



An
Coimisiún
Pleanála

Inspector's Report PL-500081-CK

Development	Demolition and removal of the existing roadside walls, piers and entrance gates and the construction of a new low level entrance, gates, and wing walls to create necessary setback and sightlines, construction of a house and all associated works.
Location	Coolowen, Blarney, Co. Cork,
Planning Authority	Cork County Council
Planning Authority Reg. Ref.	255546
Applicant(s)	Andrew McCarthy
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party Normal Planning Appeal
Appellant(s)	Andrew McCarthy
Observer(s)	None

Date of Site Inspection

3rd January 2025

Inspector

Carol Smyth

1.0 Site Location and Description

- 1.1. The application site is located within the townland of Coolowen, c. 2.7km to the north of Blarney and 2.8km southwest of Whitechurch. The site has a stated area of c. 0.37ha and is located on the eastern side of a local road (L6838).
- 1.2. There is a cluster of houses in the vicinity of the site comprising cottages and more recently constructed bungalows. The appeal site comprises a gated vehicular entrance with tall stone pillars, splay walls and a roadside boundary wall, constructed in fairfaced blockwork.
- 1.3. The site has been subdivided into three separate sections. The largest front section towards the road comprises a gravel driveway through the centre with grassed areas either side. The side boundaries of this section of the site comprise a mix of stone walls, hedgerows and trees.
- 1.4. A timber fence and set of solid steel framed timber vehicular gates separates the front section from the middle section of the site. This section contains a mobile home situated along the southern boundary on a grassed area. There is an area of hardcore along the northern boundary. The side boundaries of this section of the site comprise concrete post and timber panel fencing.
- 1.5. The third (rear) section of the site is separated from the middle section by a low fairfaced blockwork wall with a wide centrally positioned opening. A timber structure and steel container are located in this section of the site which has been laid out in hardcore.

2.0 Proposed Development

- 2.1. Permission is sought for:
 - The demolition and removal of the existing roadside walls, piers and entrance gates and the construction of a new low-level entrance, gates, and wing walls to create necessary setback and sightlines,
 - The construction of a new dwelling house and garage,
 - Provision of auxiliary boundary landscaping, driveway, bored well and all other necessary ancillary site development works.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority issued a decision to refuse permission on the 24th September 2025 for the following reason:

- 1. The application site is located within the Metropolitan Cork Greenbelt as identified in the Cork County Development Plan 2022 wherein it is the policy of the Planning Authority to restrict rural housing to persons who can demonstrate an exceptional rural generated housing need based on their social and / or economic links to a particular local rural area and who can demonstrate that they comply with one of the categories of housing need set out under Objective RP 5-3. On the basis of the information submitted the applicant has not demonstrated that he has an exceptional rural generated housing need and has not demonstrated that he complies with one of the categories of housing need set out under Objective RP 5-3. The proposal would therefore materially contravene Objective RP 5-3 of the Cork County Development Plan 2022, would set an undesirable precedent in the Metropolitan Greenbelt which is under significant pressure for rural housing and would be contrary to the proper planning and sustainable development of the area.*

3.2. Planning Authority Reports

3.2.1. Planning Reports

Area Planner: Reflects the decision of the Planning Authority and recommends refusal of permission in the report dated 19th September 2025.

Senior Executive Planner: Agrees with Area Planners recommendation to refuse permission in report dated 23rd September 2025.

3.2.2. Other Technical Reports

Area Engineer: Requested further information in relation to the vehicular entrance and boundary treatment, and the wastewater treatment system for the neighbouring

land is on the land subject to this application septic tank. Report dated 1st September 2025.

Liaison Officer – No comment

3.3. **Prescribed Bodies**

None on file.

