



An
Bord
Pleanála

Inspector's Report ABP.313737-22

Development	Erect a dwelling house.
Location	The Doon, Dunderrow, Kinsale Co. Cork
Planning Authority	Cork County Council
Planning Authority Reg. Ref.	22/4611
Applicant(s)	Lorraine Mulcair
Type of Application	Planning permission
Planning Authority Decision	Grant permission s.t. conditions
Type of Appeal	Third party
Appellant(s)	Wayne & Roisin Carroll
Observer(s)	Karen & Joachim Beug
Date of Site Inspection	24 th January 2023
Inspector	Mary Kennelly

1.0 Site Location and Description

- 1.1. The site is located in the townland of Dunderrow, approx. 3km to the northwest of Kinsale Town, between Kinsale and Innishannon. It is a rural area located to the west of Dunderrow village, between the Bandon River and the village. The Bandon/Innishannon to Kinsale road travels through Dunderrow village, which is located on the R605, and the Eli Lilly pharmaceutical plant is located on the eastern side of the main road. To the south of the village, the R605 gives way to the R606, which continues towards Kinsale.
- 1.2. The site is accessed by means of a local road (L7243) and a private lane, which travel westward from the R605, just to the north of the junction with the R606. The local road swings sharply southward at the junction with the lane, at which point a further lane branches off to the north, serving a cluster of houses. The lane leading to the site serves an active farm (The Doon) and Dunderrow Woods, which is at the end of the cul-de-sac. There is a single house at the beginning of the lane, a further house at the woods end of the lane and a newly constructed house between the site and the woods. This is a rural area which is characterised by farmland with a considerable level of one-off houses. It is in close proximity to Cork City and seems to be one which is under considerable pressure for one-off housing, as evidenced by the extent of single houses in the overall area.
- 1.3. The site area is given as 0.285ha. The site is located within a large, relatively flat field to the north of the lane and has frontage to the lane. The site is well screened from the lane by means of mature hedging and vegetation. The site is relatively level, but the ground levels generally fall away to the south. There is an existing entrance from the lane immediately to the west, which serves the newly constructed house on the adjoining site. There are scenic views of the countryside and the Bandon River to the south and west.

2.0 Proposed Development

- 2.1. It is proposed to erect a two-storey house with a stated floor area of 221.9sq.m. The dwelling would be accessed by means of a new entrance from the lane to the south. It is proposed to provide a secondary wastewater treatment system with a percolation area and polishing filter to the front of the house. The proposed

development would be served by a private bored well in the north-eastern corner of the site. A new entrance would be provided, and the proposed house would be set back c.28m from the roadside boundary. Landscaping proposals have been included with the application.

2.2. Information submitted with the application include details of the applicant's connection with the area. A letter from the landowner accompanied the application stating that the applicant had his consent to apply for planning permission and to carry out works to the roadside boundary to achieve necessary sightlines. A supplementary application form together with correspondence were enclosed from the applicant, the school principal of her national school in the local area, birth/baptismal certs, the applicant's parents' GP and the applicant's agent. This correspondence indicates that the applicant grew up in the general vicinity of the site and that her elderly parents live locally (c.1km away). The applicant is her mother's main carer, and she wants to be able to live nearby. She currently rents a property in Kinsale.

3.0 **Planning Authority Decision**

3.1. **Decision**

The planning authority decided to grant permission subject to 12 no. conditions. These were generally of a standard type. Condition 1 imposed a minimum residency period of 7 years with a requirement to enter into a Section 47 agreement with the P.A. and condition 2 required the payment of €4,454.73 as a financial contribution under the GDCS.

3.2. **Planning Authority Reports**

3.2.1. **Planning Reports**

The Planner's initial report (31/08/21) stated that the location of the site is in an **Area Under Strong Urban Influence** in the Cork CDP 2014. It was noted that Objective **RCI 4-2** applied and that required that an applicant must have a genuine rural generated housing need and comply with one of the seven eligibility criteria. It was considered that the applicant had complied with the said objective. It was considered

that the applicant's links to the area were strong as the place that she was brought up in was less than 1km to the east. It was further noted that the applicant's mother had medical needs which required the applicant to live nearby.

The Area Planner noted that permission had been granted for the adjacent dwelling previously (18/4013) and that these owner/occupiers were objecting to the proposed development. The objections included reference to the proximity to the village, where there were more appropriate sites for sale. However, the Area Planner had noted that there were infrastructural deficiencies in Dunderrow Village.

