



An
Bord
Pleanála

Inspector's Report

ABP-319768-24

Development	Construction of a dwelling house, treatment plant, vehicular entrance and all associated site works (previously refused under 234821)
Location	Killeens, Crossbarry, Innishannon, Co. Cork
Planning Authority	Cork County Council
Planning Authority Reg. Ref.	24/4361
Applicant(s)	Christopher Prout
Type of Application	Permission
Planning Authority Decision	Refuse
Type of Appeal	First Party v. Refusal
Appellant(s)	Christopher Prout
Observer(s)	None
Date of Site Inspection	21 January 2025
Inspector	Cáit Ryan

1.0 Site Location and Description

- 1.1. The site is located in Crossbarry, approx. 14km south west of Cork city and approx. 9km north east of Bandon. It is located on the south eastern approach to the village on L-2234-0.
- 1.2. The approx. 0.228ha site is of irregular shape and comprises the side garden of an existing bungalow, and a smaller fenced-off, partially overgrown area at its south eastern end which has an agricultural entrance. It is approx. 50m wide at its north western end and approx. 22m wide along its south eastern boundary. Aughnaboy river runs along the rear (south east) boundary. There are fields on the opposite side of the river.
- 1.3. The site is bounded
 - To north west by the bungalow
 - To south east by a narrow field with a relatively large amount of rushes
 - To north east by its roadside frontage to L-2234-0.
- 1.4. The roadside boundary comprises mature trees and hedgerow. The Cluain na Croise and Glenn Abhainn housing estates are located on the opposite side of the road. There are fields on opposite (south western) side of the river.
- 1.5. The detailing of the existing rear boundary close to the river varies. It includes a wall of less than 1m height incorporating some balustrades, with temporary fencing also in place, and elsewhere comprises a chainlink fence. On site inspection it was noted that the site is generally level, with ground levels slightly lower in the separate fenced-off area to the south east. Levels also slope downwards towards the river, more particularly on the outer (river) side of the wall and fencing. Fern was noted to be growing within the site in the vicinity of the stream, and rushes were noted in the south eastern portion of the site.

2.0 Proposed Development

- 2.1. Permission is sought to construct a 2-storey dwelling house, treatment plant, vehicular entrance and all associated site works. The proposed 4-bedroom, 2-storey house comprises 208sqm.

- 2.2. Documentation lodged includes a cover letter, site suitability assessment and Flood Risk and Drainage Impact Assessments. The site suitability assessment states a secondary treatment system and soil polishing filter are proposed.
- 2.3. In terms of detail, the description of development refers to previous refusal under P.A. Ref. 23/4821.

3.0 Planning Authority Decision

3.1. Decision

The planning authority refused permission for the following 1no. reason:

The proposed development is in an area which is at risk of flooding, bounding the Aughnaboy River and within 'Flood Zone A' as identified in the Cork County Development Plan 2022. Objective WM 11-16 of the County Development Plan reinforces this with the policy stating development should avoid highly and less vulnerable development in these areas where there is a high probability of flooding (Flood Zone A). The proposed development seeks permission for a new highly vulnerable development / dwelling in Flood Zone A. The site does not meet the minimum requirements of a Justification Test. Therefore, the proposed development would be contrary to the recommendations outlined in Section 28 'The Planning System and Flood Risk Management Guidelines' 2009 and therefore contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

Basis for planning authority decision:

Area Planner's report (23 April 2024) includes

- The site is outside any screening zone of Natura 2000 sites.
- Notes the site is within Crossbarry development boundary, the majority of the site is within Flood Zone A and flood engineer and area engineer recommend refusal on flood risk grounds. Recommends refusal.

Senior Executive Planner's report (25/04/2024) endorses recommendation to refuse permission on flood risk grounds, which includes reference to a new highly vulnerable development.

