



An  
Coimisiún  
Pleanála

## Inspector's Report ACP-323696-25

<b>Development</b>	Change of use from short term/holiday letting to long term residential dwelling.
<b>Location</b>	3 Castle Quay, Kilgobbin, Ballinadee, Bandon, Co.Cork
<b>Planning Authority</b>	Cork County Council
<b>Planning Authority Reg. Ref.</b>	255323
<b>Applicant(s)</b>	Maria O'Donovan
<b>Type of Application</b>	Permission.
<b>Planning Authority Decision</b>	Refusal
<b>Type of Appeal</b>	First Party
<b>Appellant(s)</b>	Maria O'Donovan
<b>Observer(s)</b>	None.
<b>Date of Site Inspection</b>	2 <sup>nd</sup> December 2025.
<b>Inspector</b>	Carol Smyth

## **1.0 Introduction**

- 1.1. This First Party appeal against Cork County Councils decision to refuse permission relates to the change of use from short -term holiday letting to a long-term residential dwelling. The First Party appeal is travelling with another First Party appeal by the same applicant/appellant under ACP323698-25 for an adjacent house, No. 2 Castle Quay, also against Cork County Councils decision to refuse permission for the change of use from short-term holiday letting to a long-term residential dwelling.

## **2.0 Site Location and Description**

- 2.1. The subject site has a stated area of 0.0012 ha and is located within the administrative area of Cork County Council. The site relates to a holiday home within a holiday home complex of 16 units and is located in a rural setting approximately 9 km west of Kinsale along the Bandon River and approximately 4 km from Ballinadee village.
- 2.2. Vehicular access to the development is along a cul-de-sac road from the L3223. The main entrance to the complex is via a controlled security gate.
- 2.3. The development comprises 2 storey detached houses which overlook the river and provide private open space in the form of deck areas. The development has an open plan layout with communal open amenity space surrounding each house. Communal parking is provided along the access road.

## **3.0 Proposed Development**

- 3.1. Planning permission is sought for the change of use from short term/holiday letting to long term residential use of existing dwelling house No. 3 Castle Quay and all associated site works.

## **4.0 Planning Authority Decision**

### **4.1. Decision**

The Planning Authority issued a decision to refuse permission on the 27<sup>th</sup> August 2025 for the following reasons:

- 1 Having regard to the holiday complex site layout that is open plan and communal, the proposed development, would contravene materially condition No. 23 attached to existing planning permission Register No.04/281 which regulates the development of the overall lands of which the site forms part and which requires that use of dwelling units shall be for short term/holiday letting, contrary to the proper planning and development of the area.
- 2 Having regard to the location of the site within Greater Cork Strategic Planning Area, outside of any designated settlement and part of Area Under Urban Influence, the proposed change of use from holiday home to residential unit would conflict with Plan Objectives CS 2:4 & RP 5:4 in County Development Plan 2022 which seeks to facilitate 'individual' rural dwellings to eligible applicants that meet specified criteria and otherwise facilitate and encourage growth and development into designated settlements.

### **4.2. Planning Authority Reports**

#### **4.2.1. Planning Reports**

The Planning Report is consistent with the decision notice issued.

The Planners Report states that the site is designated as an area under significant urban pressure for rural housing in the Cork County Development Plan 2022 and that applicants must satisfy the Planning Authority that their proposal constitutes a genuine rural generated housing need. All national and local policy provisions related to areas under strong urban influence require that, except in exceptional circumstances, the bulk of residential development is directed into towns and villages where there are options to utilise sustainable transport modes to avail of local services and in the interest of protection of the carrying capacity of landscapes and infrastructure.

The location of the holiday complex is entirely car dependent and is not laid out as a conventional housing estate and is therefore not suitable for permanent occupancy.

The holiday home development was facilitated based on its intended use as a tourism related development for short-term letting only and a condition was attached to the parent permission to this effect.