The density of development in the area and access to the site were considered acceptable, although it was acknowledged that the landowner had sold several sites already and that the lane was in poor condition. In general, the Area Planner was satisfied with the development in principle and with the proposed layout and visual/residential amenity impacts.

Permission was recommended.

3.2.2. Other Technical Reports

Area Engineer (6/5/22) – The Area Engineer noted that the private cul de sac was unsealed and 3m wide, but 'in moderate condition'. It was stated that four existing properties were served by this means of access and the lane is straight. The boundary vegetation would have to be maintained, which should be addressed by condition. No further concerns were raised regarding wastewater treatment or surface water disposal.

3.3. Prescribed Bodies

None received.

3.4. Third Party Observations

Two observations were received. The main points may be summarised as follows:

- Inadequate access – the private lane is wholly unsuitable for any further traffic as it is in very poor condition and is hazardous. The use of the lane has increased due to access to the woods for recreational amenity reasons.

- Proximity of wastewater treatment system to their site and the potential impact of overland flow of wastewater and contamination of their bored well. It is disputed that the trial holes and percolation tests were carried out at the time stated.
- Residential amenity – potential impact in terms of overlooking, overshadowing, noise and disturbance and interference with mobile phone reception.
- Density of development – the density of housing in the area is already too great and is excessive for an unserviced rural area. There are properties for sale in Dunderrow village, which would question the need for a further house at this location.

4.0 Planning History

PA Ref. 18/4013 – planning permission **granted** on site for a single dwelling, domestic garage and new entrance on the adjoining site to the west.

5.0 Policy Context

5.1. National Planning Framework

5.1.1. **National Policy Objective 15** Support the sustainable development of rural areas by encouraging growth and arresting decline in areas that have experienced low population growth or decline in recent decades and by managing the growth of areas that are under strong urban influence to avoid over-development, while sustaining vibrant rural communities.

5.1.2. **National Policy Objective 19** makes a distinction between areas under urban influence and elsewhere. It seeks to ensure that the provision of single housing in rural areas under urban influence on the basis of demonstrable economic and social housing need to live at the location, and siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements.

5.2. Sustainable Rural Housing Guidelines for Planning Authorities

These guidelines differentiate between Urban Generated Housing and Rural Generated Housing and directs urban generated housing to towns and cities and lands zoned for such development. Urban generated housing has been identified as development which is haphazard and piecemeal and gives rise to much greater public infrastructure costs. Rural generated housing includes sons and daughters of families living in rural areas and having grown up in the area and perhaps seeking to build their first home near the family place of residence.

5.3. Cork County Development Plan 2022

5.3.1. **Introduction:** - The planning application was considered and determined by the planning authority under the previous development plan for the area, namely the Cork County Development Plan 2014. However, a new Development Plan was adopted on the 25th of April 2022 and came into effect on the 6th of June 2022. The new County Development Plan incorporates the plans for each of the Municipal Districts. The site is located within the West Cork Municipal District which is contained within Volume 5 of the CDP.

5.3.2. In terms of Rural Settlement Policy, the site is located within a **Rural Area Under Strong Urban Influence and Town Greenbelts** which is described as one which is within easy commuting distance of Cork City and Environs and is experiencing pressure from the development of urban generated housing in the countryside. It is stated (5.4.4) that these areas exhibit characteristics such as rapidly rising population, evidence of considerable pressure from the development of (urban generated) housing in the open countryside due to proximity to such urban areas/major transport corridors, pressure on infrastructure such as the local road network and higher levels of environmental and landscape sensitivity.

Policy RP 5-1 – Urban generated housing – discourage urban generated housing in rural areas, which should normally take place in the larger urban centres or towns, villages and other settlements identified in the settlement network. Encourage the provision of a mix of house types in towns and villages to provide an alternative to individual housing in the open countryside.

Policy RP 5-2 – Rural generated housing – sustain and renew established rural communities by facilitating those with a rural generated housing need to live within their rural community. Encourage the provision of a mix of house types in towns and villages to provide an alternative to individual rural housing in the countryside.

