



An
Coimisiún
Pleanála

Inspector's Report

PL-500139-CK

Development	House, vehicular entrance, wastewater treatment system and all associated site works
Location	Curragh, Donoughmore, Co. Cork,
Planning Authority	Cork County Council
Planning Authority Reg. Ref.	255555
Applicant	Abigail Goggin McBride
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party Normal Planning Appeal
Appellant	Abigail Goggin McBride
Observer	None
Date of Site Inspection	3rd of December 2025
Inspector	Siobhan Carroll

Contents

1.0 Site Location and Description	4
2.0 Proposed Development	4
3.0 Planning Authority Decision	4
3.1. Decision	4
3.2. Planning Authority Reports	6
3.3. Prescribed Bodies	6
3.4. Third Party Observations	6
4.0 Planning History.....	7
5.0 Policy Context.....	10
5.1. National Planning Framework – First Revision – April 2025	10
5.2. Sustainable Rural Housing Guidelines for Planning Authorities, 2005.....	11
5.3. Climate Action Plan 2025.....	11
5.4. National Biodiversity Action Plan 2023 – 2030.....	11
5.5. Cork County Development Plan 2022-2028.....	11
5.6. Natural Heritage Designations	14
5.7. EIA Screening	14
6.0 The Appeal	15
6.1. Grounds of Appeal	15
6.2. Planning Authority Response.....	16
7.0 Assessment.....	17
7.1. Compliance with rural housing policy.....	17
7.2. Design and visual amenity	19
7.3. Vehicular Access	23

8.0 AA Screening..... 24

9.0 Water Framework Directive Screening 24

10.0 Recommendation 26

11.0 Reasons and Considerations..... 26

Appendix 1 – Form 1: EIA Pre-Screening

Appendix 2 – Form 2: EIA Preliminary Examination

Appendix 3 – Water Framework Assessment Screening

1.0 Site Location and Description

- 1.1. The appeal site has a stated area of 0.4590 hectares and is located within the townland of Curragh, Donoughmore, which is situated approximately 3.5km north-east of the village of Stuake/Donoughmore, County Cork.
- 1.2. The main section of the site is located at the 170m contour. It is setback 140m from the local road to the north where the vehicular entrance is proposed. The Shournagh River is situated approximately 378m to the west.
- 1.3. The southern boundary is defined by a mature hedgerow. The eastern boundary is formed by mature trees and hedgerow. There is a low post and wire fence along the western side of the main section of the site. The site overlooks the valley of the Shournagh River to the south. The closest residential properties are situated circa 97m to the north-east and 176m to the south-west of the proposed dwelling.

2.0 Proposed Development

- 2.1. Permission is sought for the construction of a single storey dwellinghouse, wastewater treatment system and vehicular entrance. The proposed dwelling has a ridge height of 5.963metres and a floor area of 169sq m.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. By order dated 1st August 2025 Cork County Council issued a notification to refuse permission for the following reasons:
 1. The proposed development would be located on an elevated, exposed and prominent site in a rural area to the northeast of Stuake/Donoughmore. As indicated in the Cork County Development Plan 2022, it is the Council's stated objective to encourage new dwelling house design that respects the character, pattern and tradition of existing places, materials and built forms and that fits appropriately into the landscape, as set out in objective RP5-22. Also, objective GI 14-9 seeks to (a) protect the visual and scenic amenities of County Cork's built and natural environment, (c) ensure that new development

meets high standards of siting and design and (d) protect skylines and ridgelines from development. Having regard to the elevated, exposed and prominent nature of the site, along with the extent of cutting into the landscape, it is considered that the proposed development would detract from the landscape character and be injurious to the visual amenities of the area, particularly when viewed from the south. Furthermore, having regard to the layout and configuration of the site, it is considered that the proposed development would constitute haphazard and disorderly development which would be out of character with the pattern of development in the rural area. The proposal would set an undesirable precedent for similar developments. It is considered that the proposed development would contravene the objectives as outlined and, hence, be contrary to the proper planning and sustainable development of the area.

