place of High Amenity areas, including the retention of important features or characteristics, taking into account the various elements which contribute to its distinctiveness such as geology and landform, habitats, scenic quality, settlement pattern, historic heritage, local vernacular heritage, land-use and tranquillity.

9.6.6 Ecological Buffer Zones

Policy GINHP19 Ecological Buffer Zones Protect the functions of the ecological buffer zones and ensure proposals for development have no significant adverse impact on the habitats and species of interest located therein.

Objective GINHO34 – Ecological Management Plans Develop Ecological Management Plans for the Rogerstown, Malahide and Baldoyle Estuaries focusing on their ecological protection and that of their surrounding buffer zones.

Chapter 14 Development Management Standards

14.3.2 Screening for Appropriate Assessment

Objective DMSO1 – Screening for Appropriate Assessment Ensure that all plans and projects in the County which could, either individually or in combination with other plans and projects, have a significant effect on a European site or sites are subject to Screening for Appropriate Assessment.

14.18.2 Natural Heritage

Objective DMSO145 – Screening for Appropriate Assessment Ensure that sufficient information is provided as part of development proposals to enable Screening for Appropriate Assessment to be undertaken and to enable a fully informed assessment of impacts on biodiversity to be made.

5.2. Natural Heritage Designations

There are no sites designated for natural heritage within the site or directly adjoining the site. The following heritage sites are within close proximity:

- The site is c 28m from the Malahide Estuary SPA and Malahide Estuary SAC.
- The site is c 43m from Malahide Estuary pNHA.

6.0 EIA Screening

The proposed development does not come within the definition of a 'project' for the purposes of EIA, that is, it does not comprise construction works, demolition or intervention in the natural surroundings. Refer to Form 1 in Appendix 1 of report.

7.0 The Appeal

7.1. Grounds of Appeal

A first party appeal has been received from the applicant.

The appeal documentation includes:

- the appeal submission,
- Screening Report for Appropriate Assessment of proposed development at Malahide Rugby Club (Openfield Ecological Services, March 2026),
- Drawing 25/10 'part Ground Floor plan' showing rugby club, campervan toilet and shower entrance.

The key issues raised are summarised as follows:

Grounds of appeal

- The planning authority has misinterpreted the proposed development in terms of compliance with CDP, foul drainage and impacts on public and private amenity.
- The development is to be examined in terms of national and local guidelines which are reflected in the CDP.
- Information deficit has been addressed by submission with the appeal of appropriate assessment screening report and drawings.
- The Commission should note that the applicant welcome conditions reducing the maximum number of camper vans allowed and the length of season – from 1st May to end August.
- Residential properties are c 100m from club grounds – no loss of residential amenity or unnecessary noise from club grounds.

- Given this is ancillary activity associated with leisure activity of the club, impacts are negligible, seasonal temporary use is consistent with objectives to support tourist facilities such as campsites throughout the county in greenbelt, high amenity and rural areas, all characteristics which the subject site has.

Zoning objective:

- Uses that are open for consideration are 'campsites' and 'caravan park – holiday'. Uses which are neither 'permitted in principle' nor 'not permitted' will be assessed in terms of contribution to zoning objective and vision and compliance with CDP.
- Relevant policies and objectives listed. Submit the proposed development aligns with the relevant policies in terms of design, scale, massing, location as per the CDP.
- The development would not compromise any worthy objectives and policies. Given the site is in recreational use with clubhouse, car park and flood lights, temporary addition of a maximum of 20 campervans during off season cannot realistically or significantly change the nature of the lands nor affect the existing character of the lands. Development of 2m high campervans on secluded site distant from protected views could not compromise objectives including GINHP28, GINHO56, GINHO58, GINHO67.
- Omissions could not be described as material contraventions of plan particularly with regard to zoning.
- The Commission in their decision, have to make decision based on section 37(2)(b) of Planning and Development Act 2000 as amended. Additional information has been submitted with the appeal addressing the absence of information.