3.2.2. Other Technical Reports

Estates Report (25 March 2024): Recommends refusal. Report notes -

- Site is in Flood Zone A.
- Development Plan Objective WM 11 -15 and Planning System and Flood Risk Management Guidelines, 2009 (hereafter referred to as 'the Guidelines')
- Site is not zoned or otherwise designated for residential development. Does not meet minimum requirements of Justification Test as per Guidelines.
- Peak flows for Aughnaboy River used for the FRA were those in the River Lee CFRAM (Catchment Flood Risk Assessment and Management) report. This report also informs Development Plan Flood Zone mapping for Crossbarry, and are the most accurate modelling outputs available to planning authority.
- As flood maps for Crossbarry are generated by information from CFRAM Study, planning authority can have confidence in accuracy of Flood Zone map
- Table 52 in Council's SFRA (June 2022) undefended sites at risk of flooding, the recommended minimum finished floor levels (FFLs) should be 1% AEP flood + climate change (20% increase in flood flows) + 300mm freeboard. The FFL in proposed development adheres to this.
- There may be potential to situate the house immediately outside the flood zones. Concern is that much of remainder of the site, including wastewater treatment system, will be within flood plain and is confirmed to be at risk from watercourse during extreme flood flows.
- Only mitigation measure is to raise existing ground/FFL of the dwellinghouse and immediate surrounds by approx. 500mm, but this runs risk of reducing available flood storage on site or impacting on floodwater flow paths
- Residential development in Flood Zone A is not appropriate in accordance with Guidelines, DECLG Circular P12/2014 and EU Floods Directive.

Area Engineer (15 April 2024): Recommends refusal on flood grounds, and if over-

ruled, seeks Further Information (FI) relating to sight distances, wastewater treatment system and any wells.

3.3. **Prescribed Bodies**

Uisce Éireann (UÉ) letter dated 21 April 2024 states no objection in principle, and outlines standard observations and conditions.

Inland Fisheries Ireland (IFI) letter dated 4 April 2024 asks that if permission granted, that planning conditions require no interference with bridging, draining or culverting of adjacent river, banks or bankside vegetation without prior IFI approval.

3.4. **Observations to the Planning Authority**

None

4.0 **Planning History**

P.A. Ref. 23/4821: Permission was refused in 2023 for house, treatment plant and vehicular entrance.

P.A Ref. 03/6840: Permission granted in 2004 for 4no. houses, bio-plant, and vehicular entrance. This permission was not implemented.

5.0 **Policy Context**

5.1. **Cork County Development Plan 2022-2028**

The subject site is on unzoned lands within Crossbarry development boundary. Crossbarry is a Village in Bandon Kinsale Municipal District.

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Section 1.2.6 states Crossbarry currently has no waste water treatment facilities and Irish Water's Investment Plan does not provide for investment in this village. There are 116 houses in Crossbarry, based on 2020 Geodirectory (Table 5.1.7 refers).

Section 1.17.1 includes following development boundary objectives for Crossbarry:

DB-01: Within the development boundary encourage the development of up to 33 additional dwelling units during the plan period.

DB-05: Flood Risk All proposals for development within the areas identified as being at risk of flooding will need to comply, as appropriate, and with the provisions of the Ministerial Guidelines – ‘The Planning System and Flood Risk Management’. See Volume One Chapter 11 Water Management.

Vol. 1: Main Policy Material

Objective WM 11-16: Flood Risks – Overall Approach Take the following approach in order to reduce the risk of new development being affected by possible future flooding:

- Avoid development in areas at risk of flooding; and
- Apply the sequential approach to flood risk management based on avoidance, substitution, justification and mitigation of risk.
- Where development in floodplains cannot be avoided, applications for development must meet the definition of Minor Development or have passed the Justification Test for Development Plans in the updated SFRA and can pass the Justification Test for Development Management to the satisfaction of the planning authority.
- Consider the impacts of climate change on the development. In areas where the Justification Test for Development Plans has not been applied, or has been failed, the sequential approach should be applied as follows:
 - In areas where there is a high probability of flooding - ‘Flood Zone A’ - avoid highly and less vulnerable development as described in Section 3 of ‘The Planning System and Flood Risk Management – Guidelines for Planning Authorities’ issued in November 2009 by DoEHLG.
 - In areas where there is a moderate probability of flooding - ‘Flood Zone B’ - avoid ‘highly vulnerable development’ described in section 3 of ‘The Planning System and Flood Risk Management – Guidelines for Planning Authorities’ issued in November 2009 by DoEHLG.
 - In areas where there is low probability of flooding – ‘Flood Zone C’ all uses may be

considered subject to a full consideration of all flood risks.

