



An
Coimisiún
Pleanála

Inspector's Report ACP-322880-25

Development	Construction of dwelling, garage, vehicular entrance and associated site works.
Location	Ballynoe, Whites Cross, Cork
Planning Authority	Cork City Council
Planning Authority Reg. Ref.	2543788
Applicant(s)	Johnny Kiely
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party
Appellant(s)	Johnny Kiely
Observer(s)	None
Date of Site Inspection	3 rd September 2025
Inspector	Matthew McRedmond

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1.0 Site Location and Description

- 1.1. The 0.2683ha site is located at Ballynoe, White's Cross, County Cork and is accessed from the west side of the R614 in this locality. The site is generally rectangular shaped with existing dwellings to the north and south of the site. The site is bounded by an existing drainage stream to the west and the public road to the east. The site is gated with a roadside boundary of sod and stone ditch and is generally level. An existing nursing home is located to the east of the R614, generally opposite the subject site.

2.0 Proposed Development

- 2.1. The proposed development is for the construction of a dwelling, garage, vehicular entrance and associated site works.

3.0 Planning Authority Decision

3.1. Decision

On the 3rd June 2025, Cork City Council refused permission for the proposed development for the following 2no. reasons:

- 1) The provisions of the Cork City Development Plan 2022 - 2028, as varied, specifically sections 3.53 and 3.54, set out criteria for the assessment of single houses in the City Hinterland. Having regard to the size of the landholding and the location of the site it is considered that the proposed development is contrary to these provisions, Objective ZO 20.4 and the protection of the City Hinterland. The proposed development would, therefore, contravene the Cork City Development Plan, which seeks to protect and improve rural amenity and provide for the development of agriculture, and would be contrary to the proper planning and sustainable development of the area.*
- 2) The proposed development site is located within the City Hinterland which is the area under the strongest urban generated pressure for rural housing. Having regard*

to the amount of one - off rural housing already existing in this rural area, which is not zoned for residential development, the Planning Authority considers that the proposed development would further contribute to a haphazard and an excessive density of development in a rural area contrary to the zoning Objective ZO - 20 of the Cork City Development Plan 2022 - 2028 and would be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Local Authority planning report had regard to the location of the site, planning history, national and local policy and to the referral responses and submissions made. Their assessment included the following:

- Site is Zoned ZO 20: City Hinterland. Single housing will only be facilitated when consistent with Chapter 3 of the CDP – Delivering homes and communities.
- Proposal does not meet the requirements of Section 3.53 and 3.54 of the CDP as the site is within 1km of zoned land at Ballicroikig/Dublin Pike, landholding is less than 30 hectares (viable farm size), does not propose to convert existing agricultural buildings and a justified need has not been provided.
- Full details have not been provided to illustrate compliance with Objective 11.9 – One Off Housing: Demonstrable Need to Reside on Landholding. The applicant is not engaged in farming or rural related activity and the proposed site does not form part of a farm landholding.
- The proposal would exacerbate the pattern of unsustainable development in the area and intensify development pressure in a rural area under urban influence.
- No objection to the design of the dwelling or the garage, being similar to other dwellings in the area. Proposal would not impact on residential amenity or give rise to visual impacts.
- Servicing of the site is acceptable.

- Recommended refusal of permission for the reasons specified.
- The Area Planners recommendation was supported by a report from the Senior Executive Planner and Senior Planner.

3.2.2. Other Technical Reports

- **Area Engineer** – No objection to the proposal subject to conditions.
- **Contributions Report** – Contributions of €12,200.38 required if permission granted.

3.3. Prescribed Bodies

3.3.1. None on file.

3.4. Third Party Observations

3.4.1. None on file.

4.0 Planning History

4.1.1. None on file.

5.0 Policy Context

5.1. National and Regional Policy

- 5.1.1. A central aim of national policy (National Planning Framework/NPF, First Revision, 2025) is to recognise the role of the rural countryside as a lived-in landscape and focusing on the requirements of rural economies and rural communities based on “agriculture, forestry, tourism, and rural enterprise while at the same time avoiding ribbon and over-spill development from urban areas and protecting environmental qualities”. The Regional Spatial and Economic Strategy (RSES) reflects the NPF position.
- 5.1.2. Chapter 5 of the National Planning Framework (NPF) is entitled ‘Planning for Diverse Rural Places’ and it sets out to Strengthening Ireland’s rural fabric and supporting rural communities.