3.4. **Third Party Observations**

One third party submission was received within the statutory timeframe. The issues raised are summarised as follows:

- The applicant does not have a rural housing need and does not have an economic or social connection to this area. The previous planning application on this site was refused on this basis.
- His agricultural activity (horses) does not make him functionally dependent on the land.
- The applicant has carried out unauthorised development on this land. A mobile home has been placed on the site, an entrance to the site has been created and a septic tank has been installed on the site without the benefit of planning permission.
- The applicant has connected to the group water scheme without consent.
- The applicant has failed to comply with the Circuit Court order requiring the restoration of the land to its predevelopment condition.
- There are concerns regarding potential commercial use of the site for storage of machinery associated with the applicant's business which would not be appropriate in a rural area.

4.0 **Planning History**

4.1. 25/4068 - **Planning permission refused** for the following:

- Construction of a single storey dwelling house for the applicant's own use.

- Permission for retention of mobile home and septic tank and removal of same on completion of the proposed dwelling.
- Construction of a garage.
- Construction of stables to house the applicant's domestic ponies,
- The removal of old sheds on completion of stables and
- The retention of the existing gates, pillars and entrance at their current location and permission to alter roadside boundary wall to facilitate sightlines and all other ancillary site development works.

4.2. In total there were four reasons for refusal, the first of which considered that the applicant failed to demonstrate that he has an exceptional rural generated housing need. The retention of the mobile home and its associated septic tank was considered to be contrary to Objectives RP 5-22 and GI 14-9 of the Development Plan. The design and layout of the vehicular entrance, piers and splay walls proposed to be retained was considered contrary to Objective TM 12-8 of the Development Plan in terms of adequate sight visibility. The retention of the vehicular entrance, piers and splay walls was considered to be visually incongruous.

5.0 Policy Context

5.1. National Planning Framework – First Revision – April 2025

- 5.1.1. 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.
- 5.1.2. 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.

5.2. Sustainable Rural Housing Guidelines for Planning Authorities, 2005

- 5.2.1. 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.

5.3. Climate Action Plan 2025

- 5.3.1. 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.
- 5.3.2. 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.

5.4. **National Biodiversity Action Plan 2023 – 2030**

- 5.4.1. 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.

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

- 5.5.1. The subject site is located within the Metropolitan Greenbelt. The Development Plan sets out that this rural area under strong urban influence forms part of the Metropolitan Area and is within close commuting distance of Cork City. There is evidence of considerable pressure from the development of (urban generated) housing in the open countryside and pressures on infrastructure such as the local road network and higher levels of environmental and landscape sensitivity.

- 5.5.2. Objective 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.

- 5.5.3. Objective RP 5-2: Rural Generated Housing

Sustain and renew established rural communities, by facilitating those with a rural generated housing need to live within their rural community. Encourage the provision of a mix of house types in towns and villages to provide an alternative to individual rural housing in the countryside.

- 5.5.4. Objective RP 5-3: County Metropolitan Cork Strategic Planning Area

The Metropolitan Cork Greenbelt is the area under strongest urban pressure for rural housing. Therefore, applicants shall 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 in this regard, must demonstrate that they comply with one of the following categories of housing need:
(a) 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.

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 GI 8-1 and other policies and objectives in the Plan. In this context a 'nearby landholding' may be construed to mean adjoining landholdings but not normally more than 1.5km from the prospective applicant's family residence. Proposals exceeding the 1.5km 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.

5.5.5. Objective 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*

5.5.6. Objective RP 5-23: Servicing Single Houses (and ancillary development) in Rural Areas

- a) *Ensure that proposals for development incorporating on-site wastewater disposal systems comply with the EPA Code of Practice Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10) and Wastewater Treatment Manual - Treatment Systems for Small Communities, Business Centres, Leisure Centres and Hotels (1999), or relevant successor approved standards / guidelines (including design, installation and maintenance). The cumulative impact of such systems will also be considered in the assessment process.*
- b) *Surface water should be disposed of using sustainable drainage systems and in a manner that will not endanger the receiving environment or public health. The use of permeable paving should also be considered to reduce run off.*

5.5.7. Objective RP 5-24: Ribbon Development

Presumption against development which would contribute to or exacerbate ribbon development.