Drainage and Appropriate Assessment:

- Campervans will not be using chemical toilets or other facilities within the campervans themselves as all sanitary facilities will be provided within the clubhouse for visitors; any grey water, washing up water for example will be disposed of in the club house. Drawings submitted of facilities in existing clubhouse. The clubhouse is serviced by existing local authority drainage system. There will be no disposal of foul or grey water on the grounds of the club.
- The submitted Appropriate Assessment screening report and drawings showing existing drainage facilities address concerns raised.

- Appropriate Assessment report indicates no significant impacts on Natura 2000 sites.
- Drawings submitted showing the drainage facilities available to visitors in club house.

The club's drainage system which goes into the public sewers is sent to treatment plant in Malahide. Showers and WCs are available in the club house and visitors will have full access to same throughout their stay. Other facilities – bar / restaurant – available to visitors throughout their stay.

Visual impact:

- In terms of possible impacts on coastal landscape and protected views and prospects on Estuary Road, car park is well screened from Estuary Road where there are protected views and prospects – and which are across the open water of the estuary and not back towards the rugby club. The development will not obstruct or obscure any protected view or prospects. The development will have no impact on public amenity. Any impact on protected view will be insignificant given the location of the development and the distance and direction of protected views.

- The proposed development by virtue of location, design, scale and distance from protected views and prospects would not affect the landscape in the area nor would it compromise any objective. Site is already in recreational use with large club house, car park, flood lights. The proposed use is open for consideration. The temporary addition of maximum 20 campervans during off season cannot realistically change the nature of the lands nor affect the existing character of the lands going forward.

Conclusion:

Submit use is open for consideration and is supported by policies of planning authority and Failte Eireann.

Having regard to zoning objective, development control standards and common sense, the development is reasonable temporary seasonal use which would not affect visual or residential amenities and would not be prejudicial to CDP. The proposed development can rely on similar precedents. The development is an appropriate off season ancillary use for the club and grounds, does not affect protected views and prospects or the character of landscape or Natura 2000 sites. The planning authorities reasons for refusal are surmountable particularly as a three year temporary planning permission allows the planning authority to fully assess the impacts of the development on the environment. Any

conditions from the Commission with regard to same would be welcomed by applicants.
Request Commission to grant permission for the development subject to conditions.

7.2. Planning Authority Response

The planning authority has responded to the grounds of appeal. The key issues raised are summarised as follows:

The application was assessed having regard to the CDP, government policies and guidelines.

There is an active enforcement file open on the site ENF25/115 for unauthorised operation of campervan parking and beauty salon.

The planning authority remain of the opinion that given the HA zoning of the site, objective Z03 relates to 'non conforming uses' and generally, permit reasonable intensification of extension to an improvement of premises accommodating non-conforming uses, subject to normal planning criteria.

The existing use on site is a sports facility/ recreational use and the proposed campervan parking within the existing car park is considered contrary to same. It is considered that, in this instance 'caravan park-holiday' falls under uses which are neither 'permitted in principle' nor 'not permitted' and therefore the proposal was assessed in terms of contribution towards achievement of the zoning objective and vision and compliance and consistency with the policies and objectives of the development plan.

The proposed development is ad-hoc to the existing use on the site and is considered contrary to the HA zoning objective and vision.

The application submitted has insufficient information overall and is contrary to a number of objectives within the CDP and would result in negative visual impact on this highly sensitive landscape and if permitted would set an undesirable precedent.

ACP is requested to uphold the decision of the planning authority.

7.3. Observations

None

8.0 **Assessment**

8.1. Having examined the application details and all other documentation on file, including all submissions received in relation to the appeal and inspected the site and having regard to relevant policies and guidance, I consider that the main issues in the appeal are as follows:

- principle of development
- visual impacts
- facilities for campervan users
- appropriate assessment

