



An
Coimisiún
Pleanála

Inspector's Report

PL-500332-CK-25

Development	Construction of a detached building for domestic use ancillary to the main dwelling and the development of on-site renewable energy infrastructure.
Location	Sprayfield House, Ballynabooly, Sandycove, Co. Cork
Planning Authority	Cork County Council
Planning Authority Reg. Ref.	24/6450
Applicant(s)	Riocht na N-Ainmhithe LLC
Type of Application	Permission
Planning Authority Decision	Grant Permission + Conditions
Type of Appeal	Third Party Normal Planning Appeal
Appellant(s)	Carmel Walsh Elizabeth Bond Anna Hosford
Observer(s)	None
Date of Site Inspection	17 th February 2026
Inspector	Suzanne White

Table of Contents

1.0	Site Location and Description	3
2.0	Proposed Development.....	3
3.0	Planning Authority Decision	4
4.0	Planning History.....	9
5.0	Policy Context.....	10
6.0	EIA Screening.....	19
7.0	The Appeal	19
8.0	Assessment	33
9.0	AA Screening.....	51
10.0	Water Framework Directive.....	52
11.0	Recommendation.....	53
Appendix 1: Form 1 EIA Pre-Screening		57
Appendix 2: Form 2 - EIA Preliminary Examination		60

1.0 Site Location and Description

- 1.1. The subject site is located c. 3.5km south of Kinsale and c. 1km south of the coastal cluster of Sandycove. The site is that of Sprayfield House, a single storey Georgian dwelling dating to c. 1820, which is listed on the NIAH (ref. no. 20912506) as being of regional level importance for its architectural, artistic and historic special interest. The subject application relates to proposed works within the grounds and wider estate lands of Sprayfield House, which extend to c. 27.28ha.
- 1.2. The site is positioned to the south of the L3224 local road, from which the house and grounds are accessed via an existing entrance and driveway.
- 1.3. The northern boundary of the site, along the local road, comprises mature hedgerow and a sod and stone wall. The northern portion of the grounds, comprising the driveway, Sprayfield House, an existing tennis court and outbuildings have a sylvan character. The eastern and southern portions of the site are open and agricultural in character.
- 1.4. Levels on site slope down from the local road towards Sprayfield House and its associated outbuildings towards a small woodland and Whitestrand stream, before rising again further to the south and northeast.
- 1.5. The site is situated on the coast, with Kinsale Harbour directly adjacent to the east. The c.2.1km Sandycove cliff walk routes within the application site on its eastern boundary, terminating within the application site. Adjacent to the southeast is Kilroan church (ruins) and graveyard, both recorded monuments, together with other recorded monuments comprising holy wells and a mass rock. This site is accessed from the south.
- 1.6. On the day of my site visit, construction works were ongoing to Sprayfield House.

2.0 Proposed Development

- 2.1. The subject application, as revised by further information submitted, seeks planning permission for:
 - Removal of 26no. trees
 - removal of existing tennis court and 26no. trees adjacent

- construction of a detached building of 1,298.2sqm (also referred to as the hillside complex), comprising storage and gallery space, gym and leisure facilities (pool, padel court, games room, tennis court), access lift, pavilion area, workshop, plant rooms, set down area
 - the structure would comprise of two levels of accommodation, cut into the existing slope, with the tennis and padel courts and a pavilion at roof level
 - the padel court and tennis court at roof level would be at 55.00m
 - the padel court would be enclosed by 3m high tempered glass panels with 1m high mesh atop. Tennis court enclosed by 3m height mesh fence.
- 14no. ground mounted arrays, each with 18no. photovoltaic panels (256no. panels in total)
- 12no. 10kW mini turbines of 1.25m height with 2no. control panels
- 1no. additional soakaway (located to the south of Sprayfield House, c. 570sqm in area)
- temporary removal of part of the northern boundary wall to provide a temporary construction access
- site landscaping:
 - including access track to the proposed detached building from inside the entrance gate
 - footpath and steps from Sprayfield House and garage
- all associated works including ducting, electrical infrastructure and boundary treatment works:
 - new northern boundary mesh fence of 1.8m height, positioned inside the existing sod and stone boundary wall, with new mixed native screen planting to public side
 - retaining walls: stone faced
- Materials: glass, stone cladding, timber cladding, metal cladding and wiremesh fencing.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority issued notification of a Grant of planning permission, by order dated 29th October 2025, subject to eleven conditions.

3.1.1. Conditions

Condition 2 restricts the change of use of the detached building without a separate grant of permission.

Condition 9 requires the reinstatement of the boundary wall removed to provide a temporary construction entrance.

3.1.2. Further information request

Prior to making a decision on the application, the Planning Authority requested further information from the applicant on the 20th February 2025. The matters requested were:

- Visual impact assessment: additional and revised photomontages
- Design: revised plans showing reducing the visibility of the pavilion/lift shaft and padel court; further details to show the appearance of the proposed structure and materials; details of fencing.
- Archaeology: confirm the cumulative surface area of the proposed works and submit an Archaeological Impact Assessment if appropriate.
- Construction: submit a construction management plan.
- Noise: clarify the location of all noise emitting apparatus for energy/extractor/ventilation etc

3.2. **Planning Authority Reports**

3.2.1. Planning Reports

The initial Planner's Report, dated 19th February 2025, may be summarised as follows:

- The applicant is carrying out conservation led refurbishment of Sprayfield and its woodland to a high standard. Sprayfield is already a modified version of the original included on the NIAH and the appraisal within the NIAH makes no reference to the surrounding landscape. Sprayfield is very private shielded by surrounding topography/planted woodland. This combination of factors creates opportunity for the spread of developments in this application.

- The proposed hillside complex structure is monumental at 1298.2sqm. The only way to make a structure of this size fit into the landscape is to engineer it into the hillside. The scale, significance and extent of groundworks will be massive. There will be disruption in terms of construction traffic and noise.
- The proposed structure is substantially underground, skilfully designed/engineered and involves quality materiality. It will not seriously adversely affect the setting of Sprayfield House when viewed from the nearside roadside boundary or distant coastal path.
 - The submitted elevation drawings do not provide absolute clarity as to the appearance of the structure, especially the pavilion/central lift shaft and padel court, where a reduction in height, scale and mass might be required.
 - The proposed landscape compensates for the removal of 26no. trees. The retention of these trees would require significant redesign of the structure.
 - The water supply source is a bored well.
 - Details of noise emitting apparatus required.
 - The proposed 256no. PV panels is considerably more than normal domestic dwellings, but still small scale compared to a commercial solar farm. These will only be visible from limited vantage points and at considerable distance from adjoining properties. They would not be visible from Courtaparteen Archaeological complex and would be a considerable distance from Sprayfield House and shall not interfere with its character or setting.
 - The proposed 12no. turbines of 1.2m height are considered to have minimal impacts on residential properties or the setting and character of Sprayfield, given their scale, size, appearance, location, noise.
 - Clear information provided in the Building Services Report which explains the rationale for power demand and services demands. Further information relating to battery storage is not necessary.
 - Details of the 1.8m perimeter fencing are required. Native hedgerow planting should be on the public side of the fence.
 - AA screened out and EIA excluded at preliminary examination.