2. On the basis of the available information and having regard to the existing development on site and the planning history of the site, the planning authority is not satisfied that the existing vehicular entrance is authorised. Accordingly, the planning authority is precluded from considering a grant of permission as the proposal would facilitate an intensification of unauthorised development. It is considered that the proposed development would set an undesirable precedent and would not be appropriate having regard to the proper planning and sustainable development of the area.
3. The proposed development would be located in a rural area, where the settlement policy restrictions apply. The site is located within an area identified as a Rural Area under Strong Urban Influence, where it is an objective that applicants shall satisfy the Planning Authority that the proposal constitutes a genuine 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 a category of housing need, as set out in objective RP 5-4 of the County Development Plan 2022. On the basis of the information submitted, the Planning Authority is not satisfied that the applicant has demonstrated compliance with the policy or that there is a case for relaxing the settlement policy restriction due to the lack of a rural generated housing need in accordance with the stated policy. The proposed development would

be contrary to the stated objective and the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

3.2.2. Planner's Primary Report: dated 24/09/2025 – It was recommended that permission be refused for three reasons for referring to the visual impact of the proposed development, the unauthorised nature of the vehicular entrance and the applicant's compliance with County Development Plan rural housing policy.

3.2.3. Report of Senior Executive Planner: 25/09/2025 – The Senior Executive Planner agreed with the assessment and recommendation of the Area Planner to refuse permission for three reasons set out in the Planner's Primary Report.

3.2.4. Other Technical Reports

3.2.5. Area Engineer: Report dated 24/09/2025 – A request for further Information was recommended in relation to the requirement for a letter of consent from the landowner to lower the road boundary within the sightlines so that no vegetation or structure exceeds a height of 0.9m above the level of the public road within the sightlines. Regarding the proposed wastewater treatment system it was requested that further details be sought to demonstrate that the site is suitable for the tertiary treatment system and infiltration area proposed and that it is in accordance with the requirements of the EPA Code of Practice 2021.

3.2.6. Liaison Officer Report: dated 24/09/2025 – No comments.

3.3. Prescribed Bodies

3.3.1. None

3.4. Third Party Observations

3.4.1. The Planning Authority did not receive any submissions/observations in relation to the planning application.

4.0 Planning History

Adjacent sites

4.1.1. Reg. Ref. 12/6126 – Permission was refused for a dwelling, septic tank, well, vehicular entrance and all associated site works, on a site to the north-east of the appeal site. Permission was refused for the following reason. (Applicant Sinead Goggin)

1. The proposed development is located on an elevated and prominent site. As stated in the County Development plan 2009, it is an objective to protect the visual amenities of Cork's natural environment in accordance with ENV 2-6. It is considered that the proposed development by reason of the elevated nature of the site, the siting, scale and massing of the proposed dwelling, the associated site works including the removal of the roadside boundary, would constitute an unacceptably prominent and obtrusive feature in the landscape at this location and would seriously detract from the visual amenities and rural character of the area. Accordingly, it is considered that the proposed development would be contrary to the proper planning and sustainable development of the area.

4.1.2. Reg. Ref. 19/4656 – Permission was refused for the construction of a dwelling house at Curragh, Donoughmore, Co. Cork on a site to the north-west of the appeal site. Permission was refused for three reasons. (Applicant Abigail Goggin)

1. The proposed development would constitute residential development in a rural area which is under strong development pressure, and which is lacking in certain public services. It is the policy of the Planning Authority, as expressed in the current Cork County Development Plan 2014, to focus rural housing developments to certain categories of applicants. The application site is in area designated 'Rural Area Under Strong Urban Influence' and it is considered that the applicant does not come within the scope of any of the housing need criteria as set out in the Cork County Development Plan 2014 or the Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government, 2005. The proposed development would be contrary to Policy RCI 4-2 of the Cork County Development Plan 2014, would lead to demands for the uneconomic

provision of further public services and facilities in an area where these are not proposed and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed development is located on an elevated and prominent site. As stated in the County Development Plan, it is an objective to ensure that new buildings fit appropriately into the landscape and it is an objective to protect the visual amenities of Cork's natural environment in accordance with GI 6-1 and GI 7-1. It is considered that the proposed development by reason of the elevated nature of the site, the siting, scale and massing of the proposed dwelling, the associated site works including the removal of the roadside boundary, would constitute an unacceptably prominent and obtrusive feature on the landscape at this location and would seriously detract from the visual amenities and rural character of the area. Accordingly, it is considered that the proposed development would be contrary to the proper planning and sustainable development of the area.
3. It is considered that the proposed design would materially contravene Objective RCI 6-1 of the Cork County Development Plan, 2014, which states that is an objective to encourage new buildings that respect the character, pattern and tradition of existing places, materials and built forms and that fit appropriately into the landscape and would therefore be contrary to the proper planning and sustainable development of the area.

