



An
Bord
Pleanála

Inspector's Report

ABP-321822-25

Development	Construction of a house with garage and septic tank and all associated site works.
Location	Farranalough, Newcestown, Co. Cork
Planning Authority	Cork County Council
Planning Authority Reg. Ref.	246183
Applicant(s)	Jennifer O'Donovan.
Type of Application	Permission.
Planning Authority Decision	Refuse
Type of Appeal	First Party
Appellant(s)	Jennifer O'Donovan.
Observer(s)	None.
Date of Site Inspection	16 th April 2025.
Inspector	Jennifer McQuaid

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1.0 Site Location and Description

- 1.1. The subject site (0.304ha) is located within the townland of Farranalough, Newcestown. The site is located in a rural area to the north of a local road, on elevated ground 350m west of Farranalough Crossroads.
- 1.2. The land rises from the local road in a northerly direction. There are extensive views to the south, east and west from the subject site. The family home is located to the east of the site.

2.0 Proposed Development

- 2.1. The proposed development consists of:
 - Construction of a two-storey dwelling
 - Construction of detached domestic garage with first floor storage space,
 - Site entrance
 - Private well and septic tank
 - All ancillary site works.

3.0 Planning Authority Decision

3.1. Decision

Refused for 1 reason:

The objectives of the Cork County Development Plan 2022 place emphasis on protecting the visual amenities of County Cork's natural environment and the importance of siting of development to minimise visual intrusion and designing with the landscape (RP 5-22 and GI 14-9). Having regard to the topography of the site, to the elevated and prominent positioning of the proposed dwelling, together with its overall design and scale, it is considered that the proposed development would form a discordant and obtrusive feature on the rural landscape at this location, would fail to be adequately absorbed and integrated into the rural landscape, would be skyline development when viewed from the south and southeast and would seriously injure

the visual amenities of the area. The proposed development would, therefore, contravene the Objectives RP 5-22(a) and GI 14-9 of the County Development Plan 2022 and would be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- Two storey dwelling will dominate the skyline when viewed from the east and south. There may be another more suitable site on the landholdings.
- Applicant complies with rural housing policy for the area as she lives in the family home and has for over 20 years, she attended the local school and has indicated that she does not own a dwelling.

3.2.2. Other Technical Reports

- Area Engineer: Further information required in relation to compliance with EPA Code of Practice 2021 regarding the location of all wastewater percolation areas & private wells within 70 metre radius of the proposed well with associated spot levels for interpolation purposes.

3.3. Prescribed Bodies

- None

3.4. Third Party Observations

- None

4.0 Planning History

None

Adjoining site:

983965: Permission granted for a dwelling.

5.0 Policy Context

5.1. Development Plan

Cork County Development Plan 2022-2028

Objective RP 5-4: Rural Area Under Strong Urban Influence

The rural area of the Greater Cork Area (Outside Metropolitan Cork) and the Town Greenbelt areas are under significant urban pressure for rural housing. Therefore, applicants must satisfy the Planning Authority 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 the ownership and running of a farm on a full-time basis (or part-time basis where it can be demonstrated that it is the predominant occupation), 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 (or part – time basis where it can be demonstrated that it is the predominant occupation), 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 seven years), living in the local rural area in which they propose a 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. It is not necessary for the applicant to show that they have already returned to Cork, provided they can show that they genuinely intend taking up permanent residence.

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

- (a) Encourage new dwelling house design that respects 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 design by encouraging proposals to be energy efficient in their design, layout and siting, finishes, heating, cooling and energy systems having regard to the need to reduce reliance on fossil fuels and reduce carbon emissions.
- (c) Foster an innovative approach to design that acknowledges the diversity of suitable design solutions in most cases, safeguards the potential for exceptional innovative design in appropriate locations and promotes the added economic, amenity and environmental value of good design.
- (d) Require the appropriate landscaping and screen planting of proposed developments by retention of existing on-site trees hedgerows, historic boundaries, and natural features using predominantly indigenous/local trees and plant species and groupings.

RP 5-1: Urban Generated Housing

Discourage urban-generated housing in rural areas, which should normally take place in the larger urban centres, or the 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.

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 the development is undertaken while

protecting the environment and heritage generally in line with the principles 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.

GI 14-10: Draft Landscape Strategy

Ensure that the management of development throughout the County will have regard for the value of the landscape, its character, distinctiveness and sensitivity as recognised in the Cork County Draft Landscape Strategy and its recommendations, in order to minimise the visual and environmental impact of development, particularly in areas designated as High Value Landscapes where higher development standards (layout, design, landscaping, materials used) will be required.