5.1.3. National Policy Objective 28 states the following:

Ensure, 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 centres of employment, and elsewhere:

- In rural areas under urban influence, facilitate the provision of single housing in the countryside based on the core consideration of demonstrable economic or social need to live in a rural area and siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements;*
- In rural areas elsewhere, facilitate the provision of single housing in the countryside based on 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. **Section 28 Ministerial Guidelines**

- 5.2.1. Sustainable Rural Housing Guidelines for Planning Authorities (2005) are relevant. The guidelines aim for proper planning of the countryside and a fair balance between accommodating housing needs of rural community and managing areas of acute development pressure.

5.3. **National Biodiversity Action Plan (NBAP) 2023-2030**

- 5.3.1. The NBAP includes five strategic objectives aimed at addressing existing challenges and new and emerging issues associated with biodiversity loss. Section 59B(1) of the Wildlife (Amendment) Act 2000 (as amended) requires the Commission, as a public body, to have regard to the objectives and targets of the NBAP in the performance of its functions, to the extent that they may affect or relate to the functions of the Commission. The impact of development on biodiversity, including species and habitats, can be assessed at a European, National and Local level and is taken into account in our decision-making having regard to the Habitats and Birds Directives, Environmental Impact Assessment Directive, Water Framework Directive and Marine Strategy Framework Directive, and other relevant legislation, strategy and policy where applicable.

5.4. Cork City Development Plan 2022-2028

- 5.4.1. The site is located outside of any settlement boundary, where the zoning objective ZO 20 City Hinterland applies and which has a stated objective 'To protect and improve rural amenity and provide for the development of agriculture'. The following detailed objective applies:

ZO 20.1 The primary objective of this zone is to preserve the character of the City Hinterland generally for use as agriculture, rural amenity, open space, recreational uses, green and blue infrastructure and to protect and enhance biodiversity. Rural-related business activities which have a demonstrated need for a rural location are also permissible. Any development associated with such uses should not compromise the specific function and character of the City Hinterland in the particular area.

ZO 20.3 The City Hinterland helps to maintain a clear distinction between urban areas and the countryside and avoid the harmful impacts of urban sprawl.

ZO 20.4 Single housing in the City Hinterland will be facilitated only where the objectives and requirements on rural housing set out in Chapter 3 Delivering Homes and Communities are met. Housing must be based on exceptional rural housing need and on the core considerations of demonstrable economic or social need to live in a rural area. Other considerations including siting and design criteria are also relevant.

- 5.4.2. Development plan section 3.51 notes that the City Hinterland is a largely rural area that comes under strong pressure for the construction of urban generated single rural dwellings. The Cork City Council will seek to accommodate urban generated rural housing within the Urban Towns and Hinterland Settlements of this area. The following policy objectives apply:

3.53 National Policy Objective 19 requires that Planning Authorities must set out a rural housing policy that requires applicants to set out "demonstrable economic or social need to live in a rural area." Rural-generated one-off housing will be considered outside of the designated villages providing:

- The overall objective of maintaining the open character of the lands is maintained;*

- *The nearest village is more than 1 kilometre from the subject site on a farm / landholding;*
- *The farm is greater than 30 hectares in size;*
- *Proposals for new dwellings are supported by a demonstrable case to justify a genuine need to reside on the farm holding; and*
- *The proposed dwelling ideally utilizes the conservation / conversion of an agricultural built heritage asset (e.g. farmhouse, cottage or historic farm building of built heritage significance).*

3.54 The Census 2016 illustrates that farm holdings of greater than 30 hectares are viable as full-time farms (i.e. they have an income of greater than €50,000). Farms of greater than 30 hectares generated 75% of all farm output in Ireland in 2016. Farm holdings with less than 30 hectares are considered to be part-time or “hobby” farms and wouldn’t derive a need to live on the farm holding. Less than 5% of farmers in Ireland are 35 years old, or younger (Census 2016).