The Planner's Report, dated 28th October 2025, following receipt of further information, may be summarised as follows:

- The proposed hillside structure is large-scale relative to both the host dwelling and overall estate grounds, where it will be partially visible from certain parts of the coastal path. However, the structure would not be unduly obtrusive from public areas, especially the local road adjacent.
- The Planner's Report attaches less heritage importance attached to the historic landscape and house setting than the Conservation Officer.
 - Considers that the hillside structure does not interfere with the context, setting or approach to the main dwelling, noting that it is substantially conflicted by the detached garage store structure granted under PRR 24/4911.
 - Considers that the reduced height pavilion/lift shaft is acceptable and would not cause visual obtrusion.
 - The proposed external finishes are acceptable.
 - In relation to noise, the potential for adverse operational impacts is very low.
 - As the top of the lift shaft is more or less level with the top of the roadside boundary wall, the potential for the proposed glass block cladding to look incongruous from public areas is very limited and too far away from the main 'historical' context around the house to make any negative impact overall.

Commented [KH1]: Is this your opinion? If so it should be in the assessment rather than here. It should only be statement of facts.

3.2.2. Other Technical Reports

- Environment (06/02/25): clarification required in respect of noise impact assessment in relation to the turbines; details of battery storage; inclusion of PVs and turbines as part of the photomontage; details of proposed pool (water supply/treatment/disposal); details of lighting and lightspill.
- Conservation Officer (14/02/2025): recommends further information is sought in respect of: submission of a historic landscape report including impact of the PVs and turbines; redesign of the proposed detached building to retain trees and any other features that are part of the designed landscape, reduce the size of the structure and reconsider its form and materials to better reflect the setting; additional photomontage viewpoints. The Conservation Officer's report

(22/10/2025) following receipt of further information considered that the visual impact from the driveway (VP2) towards the proposed new development and the existing dwelling was still quite significant and the redesigned elevation design had not mitigated the impact. They stated that the pavilion should be reduced in size, and alternative external materials be specified for the lift shaft.

- Area Engineer (17/02/2025): no objection, subject to conditions. The Area Engineer's report following receipt of further information stated no objection, subject to conditions.
- Archaeologist (18/02/2025): recommends that further information is sought, consisting of an Archaeological Assessment, including consideration of visual impacts. The Archaeologist report (21/10/2025), following receipt of further information which included an Archaeological Assessment, stated that level of archaeological testing was satisfactory and no archaeological finds or features were identified and that the visual impact findings were accepted.

3.3. Prescribed Bodies

No comments recorded on file.

3.4. Third Party Observations

Twenty submissions were received by the Planning Authority in relation to the application, from local occupiers, including the 3rd party appellants in this case. The issues raised, which are not covered in the grounds of appeal or observations received, may be summarised as follows:

- Potential impacts on wildlife and absence of an Ecological Impact Assessment or Appropriate Assessment report.
- Water pollution from construction surface water runoff and increase in impervious surfaces. Potential impacts on wildlife and domestic wells.
- Construction impacts: the local roads are unsuitable for HGVs and increased traffic volume. Noise disturbance. Working hours set out in the Construction Management Plan seem excessive.

- Energy availability for the wider area due to the amount of energy required by a development of the size proposed.
- Light pollution.

4.0 Planning History

Application site:

24/4911: Permission granted for the redevelopment and renovation of Sprayfield House, Ballynabooley, Sandycove, Co. Cork to comprise: 1) the demolition of the rear porch of the existing dwelling, existing sunroom, existing boiler room and WC, and the demolition of an existing stable building; 2) the construction of single storey extensions to the existing dwelling to the northern, southern and western elevations, a new detached split level garden room, and a new detached domestic garage; 3) modifications to the caretaker dwelling previously permitted under application register reference 22/6345, and which is currently under construction, so that it will now function as guest accommodation and will include: a new reading room and storage at ground floor level; a second bedroom with ensuite and lobby in place of the kitchen and living room at first floor level; an increase in extent of the external terrace; changes to the ground and first floor elevations to include the additions of French doors and a rooflight on the eastern elevation, an increase in height of one window and inclusion of canopy over entrance door and a slight increase in width of the northern elevation, the omission of one rooflight on the western elevation, and the inclusion of a Juliette balcony, wood panelling and a slight increase in width of the southern elevation; an increase in ridge height of 305mm; the omission of the previously permitted new wastewater treatment system, 4) changes to the existing front elevation of Sprayfield House to include the replacement of existing windows with French doors, and changes to the existing roof to include the replacement of mismatched roof tiles with blue bangor slate and the addition of a new flat warm deck roof and new roof lights; 5) alterations to the existing gated site entrance; 6) the decommissioning of the existing wastewater treatment system and installation of a new on-site wastewater treatment system, which will serve both Sprayfield House and the guest accommodation; 7) the decommissioning of an existing bored well and boring of a new potable water well; 8) drainage and surface

water management works including soak pits; 9) all landscaping, including the refurbishment of the existing driveway and courtyards; 10) and all associated boundary, site and development works.

22/6345: Permission granted for demolition of existing stable building, renovations, conversion of first floor of existing domestic garage and construction of two storey extension to provide a separate dwelling unit at first floor level with storage and plant room at ground floor, new balcony and external stairs, new waste water treatment system and associated site works.

Nearby sites:

Adjacent to the northwest:

09/6828: permission refused for construction of a single bedroom apartment (granny flat), garage, car port, domestic stores and new wastewater treatment unit servicing both existing and proposed developments.

PL04.230158 (08/6385): permission refused for apartment (granny flat), garage, carport, stores & ancillary site works.

Adjacent site to the northeast (Valley House):

13/6136: permission granted for retention of demolition of dwellinghouse and permission for construction of dwellinghouse (to match and incorporate extensions and alterations to the original dwelling as previously permitted under Planning Reg. No. 13/4717).

5.0 Policy Context

5.1. Development Plan

The operative Development Plan is the Cork County Development Plan 2022-2028. Proposed Variation No.1 to the Plan was published for consultation on the 10th March 2026. Consultation on the Proposed Modification to Proposed Variation No.1 is taking place from 12th June to 10th July 2026. The Proposed Variation No.1 sets out changes to the current Cork County Development Plan 2022-2028 arising from the implementation of the NPF first revision, particularly relating to housing growth requirements, as well as some other consequential proposed changes to the Plan.

Volume 1: Written Statement

Chapter 2:

CS 2-4: Greater Cork Ring Strategic Planning Area

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

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

Chapter 3: Settlements and Placemaking

PL 3-5: Rural Placemaking

The Plan acknowledges that there are distinct and regional patterns of development within the rural villages and rural areas of County Cork and these make a positive contribution to the County's settlement network and rural landscape. New buildings should respond to the historic placemaking patterns and built form prevalent in the area.

Chapter 5: Rural

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

a. Encourage new dwelling house design that respects the character, pattern and tradition of existing places, materials and built forms and that fit appropriately into the landscape.

b. Promote sustainable approaches to dwelling design by encouraging proposals to be energy efficient in their design, layout and siting, finishes, heating, cooling, and energy systems having regard to the need to reduce reliance on fossil fuels and reduce carbon emissions.

c. Foster an innovative approach to design that acknowledges the diversity of suitable design solutions in most cases, safeguards the potential for exceptional innovative

design in appropriate locations and promotes the added economic, amenity and environmental value of good design.

d. Require the appropriate landscaping and screen planting of proposed developments by retention of existing on-site trees hedgerows, historic boundaries, and natural features using predominantly indigenous/local trees and plant species and groupings.

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

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.

Section 5.6.3 All planning applications for houses in rural areas, regardless of the personal circumstances of the applicant or whether they qualify under specific social and economic need criteria, have to be tested against a range of site-specific planning and sustainable development criteria. Normally, the planning and sustainable development criteria, against which an application is assessed, would include the following:

- How the proposal relates to the overall strategy, policies, and objectives of the County Development Plan;
- The settlement pattern of the area and whether the proposal would give rise to a ribbon of linear roadside frontage development or excessive concentration of development;
- Whether the siting, design and scale of the proposal is appropriate to the surroundings (See Chapters 14, 15 and 16);
- Whether the proposal involves excessive site excavation or mounding;
- Whether the site is in an exposed or visually sensitive location (Chapter 14)

Chapter 13: Energy and Telecommunications

ET 13-2 Renewable Energy

d) To promote the potential of micro renewables where it can be demonstrated that that it will not have adverse impacts on the surrounding environment (including water quality), landscape, biodiversity or amenities.