GI 14-12: General Views and Prospects

Preserve the character of all important views and prospects, particularly sea views, river or lake views, views of unspoilt mountains, upland or coastal landscapes, views of historical or cultural significance (including buildings and townscapes) and views of natural beauty as recognized in the Draft Landscape Strategy.

5.2. Natural Heritage Designations

The site is not located within or adjacent to a protected site. The following are located in close proximity:

- Killaneer House Glen pNHA (Site code: 001062) located 4.4km west.
- Bandon Valley West of Bandon pNHA (Site code: 001034) located 4.7km south.
- Bandon Valley Above Inishannon pNHA (site code: 001740) located 8.8km east.
- Courtmacsherry Estuary SAC & pNHA (site code: 001230) located 13km south.

- Courtmacsherry Bay SPA (site code: 004219) located 13km south.
- The Gearagh SAC & pNHA (site code: 000108) located 14km northwest.
- Bandon River SAC (site code: 002171) located 18km west.

5.3. EIA Screening

- 5.3.1. The proposal relates to the construction of one number dwelling within the rural area of County Cork. The proposal includes an on-site wastewater treatment system with connection to private well and provision of an on-site soakaway for disposal of surface water. Having regard to the limited nature and scale of development and the absence of any significant environmental sensitivity in the vicinity of the site, 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. Please refer to Form 1 & Form 2 as per Appendix 1 below.

6.0 The Appeal

6.1. Grounds of Appeal

The grounds of appeal were received from the applicant, the concerns raised are:

- Principle of Development: Planning Report reference additional lands, these lands are not in the ownership of the applicant or her immediate family or extended family.
- Siting and Design: The valley levels range from c.70m in the south to c.190m in the north, the level across the site range from c.140.5m in the south to c.143.5m in the north and continue to rise to a peak of c.170m approximately 275m north of the site. The dwelling sits at a level of 142.25m. Therefore, the proposed dwelling sits halfway on the slope.

The design and scale align with Cork Rural Design Guide (CRDG). The dwelling comprises of two rectilinear sections in a narrow T plan arrangement.

The design and divide of one storey and two storeys run with the natural slope of the site by creating a stepped roof profile which follows the slope of the site.

The front section of the dwelling is located to the south of the site and maximises light and heat through passive solar gain in the living areas. The entrance to the dwelling is located to the east of the site in order to reduce exposure to the prevailing south westerly winds.

The plot ratio is approximately 0.08. the recommended maximum plot ratio for rural dwellings is 1.00. Therefore, the dwelling is appropriate to the size of the site. The proposed dwelling is c8.2% larger than the neighbouring dwelling but c5.2% lower and therefore appropriate relative to the size of its neighbours. In regard to massing, the dwelling is broken down into two distinct sections which follow the narrow plan form that is typical of the vernacular architecture of rural building.

The dwelling follows the CRDG in regard to settling into and integrated into the site. A comprehensive landscaping plan has been submitted and proposed planting 34 trees and more than 200 individual hedge whips.

Proposal does not contravene objectives RP 5-22(a) of the CDP.

- Visual impact: The site is only intermittently visible from localised sections of the L-6021-0 and L-6020-22, and reject the assertion that the development “would be skyline development when viewed from the south and southeast” and consequently, “would seriously injure the visual amenities of the area”.

Proposal does not contravene objectives GI 14-9 of the CDP.

6.2. Applicant Response

- As above.

6.3. Planning Authority Response

- The Planning Authority are of the opinion that all the relevant issues have been covered in the technical reports already forwarded to the Board. No further comments to make.

6.4. Observations

- None

6.5. Further Responses

- None

7.0 Assessment

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

- Principle of Development
- Siting & Design
- Visual Impact
- Appropriate Assessment

7.2. Principle of Development

7.3. The subject site is located in the rural area of the Greater Cork Area defined as rural area under strong urban influence. Therefore, the applicant must have a genuine rural generated housing need based on their social and/or economic links to a particular local rural area. The must demonstrate compliance 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 the ownership and running of a farm on a full-time basis (or part-time basis where it can be demonstrated that it is the predominant occupation), 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 (or part – time basis where it can be demonstrated that it is the predominant occupation), 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 seven years), living in the local rural area in which they propose a 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. It is not necessary for the applicant to show that they have already returned to Cork, provided they can show that they genuinely intend taking up permanent residence.