5.5.8. Objective RP 5-25: Occupancy Conditions

In order to take a positive approach to facilitating the housing needs of the rural community, where permission has been granted for a rural housing proposal, an occupancy condition shall normally be imposed under Section 47 of the Planning & Development Act 2000.

5.5.9. Objective GI 14-9: Landscape

- a) *Protect the visual and scenic amenities of County Cork's built and natural environment.*

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

5.5.10. Objective TM 12-8: Traffic/Mobility Management and Road Safety

- d) *Ensure that all new vehicular accesses are designed to appropriate standards of visibility to ensure the safety of other road users.*

5.5.11. Objective HE 16-21: Design and Landscaping of New Buildings

- a) *Encourage new buildings that respect the character, pattern and tradition of existing places, materials and built forms and that fit appropriately into the landscape.*
- b) *Promote sustainable approaches to housing development by encouraging new building projects to be energy efficient in their design and layout.*
- 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 using predominantly indigenous/local species and groupings and protecting existing hedgerows and historic boundaries in rural areas. Protection of historical/commemorative trees will also be provided for.*

5.6. Natural Heritage Designations

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

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

- Ardamadane Wood pNHA (site code 001799) is situated approximately 2.1 km to the south-west of the site.
- The Blarney Bog pNHA (site code 004109) is situated approximately 4 km to the south of the site.

5.7. EIA Screening

- 5.7.1. The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 in Appendix A 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.

6.0 The Appeal

6.1. Grounds of Appeal

- The applicant has been living in Coolowen for the last 17 years and has a housing need.
- The Planning Authority's reason for refusal under the current application relates to rural housing policy relating to the location of the site within the Metropolitan Greenbelt Area which has the policy (objective RP 5-3) to restrict rural housing to persons with an exceptional rural housing need.
- The applicant has lived for 17 no. years in Coolowen. The applicant has lived for 6 no. years in a mobile home on the appeal site and prior to that in a mobile home in Kilmona (2008-2016). Letters of confirmation and support included.
- In 2017 the applicant moved in with a family friend in the adjoining house, who subsequently sold the site to him. The applicant is a carer for the previous owner of the site in the adjoining house. Letter of support included.
- The applicant would comply with item (d) *Persons who have spent a substantial period of their lives (i.e over 7 no. years), living in the local rural area in which*

they propose to build their first home of objective RP5-4 Rural areas under strong urban Influence and town Greenbelts, which is just 0.5 km from the metropolitan greenbelt area.

- The applicant has no other options to provide a home due to the housing crisis and the inability of the LA to provide a house for him in Blarney.
- The applicant's family home is in Blarney 3.5 km from the site. The applicant subsequently moved to a mobile home 3 km from the subject site in 2010.
- The applicant works in construction which necessitates trailers and machinery.
- The applicant is willing to accept an occupancy clause.
- Sets out planning precedent for rural housing in the area for applicants with no direct links to the rural area.
- Having regard to the planning precedent the Commission should grant permission under 37(2)(b) of the Planning and Development Act 2000, as amended.
- The applicant is willing to make the changes to the proposed dwelling, site and requirements of the Area Engineer as set out by the PA.
- Planning legislation allows for the rectification of planning errors in the retention of unauthorised development.
- Sets out precedent for mobile homes where similar approaches have not been taken by the LA for people residing in mobile homes.
- Sets out that the concerns raised by the local resident's group are vexatious and that local neighbours support the development. Letters of support included.

6.2. Planning Authority Response

No further comments to make in this matter.

6.3. **Observations**

The final date for the receipt of submission or observations was the 13th November 2025. One observation was received on the 17th November 2025 and is therefore invalid.

6.4. **Further Responses**

None on file.