4.1.3. Reg. Ref. 19/4655 – Permission was refused for the construction of a dwelling house at Curragh, Donoughmore, Co. Cork on a site to the north-west of the appeal site. Permission was refused for three reasons. (Applicant Sinead Goggin)

1. The proposed development would constitute residential development in a rural area which is under strong development pressure, and which is lacking in certain public services. It is the policy of the Planning Authority, as expressed in the current Cork County Development Plan 2014, to focus rural housing developments to certain categories of applicants. The application site is in area designated 'Rural Area Under Strong Urban Influence' and it is considered that the applicant does not come within the scope of any of the housing need criteria as set out in the Cork County Development Plan 2014 or

the Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government, 2005. The proposed development would be contrary to Policy RCI 4-2 of the Cork County Development Plan 2014, would lead to demands for the uneconomic provision of further public services and facilities in an area where these are not proposed and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed development is located on an elevated and prominent site. As stated in the County Development Plan, it is an objective to ensure that new buildings fit appropriately into the landscape and it is an objective to protect the visual amenities of Cork's natural environment in accordance with GI 6-1 and GI 7-1. It is considered that the proposed development by reason of the elevated nature of the site, the siting, scale and massing of the proposed dwelling, the associated site works including the removal of the roadside boundary, would constitute an unacceptably prominent and obtrusive feature on the landscape at this location and would seriously detract from the visual amenities and rural character of the area. Accordingly, it is considered that the proposed development would be contrary to the proper planning and sustainable development of the area sustainable development of the area.
3. It is considered that the proposed design would materially contravene Objective RCI 6-1 of the Cork County Development Plan, 2014, which states that is an objective to encourage new buildings that respect the character, pattern and tradition of existing places, materials and built forms and that fit appropriately into the landscape and would therefore be contrary to the proper planning and sustainable development of the area.

4.1.4. Reg. Ref. 06/9207 – Permission was refused for the construction of a dwelling house at Curragh, Donoughmore, Co. Cork on a site to the north-west of the appeal site. Permission was refused for two reasons.

1. The Planning Authority is not satisfied that the application has been made in accordance with provisions of the Planning and Development Regulations 2001 in that the public notices submitted do not relate to the proposed development. The public notices do not therefore accurately describe the

proposed development and are inadequate for the information of the public. In these circumstances it is considered that the Planning Authority is precluded from considering the granting of planning permission for the development the subject of the application.

2. The proposed development by reason of its scale, mass, height and design, would be out of character with the existing pattern of residential development in the area and having regard to the topography and location of the site the proposed development would form a highly prominent and obtrusive feature on the landscape, which would be out of character with and detract from the scenic amenities of this rural landscape.

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. Volume 1 – Chapter 5 refers to Section 5.3 refers to Rural Housing Guidelines
- 5.5.2. 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.

5.5.3. County Development Plan Objective RP 5-1: Urban Generated Housing

5.5.4. 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.

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

5.5.6. 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.

5.5.7. County Development Plan 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.

5.5.8. Chapter 14 refers to Green Infrastructure and Recreation

5.5.9. County Development Plan 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.

5.6. Natural Heritage Designations

- 5.6.1. The subject site is not located within any designated site.
- 5.6.2. Blackwater River (Cork/Waterford) SAC (Site Code 002170) is located 9.4km to the north-east of the appeal site.
- 5.6.3. Maullaghanish to Musheramore SPA (Site Code 004162) is located 17km to the west of the appeal 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 and Form 2 in Appendices 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

A first party appeal has been submitted by Abigail Goggin McBride. The issues raised are as follows:

- In relation to refusal reason no. 1 which refers to the prominent location of the site, applicant states that the site was selected because five alternative sites on their family farm had previously been refused permission. Those applications were primarily refused on the basis that the sites were elevated and prominent locations and that the proposed development would seriously detract from the visual amenities and rural character of the area.
- It is submitted that the currently proposed site is the most secluded site on the remaining lands within the farm holding. The proposed house design is a bungalow with a low ridge height. It is stated that significant additional planting and landscaping will screen the proposed dwelling from all directions. There would be limited views from the south on the Fornaught Road located over 1,300 metres away.
- Regarding the matter of proposed development requiring cutting into the landscape this will be mitigated by the extensive landscaping proposed on the site. The applicant states that the Cork Rural Design Guide was used to inform the site selection specifically page 21 which refers to preferred response.
- There are four roads running east/west in proximity to the site to the south. The Curragh boreen (L27641) where the entrance site proposed. The proposed dwelling is located 150m from the road and it is stated that it would not break the skyline. Shournach drive (L2764) is the main road between Blarney and Donoughmore it is stated that the proposed development would not be visible from that road. The Bunkilla Road (L6795) is parallel to the Fornaught Road when viewed from this road the proposed dwelling is in line with the existing houses. The Kerry Road (L2762) links Donoughmore and Millstreet. There would be very minor views of the proposed dwelling in the distance.