#### 4.2.2. Other Technical Reports

- Area Engineer's Report – No comment
- Liaison Officer Report – No comment

#### 4.3. Prescribed Bodies

None on file

#### 4.4. Third Party Observations

None on file

### 5.0 Planning History

#### Parent Permission 04/281:

Permission granted for conservation works to Kilgobbin Castle (protected structure) and ancillary buildings, and construction of 16. no. dwelling units for short term/holiday letting, sewage treatment plant and associated landscaping and other site works to form a tourist centre.

#### 09/7221:

Permission granted for 6 no. of the 16 no. units waiving of condition no. 23 of Planning Reg. No. 04/281 for 16 no. from short term holiday letting to long term residential use.

## **6.0 Policy Context**

### **6.1. National Planning Framework – First Revision – April 2025**

- 6.1.1. The National Planning Framework is a planning framework to guide development and investment over the coming years. It empowers each region to lead in the planning and development of their communities, containing a set of national objectives and key principles from which more detailed and refined plans will follow.
- 6.1.2. National Policy Objective 28 - 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 demonstratable 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.

### **6.2. Sustainable Rural Housing Guidelines for Planning Authorities, 2005**

- 6.2.1. These guidelines differentiate between Urban Generated Housing and Rural Generated Housing and directs urban generated housing to towns and cities and lands zoned for such development. Urban generated housing has been identified as development which is haphazard and piecemeal and gives rise to much greater public infrastructure costs. Rural generated housing includes sons and daughters of families living in rural areas and having grown up in the area and perhaps seeking to build their first home near the family place of residence. Appendix 4 of the Sustainable Rural Housing Guidelines recommends against the creation of ribbon

development for a variety of reasons relating to road safety, future demands for the provision of public infrastructure as well as visual impacts.

### **6.3. Climate Action Plan 2025**

- 6.3.1. The Climate Action Plan 2025 (CAP25) is the third annual update to Ireland's Climate Action Plan. It should be read in conjunction with Climate Action Plan 2024.
- 6.3.2. The purpose of the Climate Action Plan is to lay out a roadmap of actions which will ultimately lead us to meeting our national climate objective of pursuing and achieving, by no later than the end of the year 2050, the transition to a climate resilient, biodiversity rich, environmentally sustainable and climate neutral economy. It aligns with the legally binding economy-wide carbon budgets and sectoral emissions ceilings that were agreed by Government in July 2022.

### **6.4. National Biodiversity Action Plan 2023 – 2030**

- 6.4.1. Ireland's 4th National Biodiversity Action Plan (NBAP) sets the national biodiversity agenda for the period 2023-2030 and aims to deliver the transformative changes required to the ways in which we value and protect nature.

### **6.5. Cork County Development Plan 2022-2028**

- 6.5.1. Volume 1 – Chapter 2 Core Strategy
- 6.5.2. The subject site is located in the Greater Cork Ring Strategic Planning Area. The Development Plan sets out that where the rate of rural housing development threatens to undermine the settlement network within this strategic planning area, this plan sets out to provide continued improved management for this type of development focussing on the needs of rural communities.
- 6.5.3. Objective CS 2-4: Greater Cork Ring Strategic Planning Area
  - (a) Recognise the importance of the role to be played by Mallow as a 'Key' town in the implementation of the National Planning Framework and RSES for the Southern Region to focus growth in North Cork and; to promote its development as a major centre of employment and population where there is a high standard of access to educational and cultural facilities; and to provide the necessary infrastructure to

ensure that the expansion of Mallow can be achieved without having adverse impacts on the receiving environment.

(b) Establish an appropriate balance in the spatial distribution of future population growth, in line with this Core Strategy, so that Bandon, Fermoy, Kinsale, Macroom and Youghal can accelerate their rate of growth and achieve a critical mass of population to enable them to maximise their potential to attract new investment in employment, services and public transport;

(c) Protect and enhance the natural and built heritage assets of Kinsale to facilitate the development of the town as a Principal Tourist Attraction;

(d) Facilitate the development of the villages so that the rate of future population growth compliments the strategy to achieve a critical mass of population in the towns and provide protection for those areas recognised as under pressure from urban development;

(e) Strengthen and protect the rural communities of the area by encouraging sustainable growth in population, protecting agricultural infrastructure and productivity so that agriculture remains the principal rural land use and focusing other employment development in the main towns and key villages;

(f) Secure the development of the Midleton – Youghal Greenway.