5.4.3. The following development management objectives also apply in relation to rural housing:

Objective 3.13: Rural Generated Housing and paragraphs 3.51-3.54 provide the policy basis for rural generated housing in the Urban Hinterland. Part of the policy requirement is that development proposals for new dwellings are supported by a demonstrable case to justify a genuine need to reside on the land or farm holding, in order to meet one of the key tests for representing an exceptional rural generated housing need.

Objective 11.9 One-Off Housing: Demonstrable Need to Reside on Landholding With reference to Objective 3.13 – Rural Generated Housing, applicants shall satisfy the Planning Authority that their proposal represents a demonstrable need to reside on the land 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:

- Farmers, including 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, 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. Landowners including their sons and daughters who wish to build a first home for their permanent occupation on the landholding associated with their principal family residence for a minimum of seven years prior to the date of the planning application.*

11.131 In circumstances, where a family land holding is unsuitable for the construction of a house, consideration may be given to a nearby landholding where this would not conflict with Objective 3.13 and other objectives in this Plan. In this context a 'nearby landholding' may be construed to mean adjoining landholdings but not normally more than 0.4 km from the prospective applicant's family residence. Proposals exceeding the 0.4 km distance may be considered in exceptional circumstances on a case-by-case basis. The total number of houses within the Metropolitan Greenbelt, for which planning permission has been granted since 15th January 2015 on a family farm or any single landholding within the rural area, will not normally exceed two.

11.134 Any new rural housing development must be of a design, scale and layout that is respectful and sympathetic to traditional rural house designs and layouts. Suburban style dwelling house designs and large-scale developments that are not appropriate to a rural area in terms of character and layout should be discouraged.

*Objective 11.10 Design and Landscaping of New Dwelling Houses in Rural Areas
Where permitted, rural dwellings must adhere to the following:*

- a. New dwelling house design must respect the character, pattern and tradition of existing places, materials and built forms and must fit appropriately into the landscape;*

- b. Be energy efficient in their design, layout and siting;*
- c. Incorporate appropriate landscaping and screen planting by using predominantly indigenous species.*

5.5. Natural Heritage Designations

- 5.5.1. The site is not located within any designated site. The closest Natura 2000 site is the Cork Harbour SPA (Site Code: 004030) which is located approximately 4.5km to the southeast of the site.

5.6. EIA Screening

- 5.6.1. There is no real likelihood of significant effects on the environment based on the nature, size and location of the proposed development and therefore no EIA is required in this instance. See completed EIA Pre-Screening and Preliminary Screening attached in Appendix 1 and 2 below.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. 1no. first-party appeal has been submitted against the decision of Cork City Council to refuse permission for the proposed development.
- 6.1.2. The grounds of the appeal can be summarised as follows:
 - The applicant has lived with his parents, in a house located 100m north of the subject site, for the majority of his life. He has ties to the area as set out in the submitted supporting documentation.
 - The proposal complies with Objective 11.9 (d) as they are a landowner's son, wishing to build their first home. Previous applications for additional homes on the family landholding were refused permission, which led to the acquisition of the subject site to apply for permission for a dwelling which would be a first principal residence.

- As per section 11.131 of the Development Plan, the applicant complies with Objective 3.13 as they illustrated compliance with Objective 11.9, the application is not urban generated as the applicant always lived in this area, and there is a social need associated with the applicant's parents.
- Reasons for refusal that reference 3.53 and 3.54 are not relevant as the subject site is not suitable for agricultural use as it is too small and is raised with stone.
- Concept of rural amenity is reviewed, and appellant submits this would not be compromised by the subject proposal.
- Previous grants of permission at other sites are referenced and appellant submits these applications should also have been considered under the Cork City Development Plan 2022-2028, and associated rural housing policy. Case law that references draft Planning Policy is referred to in this regard.
- Photographic evidence is submitted of rural housing clusters in the area and it is submitted that the subject proposal would not add significantly to development that has already occurred in the area.
- The subject proposal complies with National Policy Objective 19 and the sustaining of rural communities is not supported by sweeping policy that requires farming connections on even small infill sites that are not connected to agricultural land.
- Supporting documentation in relation to health/social needs of the applicant are appended to the appeal.