- 7.4. The grounds of appeal state the Planning Authority identified alternative lands to construct a dwelling. However, these lands are not in the ownership of the applicant or her immediate family or extended family.
- 7.5. I have assessed the applicant rural housing need and the potential sites available to the applicant. The applicant complies with objective RP 5-4, category (d) of the Rural Housing Policy, as the applicant lives in the family home directly adjacent to the subject site and has for over 20 years, she attended the local school and has indicated that she does not own a dwelling. I am satisfied that the applicant complies with objective RP 5-4, category (d) and has provided sufficient information to demonstrate same.
- 7.6. In relation to an alternative site on family lands, I accept that the alternative lands are not available to the applicant and sufficient evidence from a solicitor along with site location map outlining an area of 1.212ha has been submitted and indicate that the only site in the family ownership is the subject site.
- 7.7. Having regard to the objective RP 5-4 of the CDP, the evidence submitted by the applicant and the proximity of the subject site to the family home and within the

family landholdings, I consider the applicant complies with the rural housing policy and that the subject site is the only site available.

7.8. Siting & Design

- 7.9. The subject site rises from the public road, the ground level at the road is noted as 139m asl (above sea level) and the rear of the site is noted as 143m asl, therefore the site rises over 4 metres from the public road to the rear of the site over 50 metres distance. The site is carved from a larger field and directly to the west of the family home, which has a finished floor level of 142.35m. The applicant is proposing a two storey L-shaped dwelling with an overall height of 8.5 metres and a floor area of 257m sq.
- 7.10. The grounds of appeal state that the valley levels range from c.70m in the south to c.190m in the north and that the dwelling sits at a level of 142.25m. Therefore, the proposed dwelling sits halfway on the slope and the design runs with the natural slope of the site by creating a stepped roof profile. The proposed design is in accordance with the Cork Rural Design Guide (CRDG) as the dwelling comprises of two rectilinear sections in a narrow T plan arrangement. The plot ratio is approximately 0.08 and the recommended maximum plot ratio for rural dwellings is 1.00. Therefore, the dwelling is appropriate to the size of the site. The proposed dwelling is slightly lower than the neighbouring dwelling and appropriate to the size of its neighbours.
- 7.11. I have assessed the plans and drawings submitted for the proposed development and I have reviewed the proposal in regard to the topography of the site. The subject site is exposed and elevated from the public road and from the surrounding lands to the south. The applicant is proposing a large scale two storey dwelling with a single storey section to the front elevation. The height of the single storey section is 5.5 metres, and the two-storey section is 8.5 metres. The overall length of the of the two-storey section is 18 metres which is parallel to the public road and the single storey section is perpendicular to the public road/front boundary of the site. The finishes proposed are smooth natural render, however, the drawings indicate the two-storey section will be coloured in a dark grey/black which may likely have a negative visual impact on the landscape. The finished floor level proposed is similar to the adjacent dwelling at 142m asl and will have a slightly lower ridge height of approximately 1

metre. I note the applicant states the proposed design and siting complies with the Cork Rural Design Guide, however, I consider the proposed house design and siting does not consider the exposed and elevated nature of the subject site. There's no existing natural screening on this elevated site and the proposed house type, in particular the height and length will negatively impact on the visual setting of the site and the surrounding landscape. Therefore, the proposed development does not comply with the objective RP5-22 in relation to the design and landscape of a new dwelling as the dwelling cannot be integrated into the landscape.

7.12. This is also highlighted in the refusal reason issued by Cork County Council which also have concerns regarding the topography of the site, the elevated and prominent positioning of the proposed dwelling together with the design and scale.

7.13. Having regard to objective RP 5-22(a) I considered that the proposed development would form a discordant and obtrusive feature on the rural landscape at this location, would fail to be adequately absorbed and integrated into the rural landscape would seriously injure the visual amenities of the area.

7.14. **Visual Impact**

7.15. The subject site is located within the Broad Fertile Lowlands Valleys Landscape Character Type with a high landscape value, high landscape sensitivity and county importance. The subject site is an elevated site with little natural vegetation and extensive exposed views to the south, southeast and southwest.

7.16. The grounds of appeal outline the site is only intermittently visible from localised sections of the L-6021-0 and L-6020-22, and reject the assertion that the development "would be skyline development when viewed from the south and southeast" and consequently, "would seriously injure the visual amenities of the area". The appellants also highlight the proposal does not contravene objective GI 14-9 of the CDP.

7.17. I note the subject site is located in the Broad Fertile Lowlands Valleys Landscape Character Type with a high landscape value, high landscape sensitivity and of county importance. Therefore, the subject site landscape is a vulnerable landscape with the ability to accommodate limited development pressure. In this regard any new dwelling shall be of a sympathetic design which integrates with the surrounding landscape and should not be out of character for the area. As I have outlined in the

previous section, the proposed dwelling is of a large scale and does not consider the topography and exposed nature of the subject site. During my site visit I travelled the adjacent local roads, and I can confirm the proposed development will be intermittently visible from the surrounding local roads, and highly visible from the surrounding landscape.