Objective WM 11-17: Development in Flood Risk Areas outlines that when considering proposals for development, which may be vulnerable to flooding, and that would generally be inappropriate as set out in Table 3.2 of the Guidelines, a range of criteria must be satisfied.

5.2. The Planning System and Flood Risk Management – Guidelines for Planning Authorities, 2009

The core objectives of these Section 28 Guidelines include to avoid inappropriate development in areas at risk of flooding, avoid new developments increasing flood risk elsewhere and ensuring effective management of residual risks for development permitted in floodplains.

5.3. Natural Heritage Designations

The site is not located within or adjacent to any European sites. The nearest European sites are:

- Courtmacsherry Estuary SAC (Site Code 1230) approx. 15km to south west
- Courtmacsherry Bay SPA (Site Code 004219) approx. 15km to south west
- Cork Harbour SPA (Site Code 004030) is approx. 17km to east

Bandon Valley Above Inishannon pNHA (Site Code 001740) is approx. 4km to south west

Bandon Valley Below Inishannon pNHA (Site Code 001515) is approx. 5km to south

5.4. EIA Screening

See Form 1 and Form 2. Having regard to the nature, size and location of the proposed development and to the criteria set out in Schedule 7 of the Regulations I have concluded at preliminary examination that there is no real likelihood of significant effects on the environment arising from the proposed development. EIA, therefore, is not required.

6.0 The Appeal

6.1. Grounds of Appeal

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

- Cites Para. 2.3.5 of Development Plan, including that Flood Zone Maps have been developed as a spatial planning tool and recognises that site specific information may contradict the Flood Zones.
- Detailed site-specific flood risk assessment (SSFRA) includes climate change uplift of 20% to allow for a mid-range future climate change scenario (MRFS)
- Floor level at 37.3m OD provides visual consistency with 37.48m OD floor level of building to north
- Proposed domestic wastewater treatment system (DWWTS) is partially located in 0.1%AEP_MRFS flood zone. Ideally dwelling will connect to village WWTP, which does not have sufficient capacity though funding for upgrade has been allocated. Council allowed DWWTS on 1%AEP floodplain and cites P.A. Ref. 21/5412
- SSFRA modelling shows
 - There will be no impact on flood plain storage
 - No mitigation or flood defences needed
 - No impact on flood pathways and no increased risk to others
 - Existing ground level at dwelling house location is 0.6m above the 1%AEP_MRFS flood water level
- Channel is wide and uniform at site. Nearest bridge is 250m downstream with a deck level of 34.7m OD.
- Local terrain grades to south. There are no significant restrictions. Possibility of exceptional impacts that would exceed available freeboard are low.
- The site meets minimum requirements of 2009 Guidelines Justification Test –
 - It is within village development boundary. Cites Development Plan Objectives DB-01, DB-05 and DB3-2b and Para. 3.5.16.

- SSFRA confirms that dwelling and driveway are at high point on site in Flood Zone C, do not alter terrain and do not increase flood risk elsewhere.
- FFL is raised to maintain streetscape. There are no identified residual risks. Residual risk associated with exceptional events is considered to be negligible. Building works are confined to higher ground. Proposals do not increase flood risk to people, property or the environment
- Proposal is in keeping with residential nature of the locality

6.2. Planning Authority Response

The planning authority confirms that it has no further comment to make.