6.2. Planning Authority Response

6.2.1. None on file.

6.3. Observations

6.3.1. None.

7.0 **Assessment**

7.1. Having examined the application details and all other documentation on file, including all 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:

- Consistency with Development Plan Rural Housing Policy
- Other Planning Issues

7.2. **Consistency with Development Plan Rural Housing Policy**

7.2.1. The site is located within the City Hinterland Area and subject to the ZO 20 City Hinterland zoning objective 'To protect and improve rural amenity and provide for the development of agriculture'. The detailed objective ZO 20.1 states that the primary objective of this zone is to preserve the character of the City Hinterland generally for use as agriculture, rural amenity, open space, recreational uses, green and blue infrastructure and to protect and enhance biodiversity. Related development plan objective ZO 20.3 states that the City Hinterland helps to maintain a clear distinction between urban areas and the countryside and avoid the harmful impacts of urban sprawl and objective ZO 20.4 states that single housing in the City Hinterland will be facilitated only where the objectives and requirements on rural housing set out in Chapter 3 Delivering Homes and Communities are met.

7.2.2. Development plan section 3.53 states that rural-generated one-off housing will be considered outside of designated settlements subject to specific criteria and related Objective 3.13: Rural Generated Housing requires that development proposals for new dwellings are supported by a demonstrable case to justify a genuine need to reside on the land or farm holding. Development plan paragraph 3.53 states that rural-generated housing will be considered outside of designated villages providing:

- The overall objective of maintaining the open character of the lands is maintained;
- The nearest village is more than 1 kilometre from the subject site on a farm / landholding;
- The farm is greater than 30 hectares in size;

- Proposals for new dwellings are supported by a demonstrable case to justify a genuine need to reside on the farm holding; and
- The proposed dwelling ideally utilizes the conservation / conversion of an agricultural built heritage asset (e.g. farmhouse, cottage or historic farm building of built heritage significance).

7.2.3. Development plan section 3.54 provides a detailed definition of farm holdings, stating that holdings with less than 30 hectares are considered to be part-time or “hobby” farms and wouldn’t derive a need to live on the farm holding.

7.2.4. Development plan Objective 11.9 One-Off Housing: Demonstrable Need to Reside on Landholding With reference to Objective 3.13 – Rural Generated Housing, states that applicants must demonstrate that they comply with one of the following categories of housing need:

- Farmers, including their sons and daughters who wish to build a first home for their permanent occupation on the family farm;
- Persons taking over the 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;
- 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;
- Landowners including their sons and daughters who wish to build a first home for their permanent occupation on the landholding associated with their principal family residence for a minimum of seven years prior to the date of the planning application.

7.2.5. The applicant submits that they are from the local area of the development site, grew up in a nearby house and seek permission for the development in order to live close to an elderly parent. They are not a farmer, and the site is not part of a farm landholding. I note that the applicant does not work in an occupation that relates to the local rural area. They therefore do not meet any of the above categories of rural

housing need and I therefore do not consider the development complies with development plan objective ZO 20.4.

7.2.6. Although the applicant has provided justification with regard to their compliance with Objective 11.9, I consider the provisions of paragraph 3.53 and therefore a rural generated housing need is not illustrated, which is specifically required under Objective ZO 20.4 with a reference to the requirements of Chapter 3 need to be met for proposals in the City Hinterland.

7.2.7. I note the applicant's ties to the area, the location of the parental home and the planning precedents set out. However, the specific rural housing policy of the Cork City Development Plan includes a specific requirement for farm related needs as per paragraph 3.53 of the plan. The 2no. planning precedents put forward in the appeal were considered under the life of a previous development plan, and are therefore not relevant to the subject proposal. I do not consider the reference to existing clusters of housing in the area to be adequate justification for one-off housing in the countryside, where there is a defined objective to preserve against inappropriate development in the City Hinterland. As the applicant is not engaged in farming or rural related activities, I recommend refusal of permission on the basis of non-compliance with Objective ZO 20.4 and section 3.53 of the City Development Plan.