(g) Recognise the importance of the Strategic Transport Improvement Corridor to the overall economic potential of the south-western part of the area and the facilitation of a balanced economic strategy for the County as a whole;

(h) Protect and enhance the natural heritage of the Blackwater Catchment; and prioritise the adequate provision of water services and transport infrastructure to meet current needs and future population targets while protecting the areas environment.

(i) Facilitate the development of renewable energy projects in support of national climate change objectives.

#### 6.5.4. Volume 1 – Chapter 5 Rural

6.5.5. The subject site is located within a ‘Rural Area Under Strong Urban Influence’ where the characteristics are a rapidly rising population, evidence of considerable pressure from the development of (urban generated) housing in the open countryside due to

proximity to such urban areas / major transport corridors, pressures on infrastructure such as the local road network and higher levels of environmental and landscape sensitivity.

6.5.6. Objective RP 5-1: Urban Generated Housing

6.5.7. 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.

6.5.8. Objective RP 5-4: Rural Area under Strong Urban Influence and Town Greenbelts (GB 1-1)

6.5.9. The rural areas 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 to build a first home for their permanent occupation.



(e) Returning emigrants who spent a substantial period of their lives (i.e. over seven years), living in the local rural area in which they propose to build a first home for their permanent occupation, who now wish to return to reside near other immediate family members (mother, father, brother, sister, son, daughter or guardian), to care for elderly immediate family members, to work locally, or to retire. 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.

#### 6.5.10. Volume 1 – Chapter 14 Green Infrastructure and Recreation

##### Objective GI 14-6: Public/Private Open Space Provision

a) Public Open Space within Residential Development shall be provided in accordance with the standards contained in Cork County Council's Interim Recreation & Amenity Policy (2019) and any successor policy, the "Guidelines on Sustainable Residential Development in Urban Areas" and "Making Places: a design guide for residential estate development. Cork County Council Planning Guidance and Standards Series Number 2".

b) Promote the provision of high quality, accessible and suitably proportioned areas of public open space and promote linking of new open spaces with existing spaces to form a green infrastructure network.

c) Apply the standards for private open space provision contained in the Guidelines on Sustainable Residential Development in Urban Areas and the Urban Design Manual (DoEHLG 2009) and Cork County Council's Design Guidelines for Residential Estate Development. With regard to apartment developments, the guidelines on Sustainable Urban Housing: Design Standards for New Apartments will apply.

#### 6.6. Natural Heritage Designations

6.6.1. The subject site is not located within any designated site.

6.6.2. The site is situated proximate to the following natural heritage designations:

- Bandon Valley Below Inishannon pNHA (site code 001515) is situated approximately 3.4km to the north of the site.

- James Fort pNHA (site code 001060) is situated approximately 6km to the east of the site.
- Sovereign Islands SPA (site code 004124) and NHA (site code 000105) is situated approximately 10km to the east of the site.
- Courtmacsherry Estuary SAC and pNHA (site code 001230) is situated approximately 6km to the southwest of the site.
- Courtmacsherry Bay SPA (site code 004219) is situated approximately 6.3km to the southwest of the site.
- Garrettstown Marsh pNHA (site code 001053) is situated approximately 4.9km to the south of the site.

## **6.7. EIA Screening**

- 6.7.1. The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 in the Appendix of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

## **7.0 The Appeal**

### **7.1. Grounds of Appeal**

This is a first party appeal against the Planning Authorities decision to refuse permission. The following provides a summary of the content of the appeal:

- The development as granted under Cork CC Reg. Ref. 04/281 was never completed – conservation works to the castle were partially completed; the pathway and connection to the castle was not constructed; the castle is privately owned and is not open to the public or persons renting the houses; the pontoon was not constructed. The original planning permission refers to a tourist centre which was not built.

- Under Cork CC Reg. Ref.09/7221 a condition No. 23 was waived allowing 6 no. of the 16 no. houses to be let for long term residential use which sets a planning precedent.
- The development granted under Cork CC Reg. Ref. 09/7221 was to mitigate the financial crisis in 2009. There is now a housing crisis and there is a shortage of housing on the market.
- Approximately 15 no. of the 16 no. houses are currently long term leased.
- The development has never functioned as a holiday home complex.