Policy RP 5-4 Rural Area Under Strong Urban Influence and Town Greenbelts – applicants must satisfy the P.A. that their proposal constitutes a genuine rural generated housing need based on their social and/or economic links to a particular local rural area, and in this regard, must demonstrate that they comply with one of the following categories of housing need

- a) Farmers, their sons and daughters who wish to build a first home for their permanent occupation on the family farm.
- b) Persons taking over ownership and running of a farm on a full-time basis, who wish to build a first home on the farm for their permanent occupation, where no existing dwelling is available for their own use. The proposed dwelling must be associated with the working and active management of the farm.
- c) Other persons working full time in farming, forestry, inland waterway or marine related occupations for a period of over seven years, in the local rural area where they work and in which they propose to build a first home for their permanent occupation.
- d) Persons who have spent a substantial period of their lives (i.e., over 7 years), living in the local rural area in which they propose to build a first home for their permanent occupation.
- e) Returning emigrants who spent a substantial period of their lives (i.e. over seven years) living in the local rural area in which they propose to build a first home for their permanent occupation, who now wish to return to reside near other immediate family members (mother, father, brother, sister, son, daughter or guardian), to care for elderly immediate family members, to work locally, or to retire.

Policy RP 5-22 Design and Landscaping of New Dwelling Houses and Replacement Dwellings in Rural Areas –

- a) Encourage new dwelling house designs that respect the character, pattern and tradition of existing places, materials and built forms and that fit appropriately into the landscape.
- b) Promote sustainable approaches to dwelling house design by encouraging proposals to be energy efficient in their design, layout and siting.
- c) Foster an innovative approach to design.
- d) Require the appropriate landscaping and screen planting of proposed developments by using predominantly indigenous/local species and groupings.

Objective GI 14-9: Landscape.

- (a) Protect the visual and scenic amenities of County Cork's built and natural environment.
- (b) Landscape issues will be an important factor in all land-use proposals, ensuring that a pro-active view of development is undertaken while maintaining respect for the environment and heritage generally in line with the principle of sustainability.
- (c) Ensure that new development meets high standards of siting and design.
- (d) Protect skylines and ridgelines from development.
- (e) Discourage proposals necessitating the removal of extensive amounts of trees, hedgerows and historic walls or other distinctive boundary treatments.

5.4. Natural Heritage Designations

The are no European Sites in the vicinity of the site. The closest Natura sites are -

- Courtmacsherry Estuary SAC (Site Code 001230) approx. 8km to southwest.
- Courtmacsherry Bay SPA (004219) approx. 8km to the southwest.
- Sovereign Islands SPA (Site code 004124) c. 10km to southeast
- Old Head of Kinsale SPA (Site code 004021) c. 10km to southwest

6.0 The Appeal

6.1. Grounds of Appeal

The main points raised may be summarised as follows:

1. **Density of Rural Housing** - concern is expressed regarding the proximity of the proposed dwelling to the appellant's recently constructed dwelling. This results in an excessive density of development in an unserviced area.
2. **Wastewater treatment** – The proposed development would give rise to potential water pollution due to the proximity of the proposed WWTP to the appellant's bored well and to the downward slope of the land. The veracity of the information submitted in support of the application is questioned, as the dates on which the trial holes were said to have been conducted are disputed.
3. **Inadequate access and traffic hazard** – the site is accessed by means of a private lane which is substandard in width and alignment, is in a very poor condition and is poorly surfaced and maintained. The lane also provides access to Dunderrow Woods, Doon Creek and Doon Farmhouse, as well as several single dwelling houses. In the past two years there has been a huge increase in the use of the private lane to access the woodlands as an amenity. Any further access to this lane would give rise to a potential conflict between pedestrians and vehicles and between vehicles, as two cars cannot pass. Construction traffic would also cause a further deterioration in the condition of the lane.
4. **Lack of public services** – there are no services such as a bus services, national fibre broadband, refuse collection (other than at the entrance to the lane). The proposal will increase demand for the uneconomic extension of public services and community services where they are not planned and would set an undesirable precedent for similar development in the area.
5. **Visual and recreational amenities** – the proposed development will have a visual impact on the rural attractiveness of the area. The site is located within 250m of the amenity area, Dunderrow Woods, and should be protected from further development.