7.3. Other Planning Issues

7.3.1. I consider that the design and layout of the development are generally in accordance with the design guidance provided in development plan section 11.134, as set out above, and that the development is generally in accordance with Objective 11.10 Design and Landscaping of New Dwelling Houses in Rural Areas. I note in this regard that the planning reports on file do not raise any concerns in relation to potential adverse impacts on visual or residential amenities.

7.3.2. The Area Engineer recommends a grant of permission subject to conditions. Given that the report does not raise any fundamental objections to the development, I consider that matters related to site services could be addressed by condition, noting however that refusal is recommended above in relation to a fundamental policy issue.

8.0 AA Screening

- 8.1. Having reviewed the details on file and having regard to the nature and scale of the proposed development, the location of the site within a rural area, the absence of strong ecological and/ or hydrological connections, and the physical separation distances to European Sites, I consider the potential of likely significant effects on European Sites arising from the proposed development, alone or in combination effects, can be reasonably excluded.
- 8.2. Please refer to the attached appendices for detailed Stage 1 Appropriate Assessment.

9.0 Water Framework Directive

- 9.1. I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives based on the mitigation measures, drainage arrangements and management of surface water as set out in the proposed development. Please see WFD Assessment attached at Appendix 3 of this report.

10.0 Recommendation

- 10.1.1. I recommend that permission for the development be refused for the following reasons and considerations.

11.0 Reasons and Considerations

- 11.1. Having regard to the location of the site within the City Hinterland which comes under strong pressure for urban generated single rural dwellings as identified in National Policy Objective 23 of the National Planning Framework, the Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April 2005 and in an area where housing is restricted to persons demonstrating rural need in accordance with the current Cork City Development Plan 2022-2028 under Objective ZO 20.4 and

Section 3.53, it is considered that the applicant does not come within the scope of the rural generated housing need criteria as set out in the Development Plan for a house at this location. The proposed development, in the absence of any identified locally based need for the house, would contribute to the encroachment of random rural development in the area and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Matthew McRedmond
Senior Planning Inspector

23rd September 2025

Appendix 1

Form 1 - EIA Pre-Screening

Case Reference	ACP-322880-25
Proposed Development Summary	Construction of a dwelling and all associated site works
Development Address	Ballynoe, Whites Cross, Cork
In all cases check box /or leave blank	
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	☒ Yes, it is a 'Project'. Proceed to Q2.
	☐ No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
☒ No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
☐ No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed	

type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
☒ Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	Schedule 5, Part 2, 10 (b) (i) Construction of more than 500 dwelling units Proposal is substantially less than the threshold

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☐	Screening Determination required (Complete Form 3)
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ **Date:** _____

Form 2 - EIA Preliminary Examination

Case Reference	ACP-322880-25
Proposed Development Summary	Construction of a dwelling and all associated site works
Development Address	Ballynoe, Whites Cross, Cork
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (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).	- Proposed residential use is compatible with other uses in area, - Modest size and intensity of development - No significant use of natural resources or production of waste - No significant risk of pollution or nuisance - No significant risk of accidents / disasters to human health
Location of development (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).	- Located within rural area/Metropolitan Greenbelt - Local ecology only on site - No built heritage - No water features at the site - No designated sites at the site
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).	Having regard to the following: - Nature and scale of the development, - Lack of significant environmental sensitivities on the site, - Absence of significant in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA

There is no real likelihood of significant effects on the environment.	EIA is not required.
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Inspector: _____ Date: _____

DP/ADP: _____ Date: _____

(only where Schedule 7A information or EIAR required)

Appendix 2 – AA Screening

Screening for Appropriate Assessment Test for likely significant effects				
Step 1: Description of the project and local site characteristics				
Brief description of project	Proposed dwelling and all associated works			
Brief description of development site characteristics and potential impact mechanisms	Small domestic development on 0.2683ha site. Site in undeveloped natural grass / pastoral state, existing natural boundaries, located c 24.5km to European site, potential impact on ground water from effluent disposal and disposal of surface water, removal of natural vegetation may disturb species, significant amount of native planting proposed. The Cork Harbour SPA is located c. 4.5km south.			
Screening report	No.			
Natura Impact Statement	No.			
Relevant submissions	No submissions relevant to AA issues.			
Step 2. Identification of relevant European sites using the Source-pathway-receptor model				
One European site is identified as being located within a potential zone of influence of the proposed development as detailed in Table 1 below. I note that no further range of European Sites is necessary for consideration in relation to this proposed development.				
Table 1:				
European Site (code)	Qualifying interests ¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections ²	Consider further in screening ³ Y/N
Cork Harbour SPA (004030)	Bird of Special Conservation Interest (SCI): Little Grebe (Tachybaptus ruficollis) [A004] Great Crested Grebe (Podiceps cristatus) [A005] Cormorant (Phalacrocorax carbo) [A017]	4.5km southeast	Yes, proximity and potential reduction in water quality to the Cork Harbour SPA. Surface water discharge during construction and operation. Process/foulwater discharge during operation.	Y