Section 13.6.5 In this Plan, commercial wind energy developments are those wind energy developments where the primary purpose is to generate electricity for connection to the grid irrespective of their scale. Other policies apply to the planning of wind energy developments where the primary objective is to generate electricity for use on-site (sometimes called: 'autoproducers').

13.9 Other wind energy developments

13.7.2 Proposals for the generation and consumption of electricity in a single premise will be considered on their merits in all areas of the County including the Strategic Employment Areas around Cork Harbour.

13.7.4 Micro generation is a concept that where energy is created and consumed on-site and not exported to the grid. In this context it is understood as zero or low carbon heat and power generated by individuals, small businesses, and communities to meet their individual energy needs. The opportunities and benefits these technologies will give rural areas, and in particular islands off County Cork the chance to be self-sufficient and have energy security.

ET 13-13 Other Wind Energy Development

Consider proposals where it can be shown that significant impacts on the following can be avoided:

- Residential amenity particularly in respect of noise, shadow flicker and visual impact;
- Urban areas and Metropolitan/Town Green Belts;
- Sites designated for nature conservation, protected species, and habitats of conservation value;
- Architectural and archaeological heritage: and;
- Visual quality of the landscape and the degree to which impacts are highly visible over wider areas.

ET 13-14: Solar Farm Development

a) In recognition of national targets and commitments to significantly increase renewable energy production, support will be given to solar farm projects at appropriate locations, where such development does not have a negative impact on the surrounding environment, landscape, historic buildings, or local amenities.

b) Promote the development of solar energy infrastructure in the county, in particular for on-site energy use, including solar PV, solar thermal and seasonal storage technologies. Such projects will be considered subject to environmental safeguards and the protection of natural or built heritage features, biodiversity views and prospects.

c) Require that new solar farm development proposals be assessed against the criteria listed in this Plan until such time as Section 28 Guidelines on Solar Farm Developments from the Department of Housing, Planning and Local Government are published to supersede same.

d) Encourage the use of passive solar design principles for residential building(s) in line with relevant design criteria.

e) Support and encourage the installation of solar collectors and panels for the production of heat or electricity in residential and commercial buildings, in line with relevant design criteria.

f) All proposed solar developments locating in close proximity to any roads and airport infrastructure will undergo a full glint and glare assessment.

g) Proposals for development of new solar developments and associated infrastructure including grid connections will be subject to ecological impact assessment and, where necessary Appropriate Assessment, with a view to ensuring the avoidance of negative impacts on designated sites, protected species and on-sites or locations of significant ecological value.

Chapter 14: Green Infrastructure and Recreation

Section 14.8 refers to the Landscape Character Assessment of County Cork. The site is located within an area designated as a High Value Landscape.

Section 14.8.5 of the Plan outlines that “High sensitivity landscapes are vulnerable landscapes with the ability to accommodate limited development pressure. In this rank landscape quality is at a high level, landscape elements are highly sensitive to certain types of change. If pressure for development exceeds the landscape’s limitations the character of the landscape may change”.

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.

GI 14-10: Draft Landscape Strategy

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

GI 14-12: General Views and Prospects

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

Chapter 15: Biodiversity and Environment

BE 15-8: Trees and Woodlands

- a) Protect trees the subject of Tree Preservation Orders.

b) Make use of Tree Preservation Orders to protect important trees or groups of trees which may be at risk or any tree(s) that warrants an order given its important amenity or historic value.

c) Encourage the provision of trees for urban shading and cooling in developments in urban environments and as an integral part of the public realm.

d) Preserve and enhance the general level of tree cover in both town and country. Ensure that development proposals do not compromise important trees and include an appropriate level of new tree planting.

e) Where appropriate, to protect mature trees/groups of mature trees and mature hedgerows that are not formally protected under Tree Preservation Orders.

Chapter 16: Built and Cultural Heritage

HE 16-2: Protection of Archaeological Sites and Monuments

Secure the preservation (i.e. preservation in situ or in exceptional cases preservation by record) of all archaeological monuments and their setting included in the Sites and Monuments Record (SMR) (see www.archaeology.ie) and the Record of Monuments and Places (RMP) and of sites, features and objects of archaeological and historical interest generally.

In securing such preservation, the planning authority will have regard to the advice and recommendations of the Development Applications Unit of the Department of Housing, Local Government and Heritage as outlined in the Frameworks and Principles for the Protection of the Archaeological Heritage policy document or any changes to the policy within the lifetime of the Plan.

HE 16-15: Protection of Structures on the NIAH

Protect where possible all structures which are included in the NIAH for County Cork, that are not currently included in the Record of Protected Structures, from adverse impacts as part of the development management functions of the County.

HE 16-16: Protection of Non- Structural Elements of Built Heritage

Protect non-structural elements of the built heritage. These can include designed gardens/garden features, masonry walls, railings, follies, gates, bridges, shopfronts

and street furniture. The Council will promote awareness and best practice in relation to these elements.

HE 16-20: Historic Landscapes

- a) Recognise the contribution and importance of historic landscapes and their contribution to the appearance of the countryside, their significance as archaeological, architectural, historical and ecological resources.
- b) Protect the archaeological, architectural, historic and cultural element of the historic/heritage landscapes of the County of Cork.
- c) All new development within historic landscapes should be assessed in accordance with and giving due regard to Cork County Councils 'Guidance Notes for the Appraisal of Historic Gardens, Demesnes, Estates and their Settings' or any other relevant guidance notes or documents issued during the lifetime of the Plan.

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.

16.3.33 Cork County Council has published a number of guidance documents which help to improve the quality of design across the County namely;

Cork Rural Design Guide

Cork County Draft Landscape Strategy (2007): the site is located within landscape Type 3: Indented Estuarine Coast, which is identified as having very high landscape value and sensitivity.

5.2. Relevant National or Regional Policy / Ministerial Guidelines

National Planning Framework – First Revision April 2025

National Policy Objective 23 - Protect and promote the sense of place and culture and the quality, character and distinctiveness of the Irish rural landscape including island communities that make Ireland's rural areas authentic and attractive as places to live, work and visit. Any successor policy documents relating to national policy for rural areas and the islands will ensure continued alignment and consistency with the National Policy Objectives of this Framework.

National Policy Objective 70 - Promote renewable energy use and generation at appropriate locations within the built and natural environment to meet national objectives towards achieving a climate neutral economy by 2050.

NPO 73 - Support the co-location of renewable technologies with other supporting technologies and complementary land uses, including agriculture, amenity, forestry and opportunities to enhance biodiversity and promote heritage assets, at appropriate locations which are determined based upon the best available scientific evidence in line with EU and national legislative frameworks.

National Policy Objective 90 - Enhance, integrate and protect the special physical, environmental, economic and cultural value of built heritage assets, including streetscapes, vernacular dwellings and other historic buildings and monuments, through appropriate and sensitive investment and conservation.