6. **Rural housing policy** – The applicant is required to comply with the rural housing policy in the CDP, regardless of personal circumstances. The information provided by the applicant is disputed in the following respects.
- The applicant's current address at Compass Quay Kinsale is 7 minutes-drive from the family home (and not [15 minutes] as stated in application).
 - The applicant and her husband have been living in Kinsale for a considerable period of time and not in the local area.
 - The applicant and her husband own several properties in the Kinsale area and have been in the process of selling some of these recently, some of which are not far from the family home (examples/details provided).
 - The site is not adjacent to the family home or on family-owned lands. It is located a similar distance from the family home to several sites for sale in the area. There are also sites for sale within the development boundary for Dunderrow Village.

6.2. **Planning Authority Response**

The P.A. responded to the grounds of appeal on the 4th of July 2022. No further comments were made.

6.3. **First Party Response**

6.3.1. The first party responded to the grounds of appeal on the 4th of July 2022. This was in the form of a rebuttal of the grounds and no new material planning issues were raised. However, the following points of note were made:

- The wastewater treatment system complies with all separation distances and required standards. The trial holes were dug at the times specified.
- The proposed dwelling was designed to minimise any overlooking and to avoid any loss of privacy to the neighbouring dwelling. Due to the orientation of the properties, there would be no overshadowing or loss of light.
- The applicant has never owned or built a property in a rural area.

6.4. Observations

6.4.1. An observation was submitted by another owner/occupier on the lane, Katherine and Joachim Beug. In general, the submission supports the grounds of appeal. The main focus of the observation relates to the inadequate access by reason of the unsuitability of the lane and the existing level of traffic using it, and reference is also made to the pattern of development and impact on the visual and recreational amenity of the area. The following additional points have been made regarding the access lane -

- The original purpose of the lane was to serve the historic 18th century farmhouse and farmyard, The Doon, and as a result, the design of the lane is substandard in width and alignment. There are no lay-bys or passing bays on the lane which sustains one-way traffic only. Visibility is challenged by vegetation and bends in the lane.
- The condition of the lane is significantly worse than that reported by the Area Engineer, particularly at sugar beet harvesting time or in wet weather.
- In the 1930s the woods were replanted and now the lane provides access to this facility also. Coillte generates a significant amount of traffic on the lane with 20-50 car trips per day.
- In recent years, four houses have been constructed on the lane. Thus, the proposed development would result in a sixth property. However, the landowner that has sold these sites does not contribute to the upkeep. Neither has the local authority provided any money towards the upgrade of the lane.

7.0 Planning Assessment

7.1. It is considered that the main issues arising from the appeal are as follows: -

- Rural Settlement Policy
- Traffic hazard and adequacy of access
- Adequacy of wastewater treatment and water supply
- Landscape and visual amenity

7.2. Compliance with Rural Settlement Policy

7.2.1. The site is located in a Rural Area Under Strong Urban Influence, due to its proximity to Cork City and Environs. Such areas have been identified in the CDP due to the intense pressure that they have sustained for urban generated development in a rural area. It is clear that the area within which the site is located is one which has experienced intense pressure for one-off housing, as evidenced by the proliferation of such development throughout the area.

7.2.2. As noted above, the Cork County Development Plan (2014), which was in place at the time that the planning authority made its decision, has since been replaced by the new operative Plan (2022). The rural housing policies in the new CDP (Chapter 5) are similar to the those in the previous Plan (Chapter 4) and seek to facilitate housing need requirements of rural communities, particularly for immediate family members on family farms/landholdings, while directing urban generated housing into towns and villages. The policy in Areas Under Strong Urban Pressure (RP 5-4) is a little more restrictive in that the applicant must show a genuine rural housing need in the local rural area. This can be demonstrated if the applicant is the owner of a landholding, or taking over ownership and running of the farm, on a full time basis, or the applicant is engaged full-time in working in farming, forestry or in essential rural activities for at least 7 years in the local area where they work, or has spent a substantial period (7 years) of their lives living in the particular rural area and wish to build their first home for their permanent occupation. The final criterion is where the application is being made by a 'returning emigrants' who wish to live in the local rural area in which they have spent a substantial period of time (min. 7 years) for either family or work reasons or to retire.

7.2.3. The Sustainable Rural Housing Guidelines (2005) state that development driven by urban areas should take place within the built-up areas, and that a distinction should be drawn between development that is needed to sustain rural communities and that which tends to take place in the environs of towns, which should more appropriately take place within urban areas. The Guidelines also state that urban generated housing can give rise to haphazard and piecemeal development with problems such as disorderly and inefficient patterns of development, obstruction of alignment of future infrastructure projects, undermining of investment in infrastructure and higher public expenditure. Such development is clearly unsustainable and is likely to create

additional and unnecessary problems for the supply of infrastructure and services and to increase car dependency and high energy use.

