



An  
Coimisiún  
Pleanála

**Direction**  
**CD-021072-25**  
**ABP-321053-24**

The submissions on this file and the Inspector's report were considered at a meeting held on 22/10/2025.

The Commission decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

#### **Planning**

**Commissioner:**

**Date:** 28/10/2025

  
MaryRose McGovern

#### **DRAFT WORDING FOR ORDER**

#### **Reasons and Considerations**

The submitted Bat Survey, dated 23<sup>rd</sup> June 2024, received by the planning authority as part of the applicant's Further Information response, confirms that there are roosting bats, a protected species, on the proposed development site. Having regard to Annex IV of the EU Habitats Directive, European Communities (Birds and Natural Habitats) Regulations 2011 (as amended), to the Judgement of the Court of Justice of the European Union in relation to Case C-166/22 and to the fact that a Regulation 54 Derogation (previously known as a bat derogation licence) from the National Parks and Wildlife Service (NPWS) has not been submitted with the application documentation, it is considered that the applicant has failed to submit adequate

information in relation to roosting sites for bats within the subject site, to demonstrate that the proposed development would not lead to their disturbance or destruction. The proposal is therefore considered to be inconsistent with the proper planning and sustainable development of the area.

**Note:**

The Commission noted Objective RP5-30 of the Cork County Development Plan 2022-2028, which encourages proposals for the sensitive renovation, redevelopment or replacement of existing uninhabitable or ruinous dwellings, subject to normal proper planning and sustainable development considerations. It also noted the reduced scale of the development proposed by the applicant's Further Information response, to renovate uninhabitable derelict dwellings situated within this coastal "High Value Landscape" area, to the north of Scenic Route S116. The Commission agreed with the Inspector that the proposed design solution mixing some of the old structural elements with new contemporary styles and materials, was innovative and well thought out, and it also agreed that the location and features of the site are such that the development proposed would not be unduly visible from the public realm. The Commission did not however share the opinion of the Inspector that the applicant's Further Information response proposal for the provision of an access track, and a parking and turning area, would urbanise the scenic rural environment, or that it would negatively impact on the character of the area, or be in conflict with Objective HE 16-19 of the Cork County Development Plan 2022-2028, on the basis of the modest scale of the proposed development.

Neither did the Commission share the Inspector's concerns that the rural nature of the local road network would be unsuitable to accommodate the additional traffic associated with the proposed residential accommodation. The Commission did not agree that inadequate sightlines on to the main road would obstruct road users at this remote location, or lead to the creation of a traffic hazard onto the receiving local road, in circumstances where volumes of traffic generated by the proposed development of a single house, would be low. The Commission agreed with the Inspector that traffic movements at the site would not be excessive, once construction works were completed.