8.2. **Principle of development**

- 8.2.1. Permission is sought for the provision of summer season campervan parking for 20 units on the existing carpark at Malahide rugby club for a temporary period of 3 years. The cover letter submitted with the application states that the campervan parking is sought for the period 20th April to 30th August after the rugby season ends (1st September to 20th April) and that there is limited use of the facility in particular the car park during the off season. The applicant has indicated that they are open to conditions restricting the number of campervans allowed on site and shortening of the campervan season from 1st May to end of August. The applicant indicates that the campervan visitors can avail of the club house facilities including bar / restaurant and sanitary facilities including toilets, showers.
- 8.2.2. The site is located on lands that are zoned 'HA High Amenity' under the Fingal County Development Plan (CDP) 2023-2029 where the zoning objective is 'protect and enhance high amenity areas' and the zoning vision is to protect these highly sensitive and scenic locations from inappropriate development and reinforce their character, distinctiveness and sense of place and to explore opportunities for increased public access in recognition of the amenity potential of these areas.
- 8.2.3. The planning authority refused permission for reason number 1 which states that the development would contravene materially the High Amenity zoning objective citing the form of development proposed, lack of information submitted and precedent which would result in unsustainable and unsuitable use of the land.

- 8.2.4. Having regard to the nature of the proposed campervan use being a tourist recreational use which is proposed on the site of a sports facility which is also a type of recreational use, the seasonal duration of the campervan parking use which is a four month period, the fact that the development does not interfere with the 'rugby season' and with the operation of the rugby club facilities or grounds, the number of car parking spaces to be used for campervan parking relative to the overall number of spaces still available on the site which exceeds 50, including the nature of the proposed use being for parking and ancillary use of club and sanitary facilities, I am satisfied that the proposed use is 'ancillary' to the main use of the site for rugby grounds. I am also satisfied that the proposed campervan use does not interfere with the operational needs of the rugby club. The proposed use relies on the permitted parent use for its existence. I consider that the proposed use is 'ancillary' to the main rugby club use of the site.
- 8.2.5. Section 13.4 Ancillary Uses of the CDP states that developments which are ancillary to the parent use *"should be considered on their merits irrespective of what category the ancillary development is listed in the zoning objectives, vision and use classes section of this chapter"*. Objective ZO4 Ancillary Uses is to *'ensure that developments ancillary to the parent use of a site are considered on their merits'*.
- 8.2.6. Having regard to the definitions of uses set out in 'Appendix 7 Technical guidance' I consider that the proposed campervan use is 'campsite' or 'caravan park – holiday'. These uses are not referenced in the zoning use class table. I am satisfied that the proposed development is ancillary to the main permitted use on the site and as such, the proposal can be progressed for consideration under the provisions of Section 13.4 and objective ZO4. As such, I consider that the proposal is acceptable in principle subject to a consideration of the overall merits of the proposal.
- 8.2.7. The CDP contains objectives to support the development of sustainable tourism in the rural area (EEO52), tourism infrastructure and facilities (EEP22), rural based tourism (EEO49), appropriately located campsites (EEO59) and campsites adjacent to settlements (EEO60). I also note that the Core Strategy and Settlement Strategy of the CDP identifies the role of each settlement. Malahide is a self sustaining town that is to focus investment in services, employment and infrastructure. The CDP acknowledges that the town benefits from a high quality built and natural environment with exceptional amenity and tourism offer due to Malahide Castle and Demesne, the coastal environment, strong built heritage

and excellent public transport accessibility. Objective EEO11 is to ensure that Malahide maximises economic potential arising from tourism. The site is located in proximity to Broadmeadow estuary and coastal walk and is within easy reach of the services and facilities in the town including the Seabury shopping centre and Seabury Park playground (c 15 min walk) and sailing and boating club (c 13 min walk). Finally, I note that the High Amenity zoning objective recognises the amenity potential of these zoned areas and recognises that there is potential to increase public access in these areas. I consider that the proposal to provide for the needs of campervan visitors in this amenity area is in line with the 'vision' for the area and is an appropriate type of development at this location.

8.2.8. I am satisfied that the proposal to provide facilities for campervans at the rugby club site adjacent to the settlement of Malahide is in accordance with higher order objectives to support tourism. I am satisfied that in principle, the proposal is an acceptable use at this site on HA zoned lands. I do not consider that the proposed development materially contravenes the HA zoning objective.