7.2.4. The policies set out in the Sustainable Rural Housing Guidelines have been reinforced in the more recently published National Framework Plan (2018). Relevant policies include National Policy Objective 15, which seeks to support the sustainable development of rural areas by managing the growth of areas that are under strong urban influence to avoid over-development, while sustaining vibrant rural communities. National Policy Objective 19 seeks to ensure that in providing for the development of rural housing, that a distinction is made between areas under urban influence (i.e., within the commuter catchment of cities and large towns) and elsewhere. In rural areas under strong urban influence, it is the policy to facilitate the provision of single housing in the countryside based on the core consideration of demonstrable economic and social need to live in a rural area, having regard to the viability of small towns and rural settings. Thus, it continues to be necessary to demonstrate a functional economic or social requirement for housing need in these areas that are under intense pressure.

7.2.5. It is clear therefore, that the overall settlement strategy, which is consistently expressed in the hierarchy of national and local policies and plans, is to seek to prevent urban sprawl and to ensure that development takes place in appropriate locations in a sustainable manner which protects the vibrancy of rural communities, but in such a way that it does not give rise to long term problems for both the urban centres and for the rural environment. It is equally clear that the area in which the site is located is one which has been subjected to very intense pressure in the recent past.

7.2.6. The appellants claim that the applicant's housing need does not accord with any of the criteria set out in RP 5-4. She is not the owner or operator of the landholding, is not engaged full-time in either farming, forestry, or other rural-based activities and is not a returning emigrant. It is further claimed that this would not be 'her first home' as she and her husband have owned and own other properties in Kinsale, which they are in the process of selling. Details of the location of some of these properties is given but no firm evidence to substantiate these claims is provided. In response, the first party states that she has never owned or built a property in *a rural area*. In response to Question 5.1 of the planning application form, the applicant also stated

that she does not and had never owned a residential property. It is further claimed that the appellant is a cousin of the applicant and that the objections are not entirely objective.

7.2.7. It is clear from the evidence provided that the applicant has lived in the local rural area for the required period of time, (7 years - RP 5-4(d)). Although there is some doubt regarding the issue of whether this would constitute 'building her first home', there is insufficient evidence before the Board to dispute this. Furthermore, the applicant has provided evidence to support her submission that she provides care for her elderly mother, who has dementia, and who lives approx. 1km to the east of the site. Thus, on the basis of the information provided, it is considered that the applicant has demonstrated a rural generated housing need and a social need to live in this particular area. Although it could be argued that this housing need could easily be accommodated within one of the nearby settlements, such as Dunderrow or Kinsale or in an existing house on the market within the overall area, this does not negate the applicant's claims that she complies with one of the criteria of RP 5-4. Thus, in conclusion, it is considered that the applicant has demonstrated a rural housing need within this local area in accordance with the settlement policy for the area as set out in RP 5-4 of the 2022 CDP.

7.3. Traffic hazard and adequacy of access

7.3.1. The private lane road serving the site is seriously sub-standard in terms width and alignment and particularly in respect of the very poor-quality surface, with numerous potholes and no drainage system. The lane is moderately trafficked, given that it serves four existing one-off houses, a farmhouse with associated farmyard and the amenity facility at the woods. The visibility along the lane is also poor due to alignment and vegetation, particularly given the lack of any passing bays to allow cars and heavy farm/forestry machinery to pass. I would agree with the third-party appellants and observers that the introduction of any additional traffic movements onto the lane would put further pressure on it and give rise to a traffic hazard.

7.3.2. The wider road network serving the site is also very poor. The R605 (Bandon-Kinsale Road) south of the cemetery is very narrow for a regional road, with a predominantly solid single white line in the centre of the road and no hard shoulders. The road also has several sharp bends. There are two junctions providing access to

the local road (L7243) leading to the site, one of which is a Y junction which veers off the main road in the middle of a bend and the second is a T-junction close to a blind bend, both of which are substandard in alignment and hazardous. The road network is also reasonably heavily trafficked given its close proximity to towns such as Kinsale and Bandon, and to Cork City. In addition, the Eli Lilly pharmaceutical plant is located within 1-2km of the site. Thus, any additional traffic movements at these junctions would put further pressure on the regional and local network and would contribute to a traffic hazard.