7.0 **Assessment**

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

- Principle of Development
- Other Matters

7.1. **Principle of Development**

- 7.1.1. The Planning Authority refused the development based on the location of the site within the 'Metropolitan Cork Greenbelt' and the criteria as set out in Objective RP 5-3 of the Development Plan, which seeks to restrict rural dwellings to eligible applicants who can demonstrate an exceptional rural generated housing need based on their social and economic links to a particular local rural area, and who can demonstrate that they comply with one of the categories of housing need as set out in Objective RP 5-3. The Planning Authority considered that the appellant failed to prove that they had an exceptional rural generated housing need based on the information submitted with the planning application and that the development would therefore materially contravene Objective RP 5-3 of the Development Plan.
- 7.1.2. The grounds of appeal set out that the appellant has a housing need and has lived locally since 2008 comprising an 8 year period in a nearby townland of Kilmona in a mobile home, a 3 year period in the house adjoining the site and is currently residing in a mobile home on the appeal site which was purchased from the adjacent

landowner in 2020. The report from the Planning Authority notes that the mobile home is unauthorised and subject to a court order to remove it from the site. I further highlight to the commission that the appellants family home is in the village of Blarney 3.5 km from the subject site and that he also attended school in Blarney as outlined in the Planning Application documentation.

7.1.3. The grounds of appeal and the application to the Planning Authority further set out that the appellant works in agriculture and construction which requires him to have heavy machinery and trailers, presumably to be stored at the proposed site although this is not outlined in the grounds of appeal.

7.1.4. The following table provides an assessment of the appellants alignment with the categories of housing need as set out under Objective RP 5-3 of the Development Plan:

Objective RP 5-3 Categories of Housing Need	Assessment of Applicants Alignment with Categories of Housing Need
a) Farmers, including their sons and daughters who wish to build a first home for their permanent occupation on the family farm.	The appellant is not a farmer or a farmer's son and therefore does not comply with this category of housing need.
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.	The appellant is not taking over the ownership and running of a farm and therefore does not comply with this category of housing need.
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	The appellant is not working full-time in farming, forestry, inland waterway or marine related occupations. The appellant is a part-time agricultural and

<p>area where they work and in which they propose to build a first home for their permanent occupation.</p>	<p>building contractor. The appellant, therefore, does not comply with this category of housing need.</p>
<p>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.</p>	<p>The appellant states that the site was purchased in 2020 and he has resided here in a mobile home during that time. There is no authorised principal family residence on this landholding. It is noted that the applicant grew up in Blarney, in the urban area. Therefore, the appellant does not comply with this category of housing need.</p>

- 7.1.5. Based on the information submitted with the grounds of appeal and the planning application, I am not satisfied that the appellant complies with the criteria as set out in Objective RP 5-3 of the Development Plan. I do not consider that the appellant has demonstrated that they have an exceptional rural generated housing need. In this regard I consider that the proposed development would materially contravene Objective RP 5-3 of the Development Plan.
- 7.1.6. The grounds of appeal sets out that the appellant would comply with the criteria for rural housing as set out under Objective RP 5-4: Rural Area under Strong Urban Influence, and that the area to which this objective relates is situated 500 metres from the subject site.
- 7.1.7. While the applicant states that they have lived locally for 17 years, I note that a majority of this time is in mobile home accommodation. I acknowledge the submission of letters of support from the landowner and his son in Kilmona, which outlines that appellant resided in mobile home accommodation which working as a stable hand on their landholding. I further acknowledge a letter from the adjoining landowner to the appeal site which states that the appellant resided in his property for 3 no. years until the site was purchased and the appellant subsequently moved

into mobile home accommodation. I note that the appellant has not submitted supplementary information as proof of address at any of these locations.