Draft Revised Wind Energy Development Guidelines 2019

Wind Energy Development Guidelines 2006

Sustainable Rural Housing Guidelines (2005)

Architectural Heritage Protection Guidelines for Planning Authorities (2011)

Climate and Low Carbon Development Act 2015 as amended (the Climate Act) and the Climate Action Plan 2025

5.3. Natural Heritage Designations

The site is not located within a designated Natura 2000 site. The nearest European Sites in proximity to the subject site are:

- Sovereign Islands SPA (004124) c. 4.7km to the east
- Old Head of Kinsale SPA (004021) c. 5.54km to the south
- Courtmacsherry Estuary SAC (001230) c. 9.14km to the west
- Courtmacsherry Bay SPA (004219) c. 9.14km to the west
- Seven Heads SPA (004191) c. 12.02km to the southwest

The nearest nationally designated sites to the subject site are:

- Sovereign Islands NHA (000105) c. 4.7km to the east
- James Fort pNHA (001060) c. 2.48km to the north
- Garrylucas Marsh pNHA (000087) c. 3.24km to the southwest
- Garretstown Marsh pNHA (001053) c. 3.88km to the southwest
- Old Head of Kinsale pNHA (000100) c. 4.95km to the south
- Bandon Valley Below Inishannon (001515) c. 8.63km to the northwest

6.0 EIA Screening

- 6.1. 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.

7.0 The Appeal

7.1. Grounds of Appeal

Three third party appeals were received, from occupiers of dwellings located to the west and north/northwest of the application site. The grounds of appeal can be summarised as follows:

General

- The proposed development would adversely affect the character of Sprayfield House, contrary to Objective HE 16-15. The fact that Sprayfield House is a modified version of the original 1820 dwelling is irrelevant as its evolution over time is acknowledged in the NIAH description and does not undermine the regional heritage importance of the structure. Consider that Objectives HE16-15, 16-16, 16-20 and 16-21 require the heritage value of the property to be protected from private as well as public viewpoints.
- The proposed development would involve the unnecessary removal or adverse impact on the gardens, garden features, masonry walls and railings of Sprayfield House, contrary to Objective HE 16-16.
- Due to the lack of a Historic Landscape Report, the Commission cannot be satisfied that the proposed development would not adversely affect the character of the curtilage and attendant grounds of Sprayfield House, contrary to Objective HE-16-20.
- The location, scale, massing and detailed design of the proposed development would materially contravene Objective HE 16-21 which encourages new buildings that respect the character, pattern and tradition of existing places, materials and built forms.
- The proposed 4 phases of development on the site constitutes overdevelopment of the site and creates a serious, irreversible impact on the visual lie of the land within the wider countryside. Contrary to Objective GI 14-9.
- The proposed development would be contrary to Objective GI14-10.
- The number of additional buildings for accommodation, staff, garages and private amenities is excessive in an area not zoned for development. Could set a precedent for planning permission on the coastline.

- The proposed works will be visible in the local landscape and would seriously compromise the views and amenity of the cliff walk.
- The Planning Authority failed to: correctly apply the policies in the Cork County Development Plan 2022-2028 in regard to the control of development in coastal areas of high scenic and recreational amenity value and protection of the built heritage; assess the excessive scale, massing and cumulative impact of the proposals in the context of existing permissions; take into account the ongoing enforcement case in relation to PRR 24/4911; and give due consideration to the issues raised by 3rd parties.
- Insufficient regard was had to the Conservation Officer's comments in the Planning Authority's decision.

Detached domestic building (Hillside complex)

- The construction of the proposed ancillary domestic structure in a high and exposed location would seriously detract from the visual and scenic amenity of this rural and coastal landscape, contrary to Objectives GI 14-9 and GI14-12.
- The scale and massing of the proposed structure would create an unsightly feature on the rural landscape, which would be out of character with the vernacular pattern of existing development and inconsistent with the Cork Rural Design Guide and Policy Objective R5-22.
- The hillside complex will be directly adjacent to the Wild Atlantic Way route. The hillside complex would rise above the treeline and Sprayfield House, dominating the skyline from the Cliff Walk and sea aspect in design, positioning and size, contrary to Objective GI 14-9. The hillside complex would negatively affect the existing group of low key buildings comprising Sprayfield House, Courtaparteen Church, Courtaparteen Famine Village, the Graveyard and Mass Rock.
- The hillside complex would overwhelm the original harmonious setting of the main house (listed on the NIAH as being of regional, architectural and artistic importance), reducing it to a minor building in the overall scheme.
- Removal of extensive number of old trees, vegetation, hedgerows and historic boundary walls is contrary to Objective GI 14-10.

- The scale of the proposed private leisure complex appears excessive.

Proposed photovoltaics and wind turbines

- Significant overdevelopment of renewable energy infrastructure for a private house. Lack of justification submitted. No public energy benefit, contribution to grid-scale supply or broader community energy purpose. Contrary to the principle of proportionality and sustainable development. Unacceptable precedent. Domestic wind and solar installations for the scale proposed should not be considered sustainable if they are required to service an unsustainable scale of development and energy consumption. The need to install enough UV panels and wind turbines to generate 240kwatts of energy appears excessive given that the general requirement for the average household is 3-5 kwatts.
- The County Development Plan 2022-2028 identifies the Kinsale-Sandycove coast as a High Landscape Value area, a High Landscape Sensitivity area, contains designated Scenic Routes and Protected Views and is an area of geological interest. The scale, elevated visual dominance and reflective characteristics of the installation will materially harm the landscape, amenity and historic setting of Sandycove and the Kinsale coastal environment. Out of character with traditional low-scale rural coastal landscape. The proposed panels would break the natural coastal pattern, introduce industrial visual clutter, dominate the landscape due to its reflective and geometric form and be visible in long-distance views across the harbour and coastal slopes.
- Glint and glare impacts on the amenity of residents, tourists, road users and harbour users. Glare can interfere with marine navigation.
- Negative impact of the UV panels and wind turbines on the amenity value of Sandycove Cliff Walk.
- Absence of proper technical, visual and environmental assessments.
- The proposal is contrary to Development Plan policies, is inconsistent with the Cork Rural Design Guide and would set a precedent for over-scaled domestic energy development in a rural area.

- Note that there is an open enforcement case relating to a previous permission on the wider site.

7.2. **Applicant Response in the case of a 3rd Party Appeal**

The applicant's response to the grounds of appeal comprises a statement and appendices. The grounds of appeal can be summarised as follows:

General comments:

- The grounds of appeal are acknowledged, but are frequently exaggerated, present, in places, a misleading context to the Commission, are often of limited planning relevance and are not supported by evidence. An example of this is the comparison drawn between the proposals and commercial scale windfarms.
- The applicants acknowledge that the building floorspace involved is considerable in a normal domestic residential context, but note that most of it would be underground.
- In relation to the redevelopment of the main dwelling, there are significant and justified structural and safety grounds for the extent of demolition works undertaken.
- The setting and landscape across the estate was left to its own devices over the recent past. It is now subject to ongoing woodland management, rewilding initiatives aimed at restoring its sylvan setting.
- The site is not a 'highly exposed location' but instead is a relatively secluded, well screened and visually unexposed site.
- No project splitting arises. A masterplan was prepared and submitted with the Phase 1 application. The masterplan is indicative only.
- Noting the issues raised in the grounds of appeal in relation to the procedures and processes adopted by the planning authority in their consideration of the application, it is noted that the Commission is obliged to "determine the application as if it had been made to it in the first instance".

- The subject development is sub-threshold for EIA. The competent authority for AA is Cork County Council. They have determined that the proposal will have no significant impact.
- The planning authority comprehensively assessed the planning application and were satisfied with the materials submitted. No departmental report recommended a refusal.
- The grounds of appeal reference numerous matters that were addressed by the planning authority during the planning process to date. The decision includes conditions which will address the grounds of appeal raised.

Principle of development:

- CDP objective ZU 18-4 is applicable - the specific zoning shall be deemed to be that of the existing use of the lands. The domestic storage and recreational building is entirely ancillary to the use of the main property as a domestic building. There is no principled planning policy restriction or constraint to the proposal on the basis of its scale. The principle of the proposed development of the domestic storage and recreational building and renewable energy proposals can be considered acceptable in principle.