6.3. Observations

None

7.0 Assessment

7.1. Having examined the application details and all other documentation on file, including the submissions received in relation to the appeal, the reports of the local authority, and having inspected the site, and having regard to the relevant local and national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Flood risk
- Other Issue – Site Servicing

7.2. Flood Risk

Site Location vis-à-vis Flood Zones, Development Plan and the Planning System and Flood Risk Management Guidelines

7.2.1. Based on Development Plan mapping, most of the site is located within Flood Zone A, two minor areas are within Flood Zone B and the northern part of the site is within Flood Zone C. The proposed dwelling and vehicular entrance are shown to be within Flood Zone C. The Development Plan flood zone delineated on site layout shows the proposed wastewater treatment system within the flood zone, although Flood Zones

A and B are not differentiated on this drawing.

- 7.2.2. Although the site is within the Crossbarry development boundary, it is not zoned for residential use or any other use.
- 7.2.3. The Guidelines set out that dwelling houses are a highly vulnerable development. Table 3.2 indicates that highly vulnerable development in Flood Zones A and B requires the Justification Test, and such development in Flood Zone C is appropriate.
- 7.2.4. The Guidelines state (at Box 5.1 Justification Test for Development Management) that when considering proposals for development, which may be vulnerable to flooding, and that would generally be inappropriate as set out in Table 3.2, criteria that must be satisfied include (1) that the lands have been zoned or otherwise designated for the particular use or form of development in a development plan.
- 7.2.5. In this regard I have noted the Guidelines refer to development that 'would generally be inappropriate'. While the proposed dwelling house and vehicular entrance are located in Flood Zone C, having regard however to the location of the wastewater treatment plant and soil polishing/sand filter to serve this dwelling house being located in Flood Zone A or B, I consider it reasonable in this case to assess the proposed development as 'generally inappropriate'.
- 7.2.6. As the subject site is not zoned for residential use or any other land use, I consider that the proposed development does not meet criterion (1) of Box 5.1 of the Guidelines. In addition, Objective WM 11-16: Flood Risks – Overall Approach states the approach to reduce the risk of new development being affected by possible future flooding includes avoiding development in areas at risk of flooding. Refusal of permission on this basis is recommended. Further matters relating to the SSFRA and the Justification Test are outlined further at Survey Details and Proposed Levels.
- 7.2.7. In the event the Board considered that the provision of a house located on Flood Zone C, and which forms a very limited part of the overall site to which primarily Flood Zone A applies, would be acceptable, I draw the Board's attention to the grounds of appeal state which state that the wastewater treatment system is partially located in the 0.1%AEP_MRFS flood zone, and that ideally the dwelling will connect to the village WWTP, which presently does not have sufficient capacity though funding for an upgrade has been allocated.

- 7.2.8. I note that the SSFRA shows (at Fig. 2.6 Modelled profile A-A for 1% AEP_MRFS and 0.1%AEP_MRFS peak flows) the proposed polishing filter would be below 0.1%AEP_MRFS level.
- 7.2.9. I would have concerns with this aspect of the proposal. Notwithstanding that these elements are separate to the dwelling house, I consider that they are an integral part of the proposed development in terms of servicing the dwelling. In addition, while the submitted cover letter states that the applicant will connect and remove the proposed septic system when Crossbarry sewer is updated, I highlight however that the Development Plan outlines (at Section 1.2.6; Vol. 5) that Crossbarry currently has no waste water treatment facilities and Irish Water's Investment Plan does not provide for investment in this village.
- 7.2.10. Having regard therefore to the wastewater treatment system being within a flood zone, and the absence of any timeframe for investment in wastewater treatment facilities in Crossbarry, I consider that this gives rise to an unacceptable level of flood risk and there would be serious public health concerns about discharging final effluent to ground in such a location. Refusal of permission is recommended on this basis.