8.3. **Visual impact**

8.3.1. The zoning objective is to 'protect and enhance' this High Amenity area. The vision states there is a need to 'protect these highly sensitive and scenic locations from inappropriate development'. The site is located on land designated under the CDP Landscape Character Assessment as having a 'highly sensitive' landscape. The site is within a 'estuary' landscape character type which is of exceptional value.

8.3.2. The planning authority refused permission for reason no. 3 which indicates that the proposed development is contrary to objectives GINHO58 and GINHO67 of the CDP.

8.3.3. Objective GINHO58 (sensitive areas) is to resist development such as caravan parks and campsites which would interfere with the character of highly sensitive areas or with a view of prospect of special amenity value which it is necessary to preserve. Objective GINHO59 (development and sensitive areas) is to ensure that new development does not impinge in any significant way on the character, integrity and distinctiveness of a highly sensitive area and does not detract from scenic value. New development will not be permitted if it causes unacceptable visual harm, introduces incongruous landscape elements or causes disturbance to the landscape. Objective GINHO67 (development and high amenity areas) is to ensure that development reflects and reinforces the distinctiveness and sense of place of High Amenity Areas.

- 8.3.4. There are preserved views in the vicinity along Estuary Road, to the east and extending around the coastline of the estuary at Seapoint. Policy GINHP26 (preservation of views and prospects) is to preserve views and prospects of natural beauty and objective GINHO60 (protection of views and prospects) is to protect views and prospects that contribute to the character of landscape from inappropriate development.
- 8.3.5. Objective GINHO61 (landscape/ visual assessment) requires a landscape / visual impact assessment to accompany planning applications for significant proposals that are likely to affect views and prospects. Having regard to the nature and scale of the proposal, I do not consider that this is a significant proposal that is likely to affect views and prospects and as such I do not consider that a landscape / visual impact assessment is required under GINHO61.
- 8.3.6. It is proposed to allow campervans park within the existing car park. The use of the car park for parking of vehicles is already established. The standard height of a typical car or SUV is c 1.5m – 2m. The standard height of a campervan is c 2m-3m. The rugby club grounds rise from the road towards the southern rear boundary of the site. The car park and pitches are on elevated lands above the Estuary Road. There is planting located along the grassed open space bank that extends along the roadside boundary. The car park is setback behind the front rugby pitch and levels of the car park are below the front pitch. The car park is flanked by banking along its northern and southern side and there is some soft landscaping and planting in the car park area. The upper pitch is c 2.6m above the car park. There is extensive mature planting along the eastern boundary to the grounds and along the western boundary to the driveway and car park which provides substantial screening in views towards the site from the west and east of the site.
- 8.3.7. As per site visit, I have considered the views towards the development site and have considered the likelihood of the development affecting preserved views and prospects from the surrounding area.
- 8.3.8. From the Estuary Road, the car park and the upper pitches are not visible. Views are obscured due to the setback of the car park and location behind the front pitch including the intervening topography, structures and vegetation. I do not consider that campervan parking in the car park would be significantly visible from the Estuary Road or coastal walkway.

- 8.3.9. I have considered the view at Hutchinson's Strand on the northern side of the estuary. Due to the distance to the car park (c 700m) and to intervening vegetation and topography, I do not consider that it is likely that the campervan parking would be highly visible in views across the estuary.
- 8.3.10. I have considered the view from Ballymadrough on the northern side of the estuary. Due to the distance to the car park across the estuary (c 950m) I do not consider that it is likely that the campervan parking would be visible in views across the estuary.
- 8.3.11. The development would not be visible from Malahide Park open space to the east of the site due to extensive vegetation screening along the western side of the park.
- 8.3.12. I do not consider that the proposed development would adversely impact on views or prospects in the area and the proposal would not be contrary to GINHO60 or GINHP26.
- 8.3.13. I do not consider that the proposed development would result in unacceptable visual harm to the landscape or be incongruous in this landscape and would not result in loss of landscape or any elements that contributes to local distinctiveness. I do not consider that the proposed development would impinge on the character, integrity or distinctiveness or scenic value of the area. The proposal would not be contrary to objective GINHO59 which relates to development in sensitive areas and would not be contrary to objective GINHO67 which relates to development and high amenity areas. I do not consider that the development would interfere with the character of the area or with views or prospects and the proposal is not contrary to GINHO58.