Objectives GI 14-9 (b), (d) and (e) and GI 14-12

- Objectives GI 14-9 (b) and (d) and GI 14-12 do not require any specific steps to be followed with regard to landscape/views, rather they should be seen as matters to which the planning authority will have regard.
- Objective GI 14-9 (e) is also flexible, discouraging proposals "necessitating the removal of extensive amounts of trees, hedgerows and historic walls". This objective does not appear to arise given that no hedgerows or historic walls are proposed to be removed and only relatively minor tree removal is proposed.

Objective RP 5-22

- RP 5-22 relates to 'new dwelling houses and replacement dwellings in rural areas' and is not considered relevant to the current proposal.

Objectives HE 16-15, 16-16, 16-20 and 16-21

- These objectives are general and not sufficiently prescriptive that a contravention can be sensibly discerned.

Objectives HE 16-20 (c) and HE 16-21 (d)

- Objective HE 16-21(d) requires that appropriate landscaping and screen planting takes place using native/local species. A sympathetic landscaping and planting scheme was proposed and approved by the planning authority, in accordance with the recommendations of the Arboricultural assessment.
- HE 16-20(c) requires that new development within historic landscape be assessed "in accordance with and having regard to" Cork County Council's Guidance Notes for the Appraisal of Historic Gardens, Demesnes, Estates and their Settings or any other relevant guidance notes or documents issued during the lifetime of the Plan". It is not evident that Sprayfield or the proposed development is located within a historic landscape. A Historic Landscape Report was submitted to the planning authority. The proposed development would be located c. 40m from Sprayfield House, would be substantially screened from the dwelling and public view points and part of the site is currently set out as a tennis court. In the absence of an express designation in the CDP, it is a matter for the planning authority to determine whether the proposed development is located within a historic landscape and whether the objective is triggered.
- The appeal of Carmel Walsh refers to the case of *Condon v An Bord Pleanála* in relation to the weight placed on the reports of the planning authority's Conservation Officer. *Condon* is not authority for the proposition that particular deference must be paid to conservation officers in the determination of an application, but that an application must be determined on its merits, having regard to the Development Plan and other matters to which the planning authority is required to have regard. The applicant refers to the *Sherwin v An Bord Pleanála* (2024), *Eco Advocacy v An Bord Pleanála* (2025), *Environmental Trust Ireland v An Bord Pleanála* (2022) and *Oxigen Environmental Unlimited Company v An Coimisin Pleanála* (2025) cases, also, to make the point that the decision to agree or disagree with a submission, whether originating from an expert or not, is entirely at the discretion of the

relevant decision-maker having regard to the merits of the proposed development and balanced by obligations to give reasons for the decision, to act rationally and in accordance with the law.

Planning Enforcement Matters

- An enforcement notice was issued by the planning authority on the 24th November 2025 in respect of the Phase 2 permission, relating to the main dwelling. The application for the subject application was determined by the planning authority on the 29th October 2025, therefore the unauthorised development was only alleged at that time. Compliance with the notice is being advanced in full. the planning authority did not utilise the procedure under Section 35 of the 2000 Act whereby the planning authority, using discretion, may refuse permission for past failures to comply. The Commission is entitled to form its own view in this regard.

Design, scale and visual impact - wider context

- Dispute any conclusions that this development would have a detrimental impact on the character of the area due to its scale, placement or design.
- The site is located in a 'High Value Landscape'. This does not preclude development, rather, the CDP advises that large scale developments will need careful consideration to be successfully located within these areas.
- The subject site is not located on a designated Scenic Route, does not impact on protected views or vistas and is not located on the Wild Atlantic Way.
- The essential rural and coastal character of the area exhibits a large number of one off residential dwellings within the landscape. One off dwellings and their associated outbuildings are a defining feature of the rural landscape.
- The proposal is in line with its setting. There are a wide variety of house types, sizes and designs in the wider area. Given this diverse range of house types, the proposal cannot be considered to detract from the general and overall character of the area.

- The site is not a prominent or exposed hillside location. The proposed development will not impact on the skyline or ridgeline. The padel and tennis courts are a like for like amenity use.
- The cliff walk is not located on public land, it is part of the applicant's landholding.
- The proposed building will be largely underground. It and the renewable infrastructure will be well screened and hardly visible in any views in the immediate area. This is reflected in the photomontage views submitted with the application and also with the appeal (Appendix 2).

Design, scale and visual impact - localised context

- The site of the hillside building is on the site of an existing tennis court, separated an appropriate distance (40m) from the main dwelling.
- The building has been shaped and sited to ensure no undue negative impacts on the character of the dwelling or visual amenity of the area.
- The site is secluded and well screened. Further planting can be conditioned if necessary.

Landscape/Ecology/Tree loss

- The site is not subject to any ecological designation.
- Out of 144no. trees in the immediate area, 26no. are proposed to be removed to accommodate the proposed development, comprising 4no. Category B trees, 13no. Category C trees and 9no. Category U trees. The 4no. B Category trees are given this categorisation due only to their life expectancy. The Arboricultural Assessment notes that there are no trees of high value to be removed and mitigation can be achieved by planting native trees. A tree planting programme is proposed to be carried out in conjunction with the overall development.
- A landscape plan (Dwg. No. LA-P001), submitted at RFI stage, includes hedge planting on the northern boundary.

Archaeology

- Issues raised in respect of negative impacts on archaeology were addressed in the submitted Archaeological Assessment, as confirmed by the County Archaeologist.

Renewable energy

- The proposed 12no. turbines are 1.25m in height and 50cm in width. They would be located c.250m from the nearest dwelling to the north, c.270m from the nearest dwelling to the west and c. 220m from Sprayfield House. A Noise Impact Assessment submitted at FI stage shows there will be no impact on residential amenity due to noise. The photomontage shows there will be no loss of visual amenity.
- The proposed solar panels are generally well screened from views inward, due to the topography and existing hedgerow and tree cover. Given the limited extent and number of panels proposed, any issues arising in relation to visual amenity can be easily addressed by way of additional screening or changing the shape and location of the array.

Conservation

- The Planning Authority's Conservation Officer did not recommend a refusal of permission.
- In relation to the visual impact from the driveway (V2 of the photomontages submitted as RFI), the loss of a single tree (tag no. 237) does not represent a significant loss resulting in negative visual impact. The proposed building would be 40m from the main dwelling. Additional planting is proposed.
- A proposal is submitted with the appeal showing the glass block cladding replaced by render with a painted finish. The material finishes can be addressed by condition.
- With reference to Objective HE16-20, there are no spatially defined historic landscapes and Sprayfield is not mentioned as being a historic landscape. Notwithstanding, the applicant submitted a historic landscape appraisal, appended to the appeal statement, which notes that the property is not a 'historic landscape' or 'Protected Structure' and was not included in the NIAH's Garden Survey.

Construction works

- The construction phase of the development will not put any appreciable strain on existing public services. Construction-related impacts in terms of noise, dust, vibrations, traffic and other inconveniences are not considered to be significant enough to warrant refusal of permission. These can be more appropriately by attaching conditions on hours, construction practices etc.

Glint and glare

- A glint and glare assessment has been submitted with the appeal statement and concludes that there is no potential for glare effects upon dwelling or route receptors.

Appendices

- Revised elevation plans
- Additional photomontage views and artistic impressions
- Glint and Glare Assessment
- Power supply justification
- Appraisal of historic landscape

7.3. Planning Authority Response

The response of the Planning Authority, dated 12th December 2025, may be summarised as follows:

- There is no foundation in the grounds of appeal that the Planning Authority did not correctly assess the planning application against the Cork County Development Plan 2022-2028.
- The Planner Case Officer applied the advice of the Conservation Officer to their overall assessment. The Conservation Officer did not recommend refusal.
- The proposed hillside complex is not located in a high exposed location.
- The scale and massing of the proposal is large but well-designed covered with sympathetic external neutral finishes.