Survey Details and Proposed Levels

- 7.2.11. The SSFRA states ground levels within the survey area range from 35m OD Malin to over 39m OD, and refers to Fig. 1.2 (Proposed site layout and levels). However, I note that the levels indicated are not easily discernible on Fig. 1.2. In addition, the existing rear boundary is not demarcated on Fig. 1.2, and the river and associated riparian corridor are not apparent.
- 7.2.12. The separate site survey drawing (Drawing .No. P/105) shows various spot levels, although the information shown relates primarily to the north eastern part of the site. Levels are indicated to range from 35.639 at the south eastern end of the site to 36.771 near the north western boundary.
- 7.2.13. The SSFRA states (at Section 2.3: Flood Risk from Fluvial Events) the proposed dwelling will have a FFL of 37.48m OD, the same level as the existing dwelling to the north. However, notwithstanding this detailing regarding finished floor levels, I note that while the proposed dwelling would be located within Flood Zone C, it would be closer to Flood Zone A than the existing house; Fig. 1.3 refers. I note that Section

2.5 (Comparison with CDP mapping) outlines the HECRAS¹ simulations conducted for this FRA are considered to be more reliable than Development Plan mapping due to inclusion of site-specific topographic survey data.

- 7.2.14. Separately, Fig. 3.1 (in Section 3: Drainage Impact Assessment) shows site contours ranging from 36.75 near the proposed house, reducing to 35.00 at the apparent location of the river.
- 7.2.15. The Estates report states the peak flood flows for the Aughnaboy River which were used for the FRA were those in the River Lee CFRAM report, which informs the Development Plan Flood Zone mapping outputs for Crossbarry and are the most accurate modelling outputs available to the planning authority. It states that the proposed finished floor level adheres to the requirements of Table 52 (Recommended Minimum Finished Floor Levels) of the SFRA (June 2022). The report notes that much of site (including wastewater treatment system) is confirmed to be at risk from the adjoining watercourse during extreme flood flows, and measures to raise ground level/finished floor level for the dwelling and immediate surrounds by approx. 500mm may run the risk of reducing the available flood storage on site or impact on flow paths of floodwaters.
- 7.2.16. Having inspected the site, I note that while the south eastern extreme of the site is lower than the area of the proposed dwelling at the northern end, there is currently no discernible 'elevated' area on site. I consider that there is a lack of clarity regarding site levels as the site survey (Drawing P/105) does not cover the entirety of the subject site, and many of the proposed levels shown in Fig 1.2 (SSFRA) are not easily discernible, as outlined previously above. In terms of detail, I note there is no contiguous elevation of the proposed dwelling and associated finished floor levels in the context of the adjoining dwelling to the north.
- 7.2.17. I note that the SSFRA also shows at Appendix B: Site Photographs during Storm Babet, 18 October 2023 flooding in the western corner and in the south eastern area of the subject site; Photos B4 and B6 respectively refer. While the extent of floodwater is not easily discernible on Photo B6, floodwater is more apparent on Photo B4. Photo B3 shows the approximate area of the proposed dwelling. The

¹ This is stated in the submitted SSFRA to be Hydrological Engineering Centre, 2017, HEC-RAS River Analysis System.

detail of this image does not clearly show whether there is flooding on this part of the site or not.

- 7.2.18. Having regard to all information on file, and notwithstanding that the SSFRA states that the HECRAS simulations conducted for this FRA are considered to be more reliable mapping due to site-specific topographic survey data, I consider that it has not been adequately demonstrated on the basis of the submitted site survey (Drawing P/105) and detailing on Fig. 1.2 of the SSFRA that the proposed development would not increase flood risk elsewhere. I consider therefore that it has not been demonstrated that the proposed development would meet criterion (2) of Box 5.1 of the Guidelines and would be not acceptable in terms of flood risk. Refusal of permission is recommended on this basis.

Comparison with P.A. Ref. 23/4821

- 7.2.19. I note the description of development refers to the development previously refused under P.A. Ref. 23/4821. The site layout on that previous application shows the dwelling house to be positioned in the approx. central part of the site, whereby the southern corner of the dwelling was in very close proximity to the river. The sand polishing filter was located close to the boundary with the existing bungalow, and the proposed vehicular entrance was approx. 17m from the south eastern boundary.
- 7.2.20. Accordingly, I note that there are significant changes in the overall site plan relating to the position of the dwelling, wastewater treatment unit and access in the current application, in comparison to that previously refused under P.A. Ref. 23/4821. However, notwithstanding the changes shown, it remains that the proposed development would at risk of flooding, as outlined in the previous section, and that a refusal of permission for the current proposal is recommended.