- The documentation submitted with the appeal includes a number of photographs taken from the south of the appeal site. The applicant states that a six metre T pole was erected on the site to show the ridge line of the proposed development. The photographs were taken from Fornaught Road. The applicant states that the location of the T pole indicates that the ridge line of the proposed development would not break the skyline.
- Refusal reason no. 2 refers to the vehicular entrance and the determination by the Planning Authority that they were not satisfied that the entrance is authorised. The applicant states that the entrance to the field on Curragh boreen where the vehicular entrance is proposed has been in existence prior to 1964. The location was used as a central threshing point where local farmers brought wheat and barley for threshing in the 1940's and 1950's. The entrance has been serving as access to this field and adjacent fields since the 1940's and it is also a cow path. The applicant therefore does not believe that it is an unauthorised development.
- It is stated that many homes, farms and other properties in the locality have lanes/driveways which serve their homes. The proposal to convert the cow path to the driveway is following the precedents established by surrounding properties.
- The proposed development includes an extensive planting programme which will benefit and enhance the wildlife and natural beauty of the area.
- In relation to refusal reason no. 3, which refers to compliance with rural housing policy the applicant states that they submitted a cover letter with the application which explains their current situation. The applicant submitted supporting documentation with the application including bank statements. The applicant states that they have lived in the area for a minimum period of seven years and they do not own and never have owned a house. The applicant states that they are currently living with their parents on the family farm.

6.2. Planning Authority Response

- None received

7.0 Assessment

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

- Compliance with rural housing policy
- Design and visual amenity
- Vehicular Access

7.1. Compliance with rural housing policy

- 7.1.1. The Planning Authority refused permission for the proposed dwelling and on-site wastewater treatment system at the site at Curragh, Donoughmore, Co. Cork for three reasons.
- 7.1.2. The third refusal reason issued by the Planning Authority referred to compliance with rural housing policy contained in the Cork County Development Plan 2022-2028. It was stated in the reason for refusal that the site is located within a rural area which is identified in the Development Plan as being a “Rural Area Under Strong Urban Influence” under significant urban pressure for rural housing and that as set out in the Development Plan 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). It was concluded in the reason for refusal that based on the documentation submitted with the application that the Planning Authority were not satisfied that the applicant had not demonstrated that they came within the scope of the rural generated housing need criteria for a new dwellinghouse in this rural location.
- 7.1.3. The first party appeal in relation refusal reason no. 3 highlighted the details provided in the cover letter submitted with the application. The applicant also highlighted the

submitted supporting documentation with the application including bank statements. The applicant stated in the appeal that they are currently living with their parents on the family farm at Curragh, Donoughmore, Co. Cork. That they have lived in the area for a minimum period of seven years, and they do not own and never have owned a house.

- 7.1.4. Chapter 5 of the Development Plan is titled “Rural”, and it provides policies to ensure that the type and scale of development in rural areas, at appropriate locations and necessary to sustain rural communities is accommodated. Section 5.4 of the Development Plan refers to Identifying Rural Area Types. Figure 5.1 in the Development Plan indicates the Rural Housing Policy Area Types. The appeal site at Curragh, Donoughmore, Co. Cork is located within a rural area which is identified as a Rural Area Under Strong Urban Influence.
- 7.1.5. County Development Plan Objective RP 5-4: refers to Rural Area under Strong Urban Influence and Town Greenbelts(GB1-1) it specifies that 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 categories of housing need as set out in the plan. Category (d) refers to 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.
- 7.1.6. The report of the Planning Officer dated 24/9/2025 assessed the applicant’s compliance in relation to this category of County Development Plan Objective RP 5-4. It is detailed in the report that the applicant Abigail Goggin Mc Bride is obtaining the site from her father. There is a letter of consent on file in which the landowner Mr. Brian Goggin provides his consent for his daughter to apply for planning permission on the site located on his lands. As detailed on the supplementary planning application form submitted with the application, the applicant does not currently own or have ever owned a residential property. The applicant also has not previously built a home in a rural area. A cover letter on file states that the applicant works for the HSE and that she and her family currently live with her parents on the farm at Curragh, Donoughmore. The family home is shown on the submitted copy of a Land Registry map of the family landholding. It is situated circa 160m to the west of the