Grey Heron (<i>Ardea cinerea</i>) [A028] Shelduck (<i>Tadorna tadorna</i>) [A048] Wigeon (<i>Anas penelope</i>) [A050] Teal (<i>Anas crecca</i>) [A052] Pintail (<i>Anas acuta</i>) [A054] Shoveler (<i>Anas clypeata</i>) [A056] Red-breasted Merganser (<i>Mergus serrator</i>) [A069] Oystercatcher (<i>Haematopus ostralegus</i>) [A130] Golden Plover (<i>Pluvialis apricaria</i>) [A140] Grey Plover (<i>Pluvialis squatarola</i>) [A141] Lapwing (<i>Vanellus vanellus</i>) [A142] Dunlin (<i>Calidris alpina</i>) [A149] Black-tailed Godwit (<i>Limosa limosa</i>) [A156] Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157] Curlew (<i>Numenius arquata</i>) [A160] Redshank (<i>Tringa totanus</i>) [A162] Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] Common Gull (<i>Larus canus</i>) [A182] Lesser Black-backed Gull (<i>Larus fuscus</i>) [A183]			
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	Common Tern (<i>Sterna hirundo</i>) [A193] Wetland and Waterbirds [A999] Great Island Channel SAC National Parks & Wildlife Service			
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¹ Summary description / **cross reference to NPWS website** is acceptable at this stage in the report

² Based on source-pathway-receptor: Direct/ indirect/ tentative/ none, via surface water/ ground water/ air/ use of habitats by mobile species

³if no connections: N

Given the proximity of the site to Cork Harbour SPA, potential effects could occur due to surface water run off during construction and operation and foul water discharge during operation, will require management to avoid impacts on SPA.

Significant effects from other pathways have been ruled out i.e., habitat loss, spread of invasive species, impacts from noise and disturbance.

Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites

The proposed development will not result in any direct effects on either the SPA as it relates to Cork Harbour. However, due to the application of the precautionary principle, impacts generated by the construction and operation of the proposed development require consideration.

Sources of impact and likely significant effects are detailed in the table below.

AA Screening matrix

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
Site 1: Cork Harbour SPA (004030) QI list: Little Grebe (<i>Tachybaptus ruficollis</i>) [A004] Great Crested Grebe (<i>Podiceps cristatus</i>) [A005] Cormorant (<i>Phalacrocorax carbo</i>) [A017] Grey Heron (<i>Ardea cinerea</i>) [A028]	Direct: No direct impacts within the SPA. Indirect: Localised, temporary, low magnitude impacts from noise, dust and construction related emissions. Localized, low magnitude impacts on water quality (pollution and sedimentation) from surface water	Having regard to - the domestic nature and small scale of development proposed, - lack of direct connections or pathways, - the distance to receiving features, - normal best construction practices, - disposal of uncontaminated storm water to ground, - disposal of effluent on site to normal EPA CoP standards,