8.4. Facilities for campervan users

- 8.4.1. The planning authority raised concerns that there is insufficient information regarding facilities for the campervan users including measures for the proposed disposal of chemical toilet waste and grey water, e.g. from sinks and showers. The applicant's appeal submission indicates that campervan guests will avail of toilet and shower facilities in the clubhouse, grey water will be disposed of in the club house and water will be sourced from mains water supply. The appeal submission includes a drawing showing the layout of changing rooms, showers and wcs in the clubhouse which will be available to visitors. The applicant contends that campervans will not be using chemical toilets or other facilities within the campervans themselves as all sanitary facilities will be provided in the clubhouse. I have concerns in relation to these proposals. I consider that it is unlikely that campervan visitors will rely exclusively on the clubhouse facilities. No dedicated facilities

are provided for the safe collection and disposal of chemical wastewater or greywater from the campervans. In the absence of these facilities, I have concerns that there is potential for campervan users to dispose of wastewater and greywater in an unregulated manner with potential for pollution of receiving waterbodies including potential for direct discharge to drains that connect to the estuary, discharge to the ground or to discharge directly to estuary which is located in close proximity.

- 8.4.2. The failure to provide for the satisfactory disposal of wastewater and greywater from campervans would result in a development that has potential to result in unacceptable pollution of water bodies and which is prejudicial to public health.
- 8.4.3. The proposals for the management of domestic waste from campervan users are unclear. There is a risk of adverse impacts on the environment by reason of unregulated waste disposal.
- 8.4.4. In terms of lighting, the car park will benefit from existing lighting in the car park.

8.5. Appropriate Assessment

- 8.5.1. The car park is located c 150m from the Malahide Estuary SAC and SPA. The planning authority has refused permission for reason no. 2 which states that the proposed development is contrary to objective DMSO1 and DMSO145 of the CDP. The refusal reason raises that insufficient information has been submitted and it cannot be concluded that the proposal would not result in water pollution, danger to human health and the environment and that there is insufficient evidence to show that the proposal would not result in adverse impacts on the conservation objectives of European sites.
- 8.5.2. Objective DMSO145 (screening for appropriate assessment) is to ensure that sufficient information is provided to enable screening for appropriate assessment to be undertaken and to enable a fully informed assessment of impacts on biodiversity. Objective DMSO1 (screening for appropriate assessment) is to ensure that all projects which could have a significant effect on a European site are subject to screening for appropriate assessment. The applicant has submitted an appropriate assessment. This satisfies the requirements of DMSO1.
- 8.5.3. I have carried out a detailed screening assessment which is set out in the appendix to this report. 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 could result in significant effect on the Malahide Estuary SAC and Malahide Estuary SPA in view of the sites conservation objectives of these sites.

8.5.4. This determination is based on:

- the information submitted with the application and appeal including the submitted screening report,
- the close proximity of the site to the Malahide Estuary SAC and Malahide Estuary SPA,
- the absence of proposals for the collection and disposal of foul wastewater from chemical toilets and grey water from campervans,
- absence of proposals for the disposal of domestic waste from campervan users,
- the uncertainty and potential for pathways to the Malahide Estuary SAC and Malahide Estuary SPA.

No Natura Impact Statement is submitted.

The Commission is precluded from granting permission under the provisions of Article 6(3) of the Habitats Directive.

9.0 Water Framework Directive

9.1. I have carried out a Water Framework Directive screening assessment which is set out in the appendix to this report. An assessment of the proposed development has been undertaken with regard to the objectives set out in Article 4 of the EU Water Framework Directive. The receiving water environment has been identified and assessed. Having regard to the nature, scale and location of the proposed development, I have been unable to conclude that the proposed development would not result in deterioration of surface water or ground water bodies and would not increase pollutant loading of any receiving water body. I am not satisfied that the proposed development would not give rise to a risk of deterioration in ecological and / or chemical status of waterbodies and the proposed development would therefore be contrary to the requirements of Article 4 of EU Water Framework Directive and would be inconsistent with the objectives of the Water Action Plan 2024.