appeal site. The planning history was noted in the report of the Planning Officer. Under Reg. Ref. 11/5868 permission was granted to Brian and Christine Goggin for a dwelling on the landholding. The Planning Officer referred to that permission being granted on the basis that there was an existing derelict dwelling on the site.

- 7.1.7. It is stated in the cover letter that the applicant has been living there for over ten years. The application is accompanied by a number of bank statements which the applicant was issued and which were sent to the family home at Curragh, Donoughmore. The dates on the statements refer to June 2018, July 2017, April 2016 and May 2015. A further statement dated July 2025 was also submitted. I note that statements between the years 2019 and 2024 were not submitted. The report of the Planning Officer noted the documentary evidence submitted, however they considered that further documentary evidence would be required to verify residency.
- 7.1.8. Category (d) of County Development Plan Objective RP 5-4 refers to 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. The submitted documentation does not demonstrate that the applicant has lived at their parents address for a continual period of over seven years. Accordingly, I would concur with the assessment of the Planning Authority that in the absence of further documentary evidence the applicant had not demonstrated that they come within the scope of the rural generated housing need criteria for a new dwellinghouse in this rural location. Therefore, I would recommend a refusal of permission on that basis.

7.2. Design and visual amenity

- 7.2.1. The proposed dwelling is single storey with a ridge height of 5.963m and a floor area of 169sq m. The house design comprises a main section containing the kitchen/living/dining room, a utility room, bathroom and three bedrooms. At the eastern end of the dwelling a fourth bedroom is proposed which is inset from the front and rear building lines. At the western end of the dwelling a lounge is proposed which is inset from the front and rear building lines. The ridge heights of these two extremity sections of the dwelling are 5.052m which are marginally lower than the main ridge height of 5.963m. The design as proposed would result in the front and

rear elevations of the dwelling having a length of 22.5m. The appeal site is located at roughly the 170m contour. It is setback circa 140m from the local road to the north. The site is at an elevated location and having regard to the setback from the road it is also at an exposed location which is prominent in the landscape. There are wide views from the site towards the valley of the Shournagh river to the south and to the south-east and south-west.

7.2.2. As indicated on the Site Layout Plan the proposed finished floor level is 102.00. The submitted drawing of the Cross Section – Through the Site illustrates that a substantial amount of cutting into the site is necessary to facilitate the development. The proposed depth of excavation is in excess of 2.5m. Accordingly, a significant amount of cutting into the landscape is proposed.

7.2.3. Refusal reason no. 1 issued by the Planning Authority highlighted the elevated, exposed and prominent site nature of the site. The refusal refers to County Development Plan Objective RP5-22. This objective refers to Design and Landscaping of New Dwelling Houses and Replacement Dwellings in Rural Areas. Part (a) seeks to encourage new house design that respects the character, pattern and built forms and that fit appropriately into the landscape. County Development Plan Objective GI 14-9 which refers to Landscape is also detailed in the refusal reason. Specifically, parts (a), (c) and (d) are referred to. Part (a) seeks to protect the visual and scenic amenities of County Cork's built and natural environment, part (c) seeks to ensure that new development meets high standards of siting and design and part (d) seeks to protect skylines and ridgelines from development. It is stated in the refusal reason that having regard to the elevated, exposed and prominent nature of the site, along with the extent of cutting into the landscape, it is considered that the proposed development would detract from the landscape character and be injurious to the visual amenities of the area.

7.2.4. In response to the refusal reason the applicant stated that the site was chosen on the basis that it is the most secluded site on the remaining lands within the farm holding. They highlighted the planning history on the farm holding where permission had been refused for dwellings on five other sites primarily being refused on the basis that the sites were elevated and prominent locations and that the proposed development would seriously detract from the visual amenities and rural character of the area. In relation to the site selection, it is stated in the appeal that the Cork Rural

Design Guide was used to inform the site selection specifically page 21 which refers to preferred response.