- None of the development entails direct impacts on Sprayfield House or its surveyed or appraised attended grounds associated with Sprayfield House. The proposed development has neutral impact on the character of Sprayfield and its very limited historic landscape, particularly once mitigation and additional tree planting are factored in.
- The PV solar array is not large scale but is larger than a normal domestic pv array. It is scaled to support the significant energy needs arising. The PV solar array will have a very small zone of visual influence and will preserve the high value scenic landscape that it forms part of. The mocked-up photo submitted by one of the Appellants incorrectly places the development higher up the valley than permitted.
- The PV solar array will not adversely affect the setting of Courtaparteen due to the separation distance and topographic differential.
- The PA granted permission without prejudice to any future planning applications. The non-statutory masterplan is submitted as a snapshot of the overall strategy.
- The hillside complex does not rise above the skyline when viewed from the coastal path/cliff walk.
- The removal of existing roadside boundary is a temporary impact at construction stage only and shall be reinstated to acceptable equivalent standards.
- The solar PV is c. 400m from the coastal path/cliff walk and is not immediately adjacent nor prominent to same.
- The granting of permission does not compromise or conflict with the decision to grant permission under PRR 24/4911, including any conditions attached to it.

Separately, following review of the Applicant's appeal submission, the Planning Authority stated that no new issues or matters were raised requiring clarification or response.

7.4. Further Responses

Further responses were received from each of the three 3rd party appellants in relation to the applicant's response to the grounds of appeal. The points made may be summarised as follows:

- Consider that the applicant's response downplays the effects of the proposed development on a coastal area of high scenic and recreational value and on residential amenity, which is clearly contrary to the Cork County Development Plan 2022-2028.
- Consider that the matters raised in observations on the application were not adequately addressed in the planning assessment.
- Do not accept the Applicant's argument that Objectives GI 14-9 (b), (d) and (e), GI 14-12 and other objectives are so flexible that they cannot be used to prohibit the granting of permission. Also consider that the Cork Rural Design Guide does apply because one of the key recommendations in the Guide is the need for ancillary buildings to respect the scale and massing of the main building on site.
- Considers that case law has found that the interpretation of the planning authority's development plan is a matter of law, not merely a technical or planning matter. The county plan should be read in its ordinary and natural meaning.
- Maintains that Condon v ABP is relevant, as the planning authority did not give adequate reasons for rejecting the Conservation Officer's reports and draft planning conditions.
- With regard to project splitting, the response identifies that future electrical power requirements, set out in the DK Partnership report (Appendix 4 of the Applicant's Appeal Statement) are cited as necessary justification for the photovoltaic (PV) and micro turbines in the current, Phase 3, application. This approach suggests premature overdevelopment and a lack of clarity in the justification provided. Also relevant is the Applicant's statement that, as a result of unauthorised demolitions, Phase 2 no longer complies with the permission granted under PRR 24/4911 and will be built in accordance with the terms of an

Enforcement Notice which was not attached to the current file and was not taken into account in the decision to permit.

- Raise concern that the Applicant's response states that there is no potential for glare effects, yet also suggests that any glare would be at an "acceptable level" and would not have "hazardous" effects on nearby residents. Considers that it is unreasonable for residents to be impacted by glare and that the 256PV panels is a large array for private use. States concern at the cumulative and ongoing impact of the proposed large-scale installation of 256 PV panels. Adds that there are no trees or screening between their residence (c. 257m northwest of the PV array location) and the proposed panels that could mitigate the impact and that it is not possible to demonstrate the number of hours of glare exposure residents may experience annually. Concern raised that the distance of 290m to the Appellant's property, combined with the clear line of sight, is not sufficient to rule out glare impacts.
- Query whether the Department of Agriculture, Food and the Marine has received an application to carry out the required screening in respect of Natura 2000 sites.
- In relation to the site location and description, note that the site no longer accommodates Sprayfield House as it has been almost entirely demolished.
- Notes the recorded monuments located in proximity to Sprayfield House and considers that they carry significant historical, ritual and cultural value.
- As Sandycove is a 'high value landscape' area, it would be assumed that site development would be confined to buildings deemed necessary to the maintenance of the 27 ha farm, woodland and natural environment. All of the CDP's objectives (GI 14-9 is listed) are seriously infringed by the grant of permission to build a hillside complex.
- The objectives of the NIAH require Sprayfield House to be protected from adverse impacts. The building of a 1385sqm complex within the setting would constitute a serious challenge to the visual amenity, character and setting around a heritage house recognised on the NIAH.

- Kinsale is the start of the Wild Atlantic Way and is a hub for Eurovelo 1, both of which use the R600 rural road running adjacent to the proposed development.
- Large amounts of soil and woodland would have to be removed. The Hillside Complex represents an overdevelopment of the original single tennis court site and is excessive for single dwelling. The energy required is disproportionate to domestic needs. A house and land that sat harmoniously into the rural landscape would be completely eroded and replaced by urban buildings, paving and landscaping.

8.0 Assessment

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

- Impact on built heritage
- Impact on the visual amenity of the area
- Impact on adjoining residential amenity
- Other issues

I note that consideration was given to other relevant matters as part of the Local Planning Authority's assessment of the application, including surface water drainage, water supply and lighting. The Planner's Report considered that the proposed development was acceptable in reference to the objectives of the Development Plan regarding these matters, subject to conditions, and I concur with that assessment.

8.1. Impact on built heritage

- 8.1.1. The third-party grounds of appeal raise concern that the proposed development would adversely affect the character of Sprayfield House and the group of recorded monuments to the southeast at Courtaparteen, which includes Kilroan church and

graveyard. The scale of the proposed detached domestic building is raised as a concern, both in itself and relative to Sprayfield House. The removal of trees, vegetation and historic boundary walls is also raised in the grounds, as is the lack of a Historic Landscape Report. On these matters, the appellants consider that insufficient regard was had to the Conservation Officer's comments and that the proposed development is contrary to Development Plan Objectives HE 16-15, HE 16-16, HE 16-20, HE 16-21, relating to heritage, to R 5-22 relating to rural house design and to the Cork Rural Design Guide.

- 8.1.2. The applicant, in their response to the grounds of appeal, acknowledges that the building floorspace involved is considerable in a normal domestic residential context, but notes that most of it would be underground. They add that the domestic storage and recreational building is entirely ancillary to the use of the main property as a domestic building and state that there is no principled planning policy restriction or constraint to the proposal on the basis of its scale. The applicant submitted, as part of their response to the appeal, a Historic Landscape Report and, based on its findings, maintain that the site is not located within a historic landscape. They also highlight that the proposed hillside complex would be located on the site of an existing tennis court c. 40m from Sprayfield House, that the proposed building has been shaped and sited to ensure no undue negative impacts on the character of Sprayfield House and that it would be substantially screened from the main house and public viewpoints. In relation to tree removal, they reference the Arboricultural Assessment submitted at application stage, which notes that no trees of high value are to be removed and that mitigation can be achieved by planting native trees.
- 8.1.3. The Planner's Reports describe the scale of the proposed hillside complex as 'monumental' and the extent of groundworks as massive, but conclude that, due to the structure being substantially underground and its design and materiality, that it will not seriously adversely affect the setting of Sprayfield House or be unduly obtrusive from public areas. They found that the proposed landscaping compensates for the removal of 26no. trees.
- 8.1.4. The Planning Authority's response to the appeal notes that the Conservation Officer did not recommend refusal, that none of the development entails direct impacts

on Sprayfield House or its attendant grounds, that the removal of existing roadside boundary treatment is a temporary impact and will be reinstated post-construction