Shelduck (Tadorna tadorna) [A048] Wigeon (Anas penelope) [A050] Teal (Anas crecca) [A052] Pintail (Anas acuta) [A054] Shoveler (Anas clypeata) [A056] Red-breasted Merganser (Mergus serrator) [A069] Oystercatcher (Haematopus ostralegus) [A130] Golden Plover (Pluvialis apricaria) [A140] Grey Plover (Pluvialis squatarola) [A141] Lapwing (Vanellus vanellus) [A142] Dunlin (Calidris alpina) [A149] Black-tailed Godwit (Limosa limosa) [A156] Bar-tailed Godwit (Limosa lapponica) [A157] Curlew (Numenius arquata) [A160] Redshank (Tringa 19irsute) [A162] Black-headed Gull (Chroicocephalus ridibundus) [A179] Common Gull (Larus canus) [A182] Lesser Black-backed Gull (Larus fuscus) [A183] Common Tern (Sterna hirundo) [A193] Wetland and Waterbirds [A999]	disposal from development and from on site effluent disposal. Removal of vegetation on site.	it is highly unlikely that the proposed development could generate impacts of a magnitude that could affect habitat quality or QI species of the SPA. No significant disturbance to birds that may occasionally use the existing vegetation on the site. Low risk to SPA related to any minor construction related emissions. Low risk of surface or ground water borne pollutants or sediments reaching the SPA. Conservation objectives would not be undermined.
	Likelihood of significant effects from proposed development (alone): N	

	If No, is there likelihood of significant effects occurring in combination with other plans or projects? The proposed development will not result in any effects that could contribute to an additive effect with other developments in the area.
Step 4 Conclude if the proposed development could result in likely significant effects on a European site	
The construction or operation of the proposed development will not result in impacts that could affect the conservation objectives of the Cork Harbour SPA Due to distance and lack of meaningful ecological connections there will be no changes in ecological functions due to any construction related emissions or disturbance. There will be no direct or ex-situ effects from disturbance on mobile species during construction or operation of the proposed development. No mitigation measures beyond normal standard construction mitigation and drainage works are required to come to these conclusions.	
Screening Determination Finding of no likely significant effects Having carried out Screening for Appropriate Assessment of the project in accordance with Section 177U of the Planning and Development Act 2000 (as amended), I conclude that that the project individually or in combination with other plans or projects would not be likely to give rise to significant effects on European Sites within the surrounding area namely, Cork Harbour SPA, Great Island Channel SAC or any other European site, in view of the sites Conservation Objectives, and Appropriate Assessment (and submission of a NIS) is not therefore required. This determination is based on: • The relatively minor scale of the development and lack of impact mechanisms that could significantly affect a European Site • Distance from and weak indirect connections to the European sites • No ex-situ impacts	

Appendix 3

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Comisiún Pleanála ref. no.	322880-25	Townland, address	Ballynoe, White's Cross, Cork
Description of project		Construction of a dwelling and all associated site works	
Brief site description, relevant to WFD Screening,		Site is undeveloped pastoral land in a rural area No water features on the site or adjacent to the site. Site not located within a flood zone area. Site rises steeply and bank and ditches along roadside boundary. Site is c. 4.5km to Cork Harbour and is within the WFD Catchment of Lee, Cork Harbour and Youghal Bay	
Proposed surface water details		Surface water to on site soakaway	
Proposed water supply source & available capacity		Uisce Eireann mains water connection	
Proposed wastewater treatment system & available capacity, other issues		Public Sewer	
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection			

Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)	
River	C480m west	GLENNAMOUGHT TRIB BRIDE_010 Code: IE_SW_19G880990	Moderate	At Under Review	Agriculture, Urban Waste Water	Potential surface water runoff via drainage ditches	
Groundwater	Underlying site	Ballinhassig East Code:IE_SW_G_004	Good	Not at risk	None identified	Surface water drainage to ground Effluent treatment and disposal to ground	
Step 3: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.							
CONSTRUCTION PHASE							
No.	Component	Waterbody receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.
	Surface	GLENNAMOUGHT TRIB BRIDE_010 Code: IE_SW_19G880990	Surface run off	pollution and sedimentation	standard best practice construction	No	Screened out
	Ground	Ballinhassig East Code:IE SW G 004	underground	Pollution, ground filtration	standard best practice construction	No	Screened out

OPERATIONAL PHASE							
3.	Surface	GLENNAMOUGHT TRIB BRIDE_010 Code: IE_SW_19G880990	Surface run off	pollution and sedimentation	SUDs features	No	Screened out
4.	Ground	Ballinhassig East Code:IE_SW_G_004	underground	pollution and ground filtration	On site drainage to soakpit. Connect to public sewer system	No	Screened out
DECOMMISSIONING PHASE							
5.	NA						