- 7.2.5. The applicant submits that the proposed siting and design of the dwelling is appropriate on the basis that the proposed house design is a bungalow with a low ridge height. It is stated that significant additional planting and landscaping will screen the proposed dwelling from all directions. The applicant considers that there would be limited views of the proposed dwelling from the Fornaught Road to the south and that the proposed dwelling would not be visible from Shournach drive (L2764) to the south. The applicant also refers to the Bunkilla Road (L6795) which is parallel to the Fornaught Road. The applicant considers that the proposed dwelling would appear in line with existing houses when viewed from that road. In relation to the L2762 to the south the applicant considers that there would be very minor views of the proposed dwelling in the distance.
- 7.2.6. The documentation submitted with the appeal includes two photographs. It is stated in the appeal that the photographs were taken towards the site from the Fornaught Road to the south and that a six metre T pole was erected on the site to show the ridge line of the proposed dwelling. It is state in the appeal that the location of the T pole indicates that the ridge line of the proposed development would not break the skyline.
- 7.2.7. In relation to the matter of proposed development requiring cutting into the landscape it is submitted in the appeal this will be mitigated by the extensive landscaping. A Landscaping Plan, Drawing No: A31 was submitted with the application it indicates that the existing hedgerow along the southern site boundary will be retained. A cluster of new trees is proposed to the south-western corner of the site with further tree planting proposed to the south-east of the driveway to the front of the dwelling. Tree planting is also proposed to the north-east and north-west of the dwelling.
- 7.2.8. I note the photographs submitted with the appeal and that from the viewpoint presented the proposed house will not break the skyline. The submitted drawing of the Cross Section through the site indicate that the proposed ridge height of the dwelling would be roughly in line with the closest high point, ridgeline on the lands circa 40m to the north. Therefore, while the proposed dwelling would not appear to

break the skyline it would I consider form a visually incongruous development on this open and elevated site. Therefore, I would note that the ridge of the dwelling would in line with the ridge line to the north which is at an elevation of 180m. Accordingly, the proposed dwelling would be prominently sited within the context of the closest ridgeline.

- 7.2.9. The report of the Planning Officer in their assessment of the proposed siting of the dwelling stated that notwithstanding its positioning on the southern side of the brow of the hill, it is considered that the proposed development would detract from the landscape character and be injurious to the visual amenities of the area, particularly when viewed from the south, given the elevated, exposed and prominent nature of the site. I would concur with this assessment based on the siting of the proposed dwelling relative to the brow of the hill to the north.
- 7.2.10. In relation to the relevant development plan provisions, I would note Objective GI 14-9 which refers to Landscape and parts (a), (c) and (d) which are detailed in refusal reason no. 1 issued by the Planning Authority. Based on the siting and design of the proposed dwelling and elevated and open nature of the site I would consider that it would be contrary to Objective GI 14-9 and specifically part (a) which seeks to protect the visual and scenic amenities of County Cork's built and natural environment, part (c) which seeks to ensure that new development meets high standards of siting and design and part (d) which seeks to protect skylines and ridgelines from development.
- 7.2.11. In conclusion, having regard to the elevated nature of the appeal site and also the excessive set back from the public road it is consequently highly open and exposed within this rural landscape. Accordingly, notwithstanding the extensive landscaping proposed, I consider that the proposed development would form a discordant feature on the landscape at this location and would fail to be adequately absorbed and integrated into the landscape. Therefore, I recommend that permission be refused on the basis that it would seriously injure the visual amenities of the area and would be contrary to policy objective GI 14-9 (a), (c) and (d) of the Cork County Development Plan 2022-2028.