7.3. Other Issue: Site Servicing

- 7.3.1. In terms of detail, the Area Engineer's report notes the SSFRA and soil suitability assessment state that a soil polishing filter is proposed, in contrast to the sand filter shown on site layout. It also states while the location is serviced by watermain, a site layout showing water sources/domestic wells within 60m radius of the percolation area is required. I note that the Site Characterisation Form on file refers (at Section 3.1) to GSI mapping and site plan, and 'private well serving family home as back up'. However, I consider that the location identified in Fig. 2.7 Wells and Springs (in

Compliance with EPA Guidelines for Treatments Systems at Killeens, Crossbarry) is not sufficiently detailed to ascertain the location of any well(s). In the event the Board was minded to grant permission, it may consider that these matters requires further clarity. However, having regard to the more substantive reason for refusal, it may not be necessary to pursue these matters.

8.0 AA Screening

- 8.1. I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended.

The subject site is located within the Crossbarry development boundary. The Aughnaboy river bounds the site to the rear (south west). The two nearest European sites are Courtmacsherry Estuary SAC (Site Code 1230) and Courtmacsherry Bay SPA (Site Code 004219), both approx. 15km to south west.

I note that information viewed on www.catchments.ie (accessed on 23 January 2025) shows AUGHNABOY (CORK)_010 flows in a south east direction to rear of the subject site. Its EPA name is Aughnaboy (Cork). This watercourse flows into OWENBOY (CORK)_020, which eventually via other receiving surface waterbodies flows into Owenboy Estuary, which thereafter discharges to Cork Harbour. Cork Harbour SPA (Site Code 004030) is approx. 17km east of the subject site.

The proposed development comprises a dwellinghouse, new vehicular entrance and wastewater treatment system.

Having regard to the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any appreciable effect on a European site. The reason for this conclusion is as follows:

- Nature of the works comprising a dwelling, a vehicular entrance and wastewater treatment system
- The distance from the nearest European sites and also the dilution effects within the river such that significant effects on Cork Harbour SPA from the proposed development are not considered likely
- Taking into account screening determination by the local authority, which states the site is outside any screening zone of Natura 2000 sites

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

9.0 Recommendation

It is recommended that permission is refused for the reason set out below.

10.0 Reasons and Considerations

1. The site of the proposed development, which is a highly vulnerable development, is in an area which is at risk of flooding, bounding the Aughnaboy River and within Flood Zones A, B and C, as identified in Cork County Development Plan 2022-2028. Having regard to the nature and scale of the proposed development, including the provision of the wastewater treatment system within the floodplain, the proposed development would be contrary to Objective WM 11-16 Flood Risk – Overall Approach which includes that development in areas at risk of flooding should be avoided. In addition, the site within the Crossbarry development boundary is not zoned and would not therefore meet criterion (1) of Box 5.1 Justification Test for development management of the Planning System and Flood Risk Management Guidelines for Planning Authorities (2009). Furthermore, on the basis of all information on file, the Board is not satisfied that it has been adequately demonstrated that the proposed development would meet criterion (2) of Box 5.1 of the Guidelines, whereby it has not been demonstrated that the proposed development would not increase flood risk elsewhere. The proposed development would therefore be contrary to the provisions of the current County Development Plan and the Planning System and Flood Risk Management Guidelines for Planning Authorities (2009), would be prejudicial to public health and would 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, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Cáit Ryan
Senior Planning Inspector