7.3.3. The L7243 is a narrow winding road with several sharp bends and a mix of residential and agricultural entrances. The entrance to the private lane is located at a junction which is effectively an uncontrolled crossroads or priority junction. On the westerly approach to this junction from the R605, the local road bends sharply to the south with very restricted forward visibility. The other two arms of the junction are formed by the private lane leading westwards and a further private lane leading northwards with limited visibility in a northerly direction. The junction is therefore considered to be substandard and hazardous. These factors, together with the narrow width and winding nature of the road further add to the traffic hazards on the overall road network.

7.3.4. In conclusion, it is considered that the substandard nature and poor condition of the private lane serving the site, taken together with the poor quality of the wider road network from which access is gained to the proposed development, as well as the reasonably busy traffic flow on the overall road network, combine to create a significant traffic hazard in my view. It is considered, therefore, that the additional turning movements generated by the proposed development at this location would endanger public safety by reason of traffic hazard. The proposed development should be refused on these grounds.

7.4. Adequacy of wastewater treatment and water supply

7.4.1. The site is located in an area that is characterised by a Locally Important Aquifer with a high vulnerability. The Groundwater Protection Response is stated as R1 and the Depth to bedrock is 2.1m. The site characterisation form describes the site as a Deep well drained mineral till. The trial holes assessment provided a T value of 49.67. The targets identified were the nearby domestic well (to west) and the

groundwater aquifer. It was stated that all required separation distances from targets have been met in accordance with the EPA Code of Practice 2021.

7.4.2. I can confirm that the GWPR of R1 is consistent with the aquifer type and vulnerability rating as set out in Table E1 of the COP 2021. The trial hole test results also appear to be consistent with the conclusions in the GWPR. In terms of the visual assessment (section 3 of the form), I can confirm that my observations on site are generally consistent with the material submitted in the site characterisation form. I am also satisfied that the separation distances required by Table 6.2 of the COP have been complied with, as shown on the submitted drawings.

7.4.3. The proposed development incorporates a tertiary system and infiltration area for the treatment of wastewater. This involves the installation of a Tricell treatment plant with a polishing filter. The overall percolation area is c.255sq.m in area and the system has been designed for a PE of 6. The appellant's domestic well is located to the northwest of the proposed WWTP. The ground levels are slightly higher on the application site with a stated difference of 1.3m between the proposed distribution box and the appellant's bored well. However, the distance between the two is given as 41.146m, which is consistent with the requirements of the COP. The distance between the two wastewater treatment plants is also considered to be adequate at c.46.8m.

7.4.4. In conclusion, it is considered that the proposed development complies with the requirements of the Code of Practice 2021. I would accept that there are several properties in the area that are served by private wastewater treatment systems and that this is not ideal. However, the number of such developments in proximity to the site is limited. The applicant has rebutted the claims that the trial holes were not dug at the times stated. The information submitted in the site characterisation form appears to be consistent with my visual observations and other desk-based information provided by the applicant. In the absence of any further evidence to the contrary, I would accept that the trial test results appear to be bone fide.

7.5. Landscape and visual amenity

7.5.1. The site is located on a ridge overlooking the Bandon River, which is within the 'Indented Estuarine Coastline' Landscape (Appendix F, CDP 2022), which has a 'Very High Landscape Value' and a 'Very High Landscape Sensitivity'. It is also of

National Landscape Importance. Policies GI 14-9 and GI 14-10 seek to protect such landscapes from inappropriate development. In general, higher standards of development are required in such areas to minimise the visual and environmental impact of development.

7.5.2. The Cork County Rural Design Guide provides guidance on the siting, layout and design of development in rural and coastal areas as follows -

Siting - The aim of site selection is to ensure that development appears visually integrated and sympathetic with its surrounding landscape rather than imposed upon it. It is important to avoid exposure and prominence and to seek shelter and integration with the landscape. The advice is to avoid building on prominent, unsheltered hillside locations and avoid building on ridges.

Layout – Use layout to minimise visual impact by avoiding prominence. Orientate the building with the contours to give an integrated appearance.

Design – proportion, form, scale and massing - simple vernacular style is generally single-storey with a rectilinear plan, usually no more than one room deep, with gable-end or hipped end details.

Proportion – traditional houses maintain a balance between the height, the walls and openings. There should be a high solid-to-void ratio with vertical emphasis of openings.