10.0 Recommendation

I recommend refusal of permission.

11.0 Reasons and Considerations

1. Having regard to

- the location and nature of the proposed development in proximity to Malahide Estuary SAC and Malahide Estuary SPA,
- the absence of dedicated measures to provide for the safe collection and disposal of wastewater and greywater from campervans and absence of measures for domestic waste disposal,
- the uncertainty and potential for pathways to the Malahide Estuary SAC and Malahide Estuary SPA,

It is considered that the Commission is unable to ascertain, as required by Regulation 27(3) of the European Communities (Natural Habitats) Regulations, 1997, that the proposed development will not adversely affect the integrity of a European site.

Furthermore, under the Water Framework Directive, the Broadmeadow Water transitional water body is designated a 'moderate' status water body which is 'at risk' and the Dublin ground water body is of 'good status'. The Commission is not satisfied that the proposed development would not give rise to a risk of deterioration in the ecological and/or chemical status of these water bodies. The proposed development would therefore be contrary to the requirements of Article 4 of the EU Water Framework Directive (2000/60/EC), as transposed into Irish law by the European Communities (Water Policy) Regulations 2003 (S.I. No. 722 of 2003), as

amended, and would be inconsistent with the objectives of the Water Action Plan 2024.

The failure to provide for the satisfactory disposal of wastewater and greywater from campervans would result in a development that would be prejudicial to public health.

The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

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

Aisling Mac Namara
Planning Inspector

19th June 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	500980
Proposed Development Summary	3 year period for campervan parking
Development Address	Malahide Rugby Club, Estuary Road, Malahide, Co. Dublin, K36 R654
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. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	State the Class and state the relevant threshold
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 ☐	Screening Determination required (Complete Form 3)
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____

Date: _____

Appendix 2: AA Screening Determination Template Test for likely significant effects

Screening for Appropriate Assessment Test for likely significant effects	
Step 1: Description of the project and local site characteristics	
Brief description of project	3 year period for campervan parking. Campervan visitors will have access to sanitary facilities within clubhouse for visitors.
Brief description of development site characteristics and potential impact mechanisms	Existing car park at existing rugby club grounds. Site is in proximity to Natura 2000 sites at Broadmeadow Estuary.
Screening report	Yes submitted with appeal. ‘Screening Report for Appropriate Assessment of proposed development at Malahide Rugby Club, Estuary Road, Malahide, Co.Dublin’ (Openfield Ecological Services, March 2026) Concludes: <i>Mitigation in an AA context is given as any measure which is introduced in order to avoid or reduce an impact to a Natura 2000 site. In this case no mitigation measures are suggested during either the construction or operation phases. This project has been screened for AA under the appropriate methodology. It has found that significant effects are not likely to arise, either individually or in combination with other plans or projects to the Natura 2000 network. This conclusion is based on best scientific knowledge. No scientific effects are likely to arise to the Malahide Estuary SAC or SPA or any other Natura 2000 site.</i>
Natura Impact Statement	No

Relevant submissions	Third party submission at application stage raises concerns over impacts to Natura 2000 sites.			
Planning authority	Planning authority refusal reason no. 2 states that insufficient information is submitted to enable screening for appropriate assessment to be undertaken. There is a lack of evidence that the proposals would not result in a significant impact on Natura 2000 site conservation objectives. Planners report raises concerns regarding lack of details in relation to proposed disposal of grey water or chemical toilet waste and lack of details regarding pathways between the project site and Natura 2000 sites.			
Step 2. Identification of relevant European sites within zone of influence 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
Malahide Estuary SAC 000205	Mudflats and sandflats not covered by seawater at low tide [1140] Salicornia and other annuals colonising mud and sand [1310] Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330] Mediterranean salt meadows (Juncetalia maritimi) [1410] Shifting dunes along the shoreline with Ammophila arenaria (white dunes) [2120] Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130] Conservation objectives: NPWS Conservation Objectives Series, 2013	25m from site boundary. The subject car park is c 150m from the SAC.	Indirect	yes