27 January 2025

Form 1

EIA Pre-Screening

An Bord Pleanála Case Reference	ABP-319768-24		
Proposed Development Summary	Construction of dwelling house, treatment plant, vehicular entrance and all associated site works.		
Development Address	Killeens, Crossbarry, Inishannon, Co. Cork		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	X
		No	
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes	X	Class 10(b)(i) Infrastructural Projects	Proceed to Q3.
No			Tick if relevant. No further action required
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes			EIA Mandatory EIAR required
No	X	Class 10(b) (i) of Part 2 of Schedule 5. Threshold is 500 dwelling units.	Proceed to Q4
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	X		Preliminary examination required (Form 2)

5. Has Schedule 7A information been submitted?		
No	X	Pre-screening determination conclusion remains as above (Q1 to Q4)
Yes		Screening Determination required

Inspector: _____ Date: _____

Form 2

EIA Preliminary Examination

An Bord Pleanála Case Reference	ABP-319768-24
Proposed Development Summary	Construction of dwelling house, treatment plan, vehicular entrance and all associated site works
Development Address	Killeens, Crossbarry, Co. Cork
<p>The Board carried out a preliminary examination [ref. Art. 109(2)(a), Planning and Development regulations 2001, as amended] of at least the nature, size or location of the proposed development, having regard to the criteria set out in Schedule 7 of the Regulations.</p> <p>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</p>	
<p>Characteristics of proposed development</p> <p>(In particular, the size, design, cumulation with existing/proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).</p>	<p>The proposed development comprises the construction of 1 no. dwelling house, wastewater treatment plant, vehicular entrance and all associated site works. The site is located within the side garden of the adjoining dwelling house to north west and adjoining small fenced-off area to south east. No demolition is proposed. The proposed dwelling comprises 208sqm, and site area is approx. 0.228ha. Aughnaboy River is located along the rear (southern western) boundary of the site. The provision of the dwelling, treatment plant and associated site works do not require the use of substantial natural resources,</p>

	<p>or give rise to significant risk of pollution or nuisance. The proposed development, by reason of its type, does not pose a risk of major accident and/or disaster.</p>
<p>Location of development</p> <p>(The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).</p>	<p>The development is located within the Crossbarry development boundary. Aughnaboy river is along the rear site boundary. Most of the site is located within Flood Zone A, with two lesser areas within Flood Zone B.</p> <p>The site is not located within the County Development Plan's identified High Value Landscape. There are no protected structures in the immediate vicinity of the site, the nearest being Crossbarry Bridge (RPS ref. 622) approx. 300m to north west.</p> <p>The nearest recorded monument (viewed on www.archaeology.ie) is CO097-013, a moated site, Annagh More, approx. 650m to south.</p> <p>The nearest European sites are Courtmacsherry Estuary SAC (Site Code 1230) and Courtmacsherry Bay SPA (Site</p>

	<p>Code 004219), approx. 15km to south west, and Cork Harbour SPA (Site Code 004030) approx. 17km to east. The nearest pNHA is Bandon Valley Above Inishannon (Site Code 001740), approx. 4km to south west.</p> <p>Having regard to the distance of the development site to the nearest European sites and to the proposed NHA, the proposed development would not have a significant impact on any European site or other proposed designated site.</p> <p>While noting Aughnaboy river to rear and that most of the site is within Flood Zone A, the subject site is not considered to an environmentally sensitive site.</p>
<p>Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).</p>	<p>There are no other developments under construction adjoining the site. All other developments in the immediate vicinity are established residential uses.</p> <p>While noting that much of the site is located with Flood Zone A, having regard to the modest nature of the proposed development, its location within the Crossbarry development</p>

		boundary, an area removed from sensitive habitats, likely limited magnitude and spatial extent of effects, and the absence of in combination effects, it is considered that there is no potential for significant effects on the environmental factors listed in Section 171A of the Planning and Development Act 2000, as amended.
Conclusion		
Likelihood of Significant Effects	Conclusion in respect of EIA	Yes or No
There is no real likelihood of significant effects on the environment.	EIA is not required.	No
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	Schedule 7A Information required to enable a Screening Determination to be carried out.	
There is a real likelihood of significant effects on the environment.	EIAR required.	

Inspector:

Date:

DP/ADP: _____

Date: _____

(only where Schedule 7A information or EIAR required)