## **7.2. Planning Authority Response**

No further comment to make.

## **7.3. Observations**

None on file.

## **7.4. Further Responses**

None on file.

## **8.0 Assessment**

Having examined the applications details and all other documentation on file, including all the submissions received in relation to the appeal, the report/s of the local authority, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the substantive issues in this appeal are:

- Planning History and Precedent
- Reason for Refusal No.1
- Reason for Refusal No. 2
- Other Matters

### **8.1.1. Planning History and Precedent**

- 8.1.2. This site has an established planning history. A decision to grant permission for Conservation works to Kilgobbin Castle (protected structure) and ancillary buildings, and construction of 16. no. dwelling units for short term/holiday letting, sewage treatment plant and associated landscaping and other site works to form a tourist centre was issued under Cork CC Reg. Ref.04/281 (the parent permission) on the 22<sup>nd</sup> January 2004. Condition No. 23 attached to the grant of permission required that the *'use of dwelling units shall be for short term/holiday letting and no change of use shall take place save with the benefit of a planning permission.'*
- 8.1.3. On the 14<sup>th</sup> January 2010 permission was granted by the Planning Authority under Cork CC Reg. Ref. 09/7221 to waive Condition No. 23 of the parent permission (Reg Ref: No. 04/281) to allow for the change of use of 6 no. units to long term residential use. In making the decision to grant permission the Planning Authority noted mitigating circumstances such as the completion of conservation works to Kilgobbin Castle, the financial crisis, the location of the site outside a rural housing control zone, and that there was no adjoining settlement restriction apart from a coastal designation.
- 8.1.4. Under the current application, permission is now sought for the change of use from short-term holiday let of No. 3 Castle Quay, a 3-bedroom house with a stated floor area 117sqm, to long term residential use and for the adjacent site, No. 2 Castle Quay, a concurrent appeal under AP323698-25 also within the ownership of the appellant. The applicant has not provided any details of the intended future occupants of the dwelling. The First Party appeal contends that the permission granted under Cork CC Reg. Ref. D09/7221 sets a planning precedent and that the current housing crisis is similar to the previous financial crisis.
- 8.1.5. I have had regard to the planning precedent submitted. Appeal cases are assessed and determined on their own merits having regard to the sensitivity of the receiving environment, the specifics of the proposed development and the relevant Development Plan policy. I note that the permission granted under Cork CC Reg. Ref: 09/7221 was granted under the Cork County Development Plan 2009. Objective RCI 10-1 of the 2009 Development Plan provided initial criteria for rural housing by discouraging rural housing in scenic and coastal areas outside established villages with limited exceptions on suitable sites for long-term local residents. This objective in relation to rural housing was strengthened in the

subsequent 2014 Cork County Development Plan and the current Cork County Development Plan 2022-2028.

8.1.6. Under the current Development Plan the site is located within the 'Greater Cork Ring Strategic Planning Area', as indicated in Figure 2.5 of the Development Plan and is outside of any designated settlement. The site is also located within a 'Rural Area Under Strong Urban Influence' as set out in Figure 5.1 Rural Housing Policy Types. Objective 5-4 Rural Area under Strong Urban Influence and Town Greenbelts (GB 1-1) of the Development Plan facilitates rural housing for specific groups of people who can demonstrate a genuine rural-generated housing need based on their link to the local area.

8.1.7. I note that both the designation of the site and objectives of the Development Plan in relation to rural housing have evolved in the 15 years since the permission was granted under Reg. Ref: 09/7221 for the change of use from short term holiday lets to long term residential use. Therefore, I do not consider the precedents highlighted by the First Party relevant to the assessment of the proposed development and grounds of appeal.

8.1.8. **Reason for Refusal No. 1**

8.1.9. The Planning Authority refused the development for two reasons. The first reason considered that the site layout of the holiday complex which is open plan and communal was not suitable for long-term residential occupation. The Planning Authority considered that the development would contravene materially Condition No. 23 attached to the parent permission Cork CC Reg Ref: No. 04/281 which requires that use of dwelling units shall be for short term/holiday letting.