Malahide Estuary SPA 004025	Great Crested Grebe (<i>Podiceps cristatus</i>) [A005] Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] Shelduck (<i>Tadorna tadorna</i>) [A048] Pintail (<i>Anas acuta</i>) [A054] Goldeneye (<i>Bucephala clangula</i>) [A067] Red-breasted Merganser (<i>Mergus serrator</i>) [A069] Oystercatcher (<i>Haematopus ostralegus</i>) [A130] Golden Plover (<i>Pluvialis apricaria</i>) [A140] Grey Plover (<i>Pluvialis squatarola</i>) [A141] Knot (<i>Calidris canutus</i>) [A143] Dunlin (<i>Calidris alpina</i>) [A149] Black-tailed Godwit (<i>Limosa limosa</i>) [A156] Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157] Redshank (<i>Tringa totanus</i>) [A162] Wetland and Waterbirds [A999] Conservation objectives: NPWS Conservation Objectives Series, 2013	28m from site boundary. The subject car park is c 150m from the SPA	Indirect	yes
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North-West Irish Sea SPA 004236	Red-throated Diver (<i>Gavia stellata</i>) [A001] Great Northern Diver (<i>Gavia immer</i>) [A003] Fulmar (<i>Fulmarus glacialis</i>) [A009] Manx Shearwater (<i>Puffinus puffinus</i>) [A013] Cormorant (<i>Phalacrocorax carbo</i>) [A017] Shag (<i>Phalacrocorax aristotelis</i>) [A018] Common Scoter (<i>Melanitta nigra</i>) [A065] Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] Common Gull (<i>Larus canus</i>) [A182] Lesser Black-backed Gull (<i>Larus fuscus</i>) [A183] Herring Gull (<i>Larus argentatus</i>) [A184] Great Black-backed Gull (<i>Larus marinus</i>) [A187] Kittiwake (<i>Rissa tridactyla</i>) [A188] Roseate Tern (<i>Sterna dougallii</i>) [A192] Common Tern (<i>Sterna hirundo</i>) [A193] Arctic Tern (<i>Sterna paradisaea</i>) [A194] Guillemot (<i>Uria aalge</i>) [A199] Razorbill (<i>Alca torda</i>) [A200] Puffin (<i>Fratercula arctica</i>) [A204]	c 3.8km	No significant hydrological or ecological connections.	no
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	Little Gull (<i>Hydrocoloeus minutus</i>) [A862] Little Tern (<i>Sternula albifrons</i>) [A885] Conservation objectives: NPWS Conservation Objectives Series, 2023			
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 and conservation objectives	Possibility of significant effects (alone) in view of the conservation objectives of the site		
Malahide Estuary SAC 000205	As above	Construction impacts: There is no proposed construction. Operational impacts: Disposal of wastewater Lighting Recreational use Noise Disposal of domestic waste	There are no direct impacts in terms of habitat loss. Malahide Estuary SAC (conservation objectives supporting document – coastal habitats, NPWS) states in section 1 that the main threats affecting this site are recreational activities, water pollution and infilling. ‘The Status of EU Protected Habitats and Species in Ireland’ (Dept. Culture Heritage and Gaeltacht, 2019) states that ‘tidal mudflats and sandflats’ (1140) are at risk from wastewater. The applicant states that visitors will avail of the sanitary services in the club house. There is no information provided regarding disposal of the waste from chemical toilets and grey water waste from washing up etc.	

			There is a risk that visitors may dispose of chemical toilet waste via standard toilets or estuary. This may result in degradation of water quality. There is a risk that visitors may disposal of grey water waste directly into existing surface water drains that connect to estuary or directly to estuary. This may result in degradation of water quality. There is no information on disposal of domestic waste / litter. There is a risk of pollution and degradation of SAC habitat. This is a serviced urban area with footpath near the entrance to the site which extends along the coastline of the estuary. It is unlikely that the development would result in significant risks to the SAC by virtue of unmanaged recreational use. There are no QI species in the SAC that would be impacted by noise or lighting. Possibility of significant effects cannot be ruled out.
		Likelihood of significant effects from proposed development (alone): yes	
		If No, is there likelihood of significant effects occurring in combination with other plans or projects?	
Malahide Estuary SPA 004025	As above	Construction impacts: There is no proposed construction. Operational impacts:	There are no direct impacts in terms of habitat loss. The applicant states that visitors will avail of the sanitary services