- 7.1.8. Notwithstanding, should the appellant comply with any of the criteria as set out under Objective RP 5-4 of the Development Plan, this zoning objective relates to a specific geographical area identified in Figure 5.1 of the Development Plan and does not apply to the location of the appeal site. Therefore, I do not consider that the criteria outlined in Objective RP 5-4 of the Development Plan to be relevant to the proposed development.
- 7.1.9. The appellant further states that there is a precedent in the area where planning permission has been granted to applicants who do not comply with rural housing policy and that the Commission should grant permission under Section 37(b) of the planning and development act 2000 (as amended).
- 7.1.10. 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. Notwithstanding, I have had regard to the planning precedent submitted. I note that under Cork County Council Reg. Ref: 21/6862 the Planning Authority considered that the applicant complied with the rural housing Objective RP 5-3 part (d). I further note that the remaining permissions cited by the appellant as precedent were granted under the previous Cork County Development Plans in 2014 and 2009 and objectives in relation to rural housing was strengthened under the current Cork County Development Plan 2022-2028.
- 7.1.11. Section 37(2)(b) of the Planning and Development Act 2000 states that the Commission may decide to grant permission for a development even if the proposed development contravenes materially the development plan relating to the area, where it considers that:
- the proposed development is of strategic or national importance,
 - there are conflicting objectives in the development plan or the objectives are not clearly stated, insofar as the proposed development is concerned, or
 - permission for the proposed development should be granted having regard to regional planning guidelines for the area, guidelines under section 28, policy directives under section 29, the statutory obligations of any local authority in the

area, and any relevant policy of the Government, the Minister or any Minister of the Government, or

- permission for the proposed development should be granted having regard to the pattern of development, and permissions granted, in the area since the making of the development plan.

7.1.12. I will consider each of the provisions listed under Section 37(2)(b) as follows: .

- the proposed development is of strategic or national importance,

While it is acknowledged that there is an ongoing national housing crisis, I do not consider the development to be of strategic or national importance. This is based on the availability of zoned land for development in the settlement Blarney that could be brought forward at some point in the future.

- there are conflicting objectives in the development plan or the objectives are not clearly stated, insofar as the proposed development is concerned

The material contravention relates to a rural housing objective. There are no conflicting objectives in the Development Plan in relation to the zoning of the site.

- permission for the proposed development should be granted having regard to regional planning guidelines for the area, guidelines under section 28, policy directives under section 29, the statutory obligations of any local authority in the area, and any relevant policy of the Government, the Minister or any Minister of the Government,

The material contravention relates to a rural housing objective. There are no relevant Section 28 or 29 guidelines in relation to the zoning of the site.

- permission for the proposed development should be granted having regard to the pattern of development, and permissions granted, in the area since the making of the development plan

There are no recent permissions in the vicinity of the site granted under the Cork County Development Plan 2022-2028 which contravene the rural housing Objective RP 5-3.

- 7.1.13. Based on my assessment above, I do not consider that the proposed development satisfies the provisions listed under Section 37(2)(b) in terms of the material contravention of Objective RP 5-3.
- 7.1.14. Having regard to the above I consider that the proposed dwelling would facilitate urban generated rural expansion in an area of the County under significant urban pressure for rural housing with would materially contravene Objective RP 5-3. 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.

7.2. Other Matters

7.2.1. Enforcement

7.2.2. The Planning Authority's report notes that the development at this site is unauthorised and is subject to enforcement proceeding (Ref. EF/20/033). There is a Circuit Court order in place requiring the removal of all unauthorised development from the site.

7.2.3. The appellant states that there is precedent for mobile homes where similar approaches have not been taken by the Local Authority for people residing in mobile homes and that planning legislation allows for the rectification of planning errors in the retention of unauthorised development.

7.2.4. I note that the appellant has not sought retention permission for the mobile home. In this regard I note that any matters relating to unauthorised development and are a matter for the planning authority and are outside the remit of this planning appeal.

7.2.5. Design and Servicing

7.2.6. The Planning Authority raised concerns regarding the location of a wastewater treatment system from the neighbouring property on the appeal site. The Area Engineer required proposals to relocate the existing wastewater treatment system for the neighbouring property within the confines of the landholding which it services. In addition, the Area Engineer required details regarding entrance design and sightlines, and the location of the neighbouring well.