8.1.10. As noted in the site description above, the development is laid out as a typical holiday complex with individual houses fully surrounded by communal open space. Each individual house is provided with a ground floor deck overlooking the River Bandon which provides private open space. The houses and associated decks are set back from the river edge by an area of communal open space and pathways connecting the houses and access road with the areas of communal open space and the River's edge. While the deck has not been indicated on the submitted drawings, having visited the site I estimate that it is approximately 10sqm in area. There is no

privacy screen and limited planting separating the deck area from the areas of communal open space.

8.1.11. Objective GI 14-6: Public/Private Open Space Provision, of the Development Plan requires that private open space be provided in accordance with the 'Guidelines on Sustainable Residential Development in Urban Areas' or any successor policy. 'Sustainable and Compact Settlements Guidelines for Planning Authorities' supersedes 'Guidelines on Sustainable Residential Development in Urban Areas'. SPPR 2 of the Compact Settlement Guidelines sets out minimum private open space standards of 40sqm for 3-bedroom houses. The development therefore does not accord with this minimum requirement. Furthermore, I am not satisfied that the open layout of the development as it currently stands, which is typical of holiday home developments, is suitable for long-term residential use and I consider that the development should be refused for this reason.

8.1.12. The reason for refusal issued by the Planning Authority stated that the development would materially contravene condition No. 23 of the parent permission. Condition No. 23 of the parent permission states that the *'use of dwelling units shall be for short term/holiday letting and no change of use shall take place save with the benefit of a planning permission.'* This condition therefore allows for the change of use of the short term/ holiday letting on the basis that planning permission is granted. The applicant has applied for permission, and as a result I do not consider that the proposed development materially contravenes Condition No. 23 of the parent permission. In this regard I do not consider that Condition No. 23 of the parent permission should be cited as a reason for refusal.

## **8.2. Reason For Refusal No. 2 - Principle of Development**

8.2.1. The second reason for refusal relates to the location of the site within the 'Greater Cork Ring Strategic Planning Area' and part of a 'Rural Area Under Strong Urban Influence' as set out in the Development Plan. The Planning Authority considered that the proposed change of use from holiday home to residential unit would conflict with Plan Objectives CS 2-4 and RP 5-4 of the Development Plan which seeks to facilitate rural dwellings to eligible applicants that meet specified criteria and otherwise facilitate and encourage growth and development into designated settlements.

- 8.2.2. Figure 2.5 - Strategic Planning Areas in County Cork, of the Core Strategy of the Development Plan identifies that the site is located within the 'Greater Cork Ring Strategic Planning Area'. Objective CS 2-4 Greater Cork Ring Strategic Planning Area, as outlined in the Core Strategy of the Development Plan seeks to protect areas under pressure from rural expansion. The site is also identified in Figure 5.1 - Rural Housing Policy Types, of the Development Plan as being a 'Rural Area Under Strong Urban Influence' under significant urban pressure for rural housing. The Development Plan sets out that applicants for rural housing must satisfy the Planning Authority that their proposal constitutes an exceptional rural generated housing need based on their social and/or economic links to a particular local rural area and must demonstrate that they comply with one of the categories of housing need set out under Policy Objective RP 5-4: Rural Area under Strong Urban Influence and Town Greenbelts (GB 1-1).
- 8.2.3. The applicant has not addressed the criteria as set out in Objective RP 5-4 of the Development Plan nor provided any details of the long-term residents of the dwelling. Based on the information submitted with the application and the appeal, I am not satisfied that the proposal for the change of use from short-term tourist letting to long-term residential use constitutes a genuine rural housing need based on social and/or economic links to this particular area or that the applicant has demonstrated compliance with any category of housing need, as per Objective RP 5-4 of the Development Plan.
- 8.2.4. Having regard to the permitted use granted under the parent permission for a tourist related short-term holiday complex, and the location of the site outside a settlement area and being entirely car dependant, I consider that the proposal for the change of use of the dwelling to long-term residential use would facilitate urban generated rural expansion in an area of the County under significant urban pressure for rural housing. The proposed development would therefore set an undesirable planning precedent which would be contrary to the proper planning and sustainable development and should therefore be refused.