- 8.1.5. The Conservation Officer's report, following the receipt of further information from the applicant, considered that the visual impact from the driveway (VP2) towards the proposed new development and the existing dwelling was still quite significant. They stated that the pavilion should be reduced in size, and alternative external materials be specified for the lift shaft, through a request for clarification of further information or by condition.
- 8.1.6. In relation to the scale of the proposed ancillary domestic building, there is no policy standard or objective in the Development Plan or Cork Rural Design Guide which sets an explicit limit on the size of residential outbuildings. As the proposed building would form part of the group of buildings associated with the residential use of the site, I consider that the planning and sustainable development criteria to be considered for new/replacement dwellings in the rural area, as listed in Policy Objective RP 5-22 and Section 5.6.3 of the Development Plan, are relevant to the assessment of the proposed detached building.
- 8.1.7. The existing buildings on site have a stated floor area of 582sqm, according to the application form. The proposed structure would have a floor area of 1,298.2sqm. The uses indicated for the building include gym, pool, storage, gallery, workshop, plant room and tennis/padel courts, all of which I consider are acceptable as ancillary uses to a dwelling. However, the scale of the proposed building relative to the main dwelling raises concern, in my opinion. The proposed structure would be located c. 40m to the north of the main dwelling and built into the existing slope. The footprint of the proposed structure would replace the existing tennis court and extend east over a similar size area into the existing garden and forward of Sprayfield House.
- 8.1.8. According to the Structural Stability Report submitted with the application, c. 11,000m³ (15,400 tonnes) of soil would be excavated, to a maximum depth of 7.625m, to facilitate the proposed structure. The lower ground floor level would vary between 49.9m and 50.5m, with the upper level varying between 53.5m (green roof) and 55.0m (pavilion and courts). The finished floor level of Sprayfield House is shown as varying between 43.87m and 44.5m in the drawings approved under PRR 24/4911. A large portion (c. 717sqm) of the floorspace created would consist of

gallery (225sqm) and storage space (492sqm). I note that under PRR 24/4911, Sprayfield House was extended and a garage (64.5sqm) with car port was permitted, which are currently under construction on site. Having regard to the amount of excavation required to facilitate the proposed building, to its scale relative to the main dwelling and to the lack of any justification for the size of the proposed gallery and storage spaces in particular, I consider that the proposed development is excessive in terms of the level of excavation required to accommodate it and that it is disproportionately large relative to the dwelling to which it is to be ancillary.

- 8.1.9. With regard to the character of Sprayfield House, the building is not a protected structure, but is included (NIAH reg. no. 20912506) in the National Inventory of Architectural Heritage (NIAH) with a rating of Regional. The categories of special interest attributed to the building are architectural, artistic and historical. The NIAH description refers to Sprayfield House as a detached seven bay single storey house, built c. 1820. The existing outbuildings and the main entrance are mentioned. The appraisal describes Sprayfield as an 'elegant Georgian style house', whose 'villa style is typical of pleasure houses which were built in scenic rural areas at the time'.
- 8.1.10. The Conservation Officer's initial report raised concern at the impact of the proposals on the designed landscape associated with Sprayfield House and recommended that the applicant be requested to submit a Historic Landscape Appraisal. The lack of a historic landscape report is also raised by the appellants in their grounds of appeal. Although this was not requested by the planning authority as further information, the applicant has submitted a Historic Landscape Appraisal as part of their response to the appeals. This report notes that the property is not listed on the NIAH Garden Survey and, based on review of historical cartographic and other documentary evidence, finds that there is no evidence of significant or expansive gardens on site, though there were pockets of woodland and tree stands and some ornamentation in the immediate curtilage of Sprayfield House in the early 20th century. It concludes that Sprayfield cannot be described as a demesne in the classic sense, that it is a relatively modest historic landholding and that the proposed development will not give rise to any significant negative impact on the landscape character of the property or its environs. Having regard to this report, to other available documentary sources, including the NIAH, and from my own observations on site, I am satisfied

that Sprayfield House is not part of a historic landscape and, therefore, the proposed development is not in conflict with Policy Objective HE 16-20 of the County Development Plan which relates to historic landscapes.

- 8.1.11. In relation to the proposed removal of trees, the applicant submitted a Tree Appraisal and Arboricultural Assessment as part of the planning application, relating to the lands in and around the proposed detached building site. A total of 26no. trees are proposed for removal, of which 4no. are classified Category B (moderate quality and value), 13no. are Category C (low quality and value) and 9no. are Category U (trees that should be removed for arboricultural reasons) according to BS 583: 2012 Trees in Relation to Design, Demolition and Construction. There are no trees on site subject to a tree preservation order. Having regard to the limited number of moderate quality trees proposed to be removed and to the proposed planting, which consists of native species, I do not consider that the proposed development would be in conflict with Development Plan Policy Objective BE 15-8 Trees and Woodlands which seeks to preserve and enhance the general level of tree cover in the county, ensure that development proposals do not compromise important trees and include an appropriate level of new tree planting and with Policy Objective GI 14-9 (e) which discourages the removal of extensive amounts of trees.
- 8.1.12. In relation to concerns raised in the grounds of appeal regarding the removal of historic boundary walls, from my site observations and review of the submitted documentation, I note that the northern boundary of the site, from which a temporary entrance is to be created to enable construction, is comprised of a sod and stone wall. The proposed works include the removal of a section of this sod and stone wall temporarily to enable and its reinstatement thereafter. The reinstatement could be secured by condition in the event of a grant of permission. Having regard to the nature of the boundary treatment, to the limited extent and temporary nature of the proposed wall removal, I do not consider that the proposed development is in conflict with Policy Objective HE16-16 which seeks to protect non-structural elements of the built heritage including masonry walls and Policy Objective GI14-9 (e) which discourages proposals necessitating the removal of hedgerows and historic walls or other distinctive boundary treatments.

- 8.1.13. Policy Objective HE 16-15: relates specifically to the protection of structures on the NIAH. The policy objective is to protect where possible all structures which are included in the NIAH for County Cork, from adverse impacts as part of the development management functions of the County. Policy Objective HE 16-21, relating to the design and landscaping of new buildings, is also relevant. This objective encourages new buildings that respect the character, pattern and tradition of existing places, materials and built forms and that fit appropriately into the landscape.
- 8.1.14. The proposed development does not include any works which would have a direct impact on Sprayfield House. The potential for adverse impacts therefore, is limited to the impact on the setting or character of Sprayfield House and the group of recorded monuments at Courtaparteen to the southeast.
- 8.1.15. A letter from a Conservation Architect submitted with the application states that, based on the documents provided, there would be no visual impact on Sprayfield House arising from the proposals.
- 8.1.16. The Conservation Officer, in their initial report, sought a redesign of the proposed detached domestic building to enable more tree retention, a reduction in the size of the structure and reconsideration of its form and materials to better reflect the setting. Following review of the applicant's further information response, the Conservation Officer described the visual impact from the driveway towards the proposed development and existing building as still quite significant and maintained their request for a reduction in the size of the structure. The Planner's Report attached less heritage importance to the historic landscape and house setting than the Conservation Officer, considered that the proposed structure would not interfere with the context, setting or approach to the main dwelling which it noted as being substantially conflicted by the detached garage store structure granted under PRR 24/4911.
- 8.1.17. As noted above, the proposed detached domestic building would be significant in terms of its floor area relative to the main dwelling and other buildings on site. Whilst I note that it would utilise the footprint of the existing tennis court, it would also extend eastwards into the site, beyond the easternmost part of Sprayfield House and closer to the existing driveway. This element of the proposals also includes a new access

track, suitable for vehicles, to the north of the existing driveway, together with stepped access from the back of Sprayfield House. Notwithstanding the degree to which the structure would be built into the existing slope, a large proportion of the building would be visible from the immediate surroundings of Sprayfield House and the driveway. I consider that the extent of glazing, tempered glass and glass balustrades combined with the mixture of other materials including stone cladding, timber cladding, metal cladding and wiremesh fencing, expressed over the c. 83m length of the building and across the different elements of the building form, including the pavilion structure, roof overhangs, fencing and retaining walls would result in a complex appearance which would detract from the character and setting of Sprayfield House. I note the revised drawings submitted with the applicant's response to the grounds of appeal which propose to replace the glass block cladding to the lift shaft with white render, in response to the Conservation Officer's comments. In my view, the glass block cladding is a minor element in the context of the proposed building. Given that it would be set back to the north/rear of the structure, adjacent to the largely glazed pavilion, I do not consider that the replacement of this finish with white render would result in a significant reduction in the visual impact of the building.