- 7.2.7. The Planning Authority noted that the design of the proposed dwelling had improved from the previous application on the site but raised some concerns regarding the design, siting of the garage and amount of hardstanding proposed.
- 7.2.8. The appellant states that they are willing to make amendments to the proposed dwelling, site and comply with the requirements of the Area Engineer as set out by the Planning Authority.
- 7.2.9. I have not assessed the proposed wastewater treatment system given the substantive with the principle of development as outlined in my assessment above. In this regard I note that there were no concerns raised by the Area Engineer in relation to the proposed well and wastewater treatment system subject to review following the relocation of the neighbouring system and identification of the location of the neighbouring well.
- 7.2.10. I consider that the design of the dwelling including façade articulation, alterations to the proportions of the fenestration, roof detailing, hard and soft landscaping require further consideration. I further note that conflicting information has been submitted regarding the vehicular access. Notwithstanding, the Commission will note my assessment and conclusion above that the appellant has not demonstrated compliance with any of the categories of housing need as set out in Objective RP 5-3 of the Development Plan. The development would therefore facilitate urban generated rural expansion in an area of the County under significant urban pressure for rural housing with would materially contravene Objective RP 5-3 and should be refused.

8.0 **AA Screening**

- 8.1. Having regard to the nature and small scale of the proposed development and the distance from the nearest European site, no Appropriate Assessment issues arise, and it is not considered that the proposed development would be likely to have a significant effect, individually, or in combination with other plans or projects, on any European site.

9.0 Water Framework Directive

- 9.1.1. The subject site is located outside the town of Blarney, c 403 metres west of a River Water Body (IE_SW_19B020500) and on top of the Ballinhassig East Ground Water Body (IE-SW-G_004)
- 9.1.2. The proposed development comprises a single storey dwelling, wastewater treatment system, and associated site works.
- 9.1.3. No water deterioration concerns were raised in the planning appeal.
- 9.1.4. I have assessed the development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.
- 9.1.5. The reason for this conclusion is as follows:
- The small scale and nature of the development
 - The distance from the nearest water bodies and the lack of hydrological connections.

9.1.6. Conclusion

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 and consequently can be excluded from further assessment.

10.0 Recommendation

I recommend permission be REFUSED for the following reason

11.0 Reasons and Considerations

1. Having regard to the location of the site within the 'County Metropolitan Cork Strategic Planning Area', in the Metropolitan Greenbelt area, and to the requirements of Objective RP 5-3 to restrict rural housing at this location to persons who can demonstrate an exceptional rural generated housing need based on their social and / or economic links to a particular local rural area and who can demonstrate that they comply with one of the categories of housing need as set out in the Cork County Development Plan 2022-2028, it is considered that the applicant has failed to demonstrate an exceptional rural generated housing need in accordance with Objective RP 5-3. The proposed development would therefore facilitate urban generated rural expansion in an area of the County under significant urban pressure for rural housing. The proposed development would therefore would materially contravene Objective RP 5-3 and 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.

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.

Carol Smyth
27th January 2026

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Coimisiún Pleanála Case Reference	PL-500081-CK		
Proposed Development Summary	Demolition and removal of the existing roadside walls, piers and entrance gates and the construction of a new low level entrance, gates, and wing walls to create necessary setback and sightlines, construction of a house and all associated works.		
Development Address	Coolowen, Blarney, 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) and does it equal or exceed any relevant quantity, area or limit where specified for that class?			
Yes	X	Class 10(b)(i) Construction of more than 500 dwelling units – Sub Threshold	EIA Mandatory EIAR required
No			Proceed to Q.3
3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?			
		Threshold	Comment (if relevant)
			Conclusion
No	X	N/A	No EIAR or Preliminary Examination required
Yes			Proceed to Q.4

4. Has Schedule 7A information been submitted?

No	X	Preliminary Examination required
Yes		Screening Determination required

Inspector: _____ **Date:** _____