7.3. Vehicular Access

- 7.3.1. The second refusal reason refers to the existing vehicular entrance. It states that the Planning Authority were not satisfied that the entrance is authorised and that a grant of planning permission would facilitate an intensification of unauthorised development.
- 7.3.2. The first party responded to the matter in the appeal, they stated that there has been an agricultural entrance at that location and that it has been in existence prior to 1964. The appeal refers to the location being previously used as a central threshing point where local farmers brought wheat and barley for threshing in the 1940's and 1950's and that there is an existing cow path at this location. The applicant states that they do not believe that it is an unauthorised development.
- 7.3.3. The proposed vehicular entrance is located on the southern side of the local road (L27641). As indicated on the Site Layout Plan sightlines of 80m are proposed to the east and west of the site entrance. The report of the Area Engineer dated 24/9/2025 stated that sightlines of 60m are adequate for this road, however that a letter of consent from the landowner should be submitted providing the applicant with their permission to lower the road boundary within the sightlines so that no vegetation or structures exceed a height of 0.9m above the level of the public road within the sightlines. In relation to the matter of the sightlines being located outside the redline site boundary, I note the submitted copy of a Land Registry map on file of the family landholding which illustrates that the lands to the east and west of the proposed vehicular entrance are in the ownership of the applicant's father. Accordingly, I am satisfied that the proposed sightlines can be provided at the vehicular entrance.
- 7.3.4. Regarding the matter of the existing vehicular entrance, it is stated in the refusal reason that the planning authority is not satisfied that it is authorised and that they are precluded from considering a grant of permission as the proposal would facilitate an intensification of unauthorised development. In relation to this matter, I note that there are no details on file in respect of the vehicular entrance being subject to current enforcement proceedings. Accordingly, I do not consider that it would preclude the Commission from a grant of permission in these circumstances should the Commission be disposed to granting permission for the proposed development.

8.0 AA Screening

- 8.1.1. I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000, as amended.
- 8.1.2. Blackwater River (Cork/Waterford) SAC (Site Code 002170) is located 9.4km to the north-east of the appeal site. Maullaghanish to Musheramore SPA (Site Code 004162) is located 17km to the west of the appeal site.
- 8.1.3. The proposed development comprises the construction of a detached single storey house, on-site wastewater treatment system and associated site works.
- 8.1.4. No nature conservation concerns were raised in the planning appeal.
- 8.1.5. No streams/watercourses are identified on site.
- 8.1.6. 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 European site. The reason for this conclusion is as follows:
- The small scale and nature of the development.
 - The distance to the nearest European sites, and the absence of any hydrological or other pathways.
- 8.1.7. Taking into account the screening report of Cork County Council.
- 8.1.8. 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.
- 8.1.9. Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) under Section 177V of the Planning and Development Act 2000, as amended, is not required.

9.0 Water Framework Directive Screening

- 9.1. The proposed development has been subject to a screening for Water Framework Directive Assessment (refer to Appendix 3 of this report).
- 9.2. The subject site is located in the townland of Curragh, Donoughmore, which is situated approximately 3.5km north-east of the village of Stuake/Donoughmore,

County Cork. The site is located within a rural area at an elevation of approximately 170m contour. The soil type is AminDW – deep well drained mineral soil derived from mainly acidic parent materials. The subsoil is Devonian sandstone till. The bedrock is Sandstone and siltstone. The Shournagh River (SHOURNAGH_010) which is a tributary of the River Lee is situated circa 378m to the west. Inniscarra Lake waterbody (IE_SW_19_138) is located 9.3km to the south. The Ballinhassig East (IE_SW_G_004) groundwater body underlies the site.

- 9.3. The proposed development comprises the construction of a detached single storey house, new vehicular entrance, on-site wastewater treatment system and associated site works.
- 9.4. No water deterioration concerns were raised in the appeal.
- 9.5. The treatment of wastewater was not raised in the grounds of appeal.
- 9.6. I have assessed the proposed construction of a detached single storey house, new vehicular entrance, on-site wastewater treatment system and associated site works.
- 9.7. I 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.
- 9.8. The reason for this conclusion is as follows:
 - The nature and scale of the development
 - The proposed tertiary treatment of on-site effluent.

Conclusion

- 9.9. 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

10.1. I recommend that permission is refused for the following reasons.

11.0 Reasons and Considerations

1. The site of the proposed development is located in an area which is under significant urban pressure for rural housing, as set out under Objective RP 5-4 of the Cork County Development Plan 2022-2028. Based on the information submitted with the planning application and appeal, the Commission is not satisfied that the proposed development constitutes a genuine rural housing need based on the applicant's social and/or economic links to this particular area in the open countryside and it is considered that the applicant has not demonstrated compliance with any category of housing need, as per Objective RP 5-4 of the development plan and, as such, the proposed development would be contrary to this provision of the development plan. The proposed development would be contrary to the proper planning and sustainable development of the area.