### 8.3. Other Matters

The grounds of appeal refer to various elements of the development which have not been completed such as the partially completed conservation works to the castle and

the pathway from the holiday complex to the castle which was not constructed. The First Party further states that the castle is privately owned and is not open to the public and the pontoon on the River Bandon was not constructed. In addition, the First Party states that the parent planning permission refers to a tourist centre which was not built.

In terms of issues raised in the grounds of appeal relating to non-compliance with previous permissions or the conditions attached to previous permissions, I highlight that An Coimisiún Pleanála does not have an enforcement function and therefore does not have a mechanism to address allegedly previous unauthorised development on the site. Enforcement and enforcement of conditions is a matter for the Local Planning Authority.

## **9.0 AA Screening**

- 9.1. The proposed development comprises the change of use of a short-term let holiday home to long-term residential use in an established holiday home complex in a rural location. No nature conservation concerns were raised in the planning appeal.
- 9.2. Having considered the nature, small scale and location of the project, and taking account of the screening determination of the planning authority, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European Site.
- 9.3. I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Appropriate Assessment, therefore, is not required.

## **10.0 Water Framework Directive**

- 10.1. Having regard to the modest nature and scale of the proposed development, it is concluded 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 and consequently can be excluded from further assessment.

## **11.0 Recommendation**

I recommend permission be REFUSED for the following reasons

## **12.0 Reasons and Considerations**

- 1 Having regard to the proposed change of use from short term holiday letting to long term residential unit, the location of the site within the 'Greater Cork Ring Strategic Planning Area', in a 'Rural Area Under Strong Urban Influence', outside a designated settlement and to the requirements of Objectives CS 2-4 and RP 5- 4 as set out in the Cork County Development Plan 2022-2028, it is considered that the proposed development would facilitate urban generated rural expansion in an area of the County under significant urban pressure for rural housing. The proposed development would therefore set an undesirable planning precedent which would be contrary to the Cork County Development Plan 2022-2028 and to the proper planning and sustainable development of the area.
- 2 Having regard to the site layout of the holiday complex which is open plan and communal, the provision of private open space and the requirements of Objective GI 14-6: Public/Private Open Space Provision and SPPR 2 of the 'Sustainable and Compact Settlements Guidelines for Planning Authorities', it is considered that the development is not suitable for long-term residential use and would provide a poor level of residential amenity for long term residents and would be contrary to Ministerial Guidelines, the Cork County Development Plan 2022-2028 and to the proper planning and sustainable development of the area.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has

influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

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Carol Smyth  
Planning Inspector

16<sup>th</sup> December 2025

### Form 1 - EIA Pre-Screening

<b>Case Reference</b>	323696-25
<b>Proposed Development Summary</b>	Change of use from short term/holiday letting to long term residential dwelling
<b>Development Address</b>	3 Castle Quay, Kilgobbin, Ballinadee, Bandon, Co. Cork
<b>In all cases check box /or leave blank</b>	
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b>  (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)	<input type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input checked="" type="checkbox"/> No, No further action required.
<b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in Part 1.  <b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>	State the Class here
<input type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
<b>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?</b>	
<input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road	

<p>development under Article 8 of the Roads Regulations, 1994.</p> <p><b>No Screening required.</b></p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p><b>EIA is Mandatory. No Screening Required</b></p>	<p><b>State the Class and state the relevant threshold</b></p>
<p><input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p><b>Preliminary examination required. (Form 2)</b></p> <p><b>OR</b></p> <p><b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b></p>	<p><b>State the Class and state the relevant threshold</b></p>

<p><b>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)?</b></p>	
<p><b>Yes</b> <input type="checkbox"/></p>	<p><b>Screening Determination required (Complete Form 3)</b></p>
<p><b>No</b> <input checked="" type="checkbox"/></p>	<p><b>Pre-screening determination conclusion remains as above (Q1 to Q3)</b></p>

**Inspector:** \_\_\_\_\_ **Date:** \_\_\_\_\_