Scale – extremely important to ensure that the building's size is relative to its surroundings.

Form – should be simple, narrow width, steep roof, vertically proportioned windows, low eaves, central chimney at gable and natural local finishes.

Colour – choice of colour and materials should blend in with local traditions and surrounding buildings. Contrast between roof and walls provides relief and lighter coloured walls with darker roofs are traditional.

7.5.3. The proposed dwelling is set well back into the site, c.28m from the roadside boundary. As the ground levels fall from north to south and from east to west, the house will sit fairly prominently within the site. The site currently forms part of a substantial agricultural field which is under tillage and is not subdivided or bounded by any fencing or landscaping, apart from the roadside boundary. The southern

boundary is defined by some young trees at the southwestern corner, which give way to more mature trees and hedging further to the east. As the site sits on a ridge, it will be quite prominent and exposed in the landscape.

7.5.4. The house is quite substantial in scale and is suburban in its design and appearance. It has quite a deep plan form with a projecting gable at the front and proportions that are urban in character. This is evidenced by the low solid-to void ratio, the non-traditional window pattern, the window openings which break the eaves line and the ornamental elements such as a front porch. The existing roadside boundary planting will be replaced with low level hedging and a site entrance with wing walls. The remainder of the site will be defined by hedging and intermittent tree planting along the perimeter, together with several clumps of trees within the site. The landscaping scheme is considered to be suburban in character, which is likely to draw further attention to the development which would hinder the ability of the house to integrate into the surrounding landscape. Thus, it is inconsistent with the guidance provided in the Rural Design Guide.

7.5.5. In conclusion, given the exposed location of the site within a designated High Value Landscape, combined with the suburban nature of the design and planting scheme, the proposed development is likely to result in a discordant feature in the landscape due to the siting and scale of the proposed dwelling at this location. The proposal would, therefore, result in an inappropriate form of development which would militate against the preservation of the rural environment at this location and would give rise to serious injury to the visual amenities of the area and would be contrary to the policies and objectives of the development plan to ensure high standards of design in such locations.

7.6. Environmental Impact Assessment

7.6.1. The proposed development is for the construction of a single dwelling house and a private wastewater treatment system on a greenfield site in a rural area. Having regard to the nature, size and location of the proposed development, and to the nature of the receiving environment, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

7.7. Appropriate Assessment

7.7.1. The P.A. reports screened out appropriate assessment. It is noted that the closest European sites are Courtmacsherry Estuary SAC (Site Code 001230) and Courtmacsherry Bay SPA (004109), which are located c.8km to the southwest. There is no known hydrological link to the SPA or the SAC. The Sovereign Islands SPA (Site code 004124) and the Old Head of Kinsale SPA (Site code 004021) are located c.10km to the south-east and c.10km to the south-west, respectively. Given the small scale of the development, the distances involved, and the absence of any indication of a hydrological link to the European sites, it is considered that Appropriate Assessment issues can be ruled out at this stage.

8.0 Recommendation

8.1. It is recommended that planning permission be **refused** for the reasons and considerations set out below.

9.0 Reasons and Considerations

1. The site is accessed by means of a narrow, single track lane with no passing bays, which is poorly surfaced and maintained and which provides access to several other dwellings, a farm and a recreational amenity woodland, and by means of a wider local road network serving several settlements and an industrial plant in the vicinity, which is substandard in terms of width and alignment and where sightlines are poor at the junction with the private lane. It is considered that the proposed development would endanger public safety by reason of traffic hazard because of the additional traffic turning movements it would generate on this poorly aligned and substandard road network.
2. Having regard to the location of the site within an attractive rural landscape, on a ridge overlooking the Bandon River, which is designated as a High Value Landscape in the current Cork County Development Plan 2022-2028, wherein it is required that new development is designed to a high standard and visually integrates into the landscape, it is considered that by reason of the large scale and overly suburban design and landscaping of the proposed dwelling, the siting of the development on an elevated ridge, combined with

the need to remove mature roadside vegetation, it is considered that the proposed development would result in a discordant feature which would fail to adequately integrate into the landscape, would militate against the preservation of the rural environment and would seriously injure the visual amenities of the area. The proposed development would, therefore, be contrary to policy objective GI 14-9 of the current Cork County Development Plan and 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, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Mary Kennelly

Senior Planning Inspector

13th July 2023