- 7.18. I have reviewed the proposed development in the context of policy objective GI 14-9 which seeks to protect the visual and scenic amenities of the area, protect the environment and heritage, ensure that new development meets high standards of siting and design and protect skylines and ridgelines from development. I do not consider the proposed development of the proposed height and scale can be absorbed and integrated into the rural landscape, the surrounding views are extensive to the south and southeast and together with the lack of natural vegetation on site, the proposed development will be highly visible and will negatively impact on the visual amenity of the surrounding area. I note the refusal reason from Cork County Council which also consider the elevated and prominent positioning of the proposed dwelling, together with its overall design and scale would form a discordant and obstructive feature on the rural landscape.
- 7.19. Having regard to the landscape character type, with high landscape value and high sensitivity to development changes along with the exposed and elevated nature of the subject site together with the size and scale of the proposed development, I do not consider the proposed development will adhere to the objectives of GI 14-9.

8.0 AA Screening

- 8.1. Having regard to the proposed development of one number dwelling and all associated site works within the rural area of County Cork with connection to onsite wastewater treatment system and provision of private well and discharge of surface water to the onsite soakaway. The nearest European site is Courtmacsherry Estuary SAC & pNHA (site code: 001230) located 13km south. It is considered that no Appropriate Assessment issues arise as the proposed development would not be likely to have a significant impact individually or in combination with other plans or projects on a European site.

9.0 Recommendation

- 9.1. I recommend that planning permission should be refused for the reason and consideration as set out below.

10.0 Reasons and Considerations

1. The site of the proposed development is located within Rural Area Under Strong Urban Influence ' as set out in the Cork County Development Plan 2022-2028 for the area, where emphasis is placed on the importance of designing with the landscape and of siting a development to minimise visual intrusion as set out in objectives RP 5-22 and GI 14-9 of the CDP and the Cork Rural Design Guide. Having regard to the topography of the site, the elevated positioning of the proposed development, together with its height and scale, it is considered that the proposed development would form a discordant and obtrusive feature on the landscape at this location, would seriously injure the visual amenities of the area, would fail to be adequately absorbed and integrated into the landscape, would militate against the preservation of the rural environment and would set an undesirable precedent for other such prominently located development in the vicinity. The proposed development would, therefore, contravene objectives RP 5-22(a) and GI 14-9 of the Cork County Development Plan 2022-2028 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.

Jennifer McQuaid
Planning Inspector

22nd April 2025

Form 1

EIA Pre-Screening

An Bord Pleanála Case Reference	ABP-321822-25		
Proposed Development Summary	Construction of dwelling, domestic garage, private well and septic tank and all associated site works.		
Development Address	Farranalough, Newcestown, 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 10b(i) Construction of more than 500 dwelling units	Proceed to Q3.
No			
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes			
No	X		

4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	X	Class 10b(i) Construction of more than 500 dwelling units. The proposal consists of 1 no. dwelling on a site size of 0.304ha	Preliminary examination required (Form 2)

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

Inspector: _____ Date: _____

Form 2

EIA Preliminary Examination

An Bord Pleanála Case Reference	ABP- 321822-25
Proposed Development Summary	Construction of dwelling, domestic garage, private well and septic tank and all associated site works.
Development Address	Farranalough, Newcestown, 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>	<ul style="list-style-type: none"> The proposal consists of 1 no. dwelling within the rural area of County Cork. The development will consist of typical construction and related activities and site works. Surface water will be discharged to an on-site soakaway. Wastewater will be discharged to an on-site septic tank and percolation area. A private well will be constructed onsite.
<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.</p>	<p>The site is not located within or adjacent to a protected site. The following are located in close proximity:</p>

wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).

- Killaneer House Glen pNHA (Site code: 001062) located 4.4km west.
- Bandon Valley West of Bandon pNHA (Site code: 001034) located 4.7km south.
- Bandon Valley Above Inishannon (site code: 001740) located 8.8km east.
- Courtmacsherry Estuary SAC & pNHA (site code: 001230) located 13km south.
- Courtmacsherry Bay SPA (site code: 004219) located 13km south.
- The Gearagh SAC & pNHA (site code: 000108) located 14km northwest.
- Bandon River SAC (site code: 002171) located 18km west.

My Appropriate Assessment Screening concludes that the proposed development would not likely have a significant effect on any European Site.

The subject site is located outside any flood risk area for coastal and fluvial flooding.

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).		<ul style="list-style-type: none"> • The site size measures of 0.304ha. The size of the development is not exceptional in the context of the existing rural environment. • There are existing adjacent dwellings to the proposed site. However, there is no real likelihood of significant cumulative effects within the existing and permitted projects in the areas.
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.	

Inspector: _____

Date: _____

DP/ADP: _____

Date: _____

(only where Schedule 7A information or EIAR required)