2. The proposed development by reason of;

- the open and exposed nature of the landscape at this location
- the scale and height of the proposed dwelling
- the excessive cut and fill which will result as a consequence of the proposed FFL
- the excessive set back from the public road,

it is considered that the proposed development would form a discordant feature on the landscape at this location and would fail to be adequately absorbed and integrated into the landscape. The proposed development

would constitute haphazard and disorderly development which would be out of character with the pattern of development in the rural area and would militate against the preservation of the rural environment, would seriously injure the visual amenities of the area, would be contrary to County Development Plan Objective GI 14-9(a),(c) and (d) of the Cork County Development Plan 2022-2028 and 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.

Siobhan Carroll
12th of February 2026

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

Case Reference	PL500139-CK
Proposed Development Summary	House, vehicular entrance, wastewater treatment system and all associated site works.
Development Address	Curragh, Donoughmore, Co. 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)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> 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)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
<input checked="" type="checkbox"/> 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?	

<input type="checkbox"/> 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.	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
<input checked="" type="checkbox"/> 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)	Part 2, Class 10(b)(i) construction of more than 500 dwellings - The proposed development is below the 500 dwelling threshold. The proposed development is for the construction of 1 no. dwelling unit.

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

Inspector: _____ Date: _____

Form 2 - EIA Preliminary Examination

Case Reference	PL500139-CK
Proposed Development Summary	House, vehicular entrance, wastewater treatment system and all associated site works.
Development Address	Curragh, Donoughmore Co. 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).	The nature and size of the development comprising the construction of house, on-site wastewater treatment system and vehicular entrance is not exceptional in the context of the existing rural environment. The proposed development will not result in the production of any significant waste, emissions or pollutants. Localised construction impacts will be temporary. The development, by virtue of its type (residential), does not pose a risk of major accident and/or disaster.
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).	The development is situated in a rural area with a residence located to the north-east and also to the west. The development is removed from sensitive natural habitats, centres of population and designated sites and landscapes of identified significance in the County Development Plan.
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).	There is no real likelihood of significant effects on the environment arising from the proposed development. There is no real likelihood of significant cumulative effects having regard to existing or permitted projects.
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.
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	Schedule 7A Information required to enable a Screening Determination to be carried out.
There is a real likelihood of significant effects on the environment.	EIA required.

Inspector: _____ Date: _____

DP/ADP: _____ Date: _____

(only where Schedule 7A information or EIA required)

Appendix 3 - Water Framework Directive Assessment Screening

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Coimisiún Pleanála ref. no.	PL04.500139	Townland, address	Curragh, Donoughmore, Co. Cork
Description of project	Construction of a dwelling house, new site entrance, on-site wastewater treatment and associated site works.		
Brief site description, relevant to WFD Screening,	The site is located within a rural area at an elevation of approximately 170m contour. The soil type is AminDW – deep well drained mineral soil derived from mainly acidic parent materials. The subsoil is Devonian sandstone till. The bedrock is Sandstone and siltstone. The Shournagh River (SHOURNAGH_010) which is a tributary of the River Lee is situated circa 378m to the west. Inniscarra Lake waterbody (IE_SW_19_138) is located 9.3km to the south. The Ballinhassig East (IE_SW_G_004) groundwater body underlies the site.		
Proposed surface water details	Soak aways proposed		
Proposed water supply source & available capacity	Private well		

Proposed wastewater treatment system & available capacity, other issues		Tertiary Treatment System and soil polishing filter to discharge to Ground Water with a PE of 6 is proposed.				
Others?		No				
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 Waterbody	378m	Shournagh River (SHOURNAGH_010)	Good	Not at risk	-	Yes -drainage ditches hydrologically connected to watercourse
Lake Waterbody	9.3km	Inniscarra Lake (IE_SW_19_138)	Moderate	Not at risk	-	Not hydrologically connected to the lake waterbody

Groundwater Waterbody	Underlying Site	Ballinhassig East (IE_SW_G_004)	Good	Not at risk	-	Free draining soil conditions	
Step 4: 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	Water body 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.
1.	Site clearance/Construction	Shournagh River (SHOURNAGH_010)	Existing drainage ditches, watercourse	Siltation, pH (concrete), hydrocarbon spillages	Standard construction practice	No	Screened out
OPERATIONAL PHASE							
2.	Discharges to Ground	Ballinhassig East (IE_SW_G_004)	Pathway exists	Treated effluent to discharge to groundwater	Tertiary Effluent Treatment system and polishing filter	No	Screened out
DECOMMISSIONING PHASE							

3.	NA						
----	----	----	----	----	----	----	----