		Disposal of wastewater Lighting Recreational use Noise Disposal of domestic waste	in the club house. There is no information provided regarding disposal of the waste from chemical toilets and grey water waste from washing up etc. There is a risk that visitors may dispose of chemical toilet waste via standard toilets or estuary. This may result in degradation of water quality. There is a risk that visitors may disposal of grey water waste directly into existing surface water drains that connect to estuary or directly to estuary. This may result in degradation of water quality. There is no information on disposal of domestic waste / litter. There is a risk of pollution to SPA. The car park is already provided with lighting. There is unlikely to be any new significant effects arising from lighting for campervan users. Due to distance of car park from SPA, it is unlikely that noise would disturb birds. Oystercatcher and other species use the front pitch for feeding in winter. This pitch is not impacted by the proposed development. The car park use is well established and the proposal to use for campervans in summer season is not likely to result in significant effects. Increased tourism and recreational use has some potential to disturb birds, e.g. dog walking, boating, fishing etc. however the development is of moderate scale and seasonal duration and these recreational
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			uses are established in this area. Significant impacts are not likely. Possibility of significant effects cannot be ruled out.
		Likelihood of significant effects from proposed development (alone): yes	
		If No, is there likelihood of significant effects occurring in combination with other plans or projects?	
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			

Conclusion:

Having regard to the number of campervan proposed, the proximity of the site to Malahide Estuary SAC and Malahide Estuary SPA and to the absence of measures for the safe collection and disposal of wastewater and grey water from campervans, there is potential for unregulated discharge of polluted waters into drains that connect to the estuary or for discharge directly into the estuary. There is also an absence of proposals for the safe collection and management of domestic waste associated with the campervans with risk of littering or dumping of material near the European sites.

It is not possible to exclude the possibility that the proposed development alone would result in significant effects on the Malahide Estuary SAC and Malahide Estuary SPA from effects associated with potential negative effects on this water-based habitat by reason of potential degradation of water quality and degradation of the habitat by waste pollution.

Screening Determination

Significant effects cannot be excluded

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development could result in significant effect on the Malahide Estuary SAC and Malahide Estuary SPA in view of the sites conservation objectives of these sites.

This determination is based on:

- the information submitted with the application and appeal including the submitted screening report,
- the close proximity of the site to the Malahide Estuary SAC and Malahide Estuary SPA,
- the absence of proposals for the for the collection and disposal of foul wastewater from chemical toilets and grey water from campervans,
- absence of proposals for the disposal of domestic waste from campervan users,
- the uncertainty and potential for pathways to the Malahide Estuary SAC and Malahide Estuary SPA.

No Natura Impact Statement is submitted.

The Commission is precluded from granting permission under the provisions of Article 6(3) of the Habitats Directive.

Appendix 4: Water Framework Directive Screening

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Bord Pleanála ref. no.	500980	Townland, address	Malahide Rugby Club, Estuary Road, Malahide, Co. Dublin
Description of project		Three year temporary permission for summer season campervan parking for 20 units.	
Brief site description, relevant to WFD Screening		No surface water bodies on site.	
Proposed surface water details		Existing car park – no change to existing storm water collection and disposal measures.	
Proposed water supply source & available capacity		Existing club house facilities.	
Proposed wastewater treatment system & available capacity		Existing club house facilities. Public sewer connects to Malahide WWTP. UE Capacity Register 2026 indicates that Malahide WWTP has spare capacity available.	
Other issues		20 no. campervans with chemical toilets and wash up / shower facilities. No dedicated facilities are provided on site for collection and disposal of chemical wastewater or grey water.	
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?
Transitional	Broadmeadow Water	Moderate	At risk	Domestic Waste Water Urban Waste Water	Wastewater drainage	Lack of information provided.	Potential adverse impacts.
Ground	Dublin	Good	Review		Wastewater drainage	Lack of information provided.	Potential adverse impacts.