- 8.1.18. From my site observations, the structure would be visible on approach along the existing driveway, where I consider that, due to its siting, scale, form and materials, it would compete with, and detract from, the character of Sprayfield House which is listed on the NIAH with a rating of Regional and is noted for its architectural and artistic quality. Notwithstanding the separation distance between the buildings, I also consider that the proposed structure would be visible behind and to the side of Sprayfield House in views from the front of the dwelling, where the existing slope provides a green landscape setting to the house. I consider that, due to its elevated position, length, form and materiality, the proposed building would appear overscaled in relation to, and at odds with the character of, Sprayfield House. In these views, it would be seen with the detached garage approved under PRR 24/4911. I consider that, in combination with the garage, the proposed development would significantly increase the amount of built development on the northern side of Sprayfield House, removing a significant portion of the sylvan landscape setting of the building, which is experienced on approach along the driveway.

8.1.19. A number of photomontages and other visuals have been submitted by the applicant at application and appeal stages to show the proposed development within the site context. The submitted photomontages show the proposed development in medium to long range views, in the main. Photomontage VP2 shows the proposed development from inside the main gate of Sprayfield House. There are no photomontage views showing the proposed detached building in relation to Sprayfield House from closer on the driveway and from in front of Sprayfield House, though artistic impressions of these views form part of the applicant's response to the grounds of appeal. I have had regard to the submitted drawings, the photomontages and other images submitted for my assessment. The sketch illustrations submitted with the application originally give an indication of the massing of the proposed detached building, while the site section drawings submitted at this stage also show the proposed building in relation to Sprayfield House and the garage permitted under PRR 24/4911. Although it should be noted that the design of the building was subsequently revised as further information, the changes were minor, the most significant of which was the reduction in the height of the pavilion element by 500mm and the introduction of more natural finishes for the building, including stone cladding and timber cladding. The artist impressions included in the Design Statement submitted as further information to the planning authority show the completed scheme, indicating high quality finishing materials and landscaping. I note the proposed additional planting to the east and south of the proposed structure, however this would take time to mature and, given the scale and extent of the proposed building, I consider that it would remain visible from the driveway and house.

8.1.20. Sprayfield House is described in the NIAH as an elegant Georgian style house, whose villa style is typical of pleasure houses which were built in scenic areas. In this regard, I note that Sprayfield House is given a Regional rating in the NIAH, with categories of special interest listed as architectural, artistic and historic. Overall, having regard to the significant scale and footprint of the proposed building, its elevated position, the level of excavation and retaining structures required to accommodate the structure, the extent to which it extends east of Sprayfield House, together with its form and materiality, I consider that the proposed detached building would detract from the character and setting of Sprayfield House.

Consequently, I consider that the proposed development would be contrary to Policy Objective HE 16-15 which seeks to protect all structures on the NIAH from adverse impacts and to Policy Objective HE 16-21 which encourages new buildings that respect the character, pattern and tradition of existing places, materials and built forms that fit appropriately into the landscape.

- 8.1.21. The visual impact assessment within the Archaeological Impact Assessment submitted by the applicant as further information to the planning authority on 2nd October 2025 concludes that there will be no visual impact on Kilroan church and graveyard from the proposed detached building, PV array or turbines. The County Archaeologist, in their report dated 21/10/25 stated that these findings were accepted. The Conservation Officer, in their report of the 22/10/25 also stated the visual impact of the proposed renewable energy elements on adjacent archaeological sites and monuments was not significant. Due to the limited height of the panels, the intervening topography and the separation distance from Kilroan church and graveyard, I consider that the PV array would be of very limited visibility from these recorded monuments. With regard to the proposed wind turbines, given their limited number, height and diameter and the separation distance of c. 400m, I consider that the proposed turbines would not result in any material visual impact on Kilroan church and graveyard. I therefore consider that the proposed development would be in accordance with Policy Objective HE 16-2 of the Development, which seeks to protect archaeological sites and monuments, including their setting. Similarly, having regard to the location of the proposed turbines and PV array relative to Sprayfield House, in terms of separation distance and intervening topography and screening, and to the limited height of the proposed renewable energy installations, I consider that these elements of the proposed development would not result in harm to the character of Sprayfield House and would therefore be in accordance with Policy Objective HE16-15 which seeks to protect structures included on the NIAH.
- 8.1.22. Overall, however, I consider that the proposed detached building would detract from the character and setting of Sprayfield House, having regard to the significant scale and footprint of the proposed building, its elevated position, the level of excavation and retaining structures required to accommodate the structure and the extent to which it extends east of Sprayfield House. Consequently, I consider that the

proposed development would be contrary to Policy Objective HE 16-15 which seeks to protect all structures on the NIAH from adverse impacts and to Policy Objective HE 16-21 which encourages new buildings that respect the character, pattern and tradition of existing places, materials and built forms that fit appropriately into the landscape. I recommend that permission is refused on this basis.

8.2. Impact on the visual and scenic amenity of the area

- 8.2.1. The grounds of appeal describe the proposals as overdevelopment of the site creating a serious, irreversible impact on the visual lie of the land within the wider countryside, that the proposals would be visible in the local landscape and would seriously compromise the views and amenity of the cliff walk. The scale, elevated position and reflective characteristics of the proposed PV installation is identified as materially harming the landscape, amenity and historic setting of Sandycove and the Kinsale coastal environment. The grounds of appeal state that the proposed development would be contrary to Objectives GI 14-9, GI 14-10, GI 14-12.
- 8.2.2. The applicant, in their response to the grounds of appeal, states that Objectives GI 14-9 (b) and (d) and GI 14-12 do not require any specific steps to be followed with regard to landscape/views, rather they should be seen as matters to which the planning authority will have regard. They add that the site's location within a 'High Value Landscape', does not preclude development, rather, the CDP advises that large scale developments will need careful consideration to be successfully located within these areas. They also note that the site is not prominent or exposed, is not located on a designated Scenic Route, does not impact on protected views or vistas and is not located on the Wild Atlantic Way. They further note that the essential rural and coastal character of the area exhibits a large number of one off residential dwellings and their outbuildings within the landscape. They also state that the cliff walk is not located on public land, but is part of the applicant's landholding.
- 8.2.3. The Planner's Report notes that the site is shielded by surrounding topography and planted woodland, that the proposed PV panels will only be visible from limited vantage points and that the proposed detached domestic building will not be unduly obtrusive from public areas. The Planning Authority's response to the grounds of

appeal added that the PV array will have a very small zone of visual influence and will preserve the high value scenic landscape and that the hillside complex does not rise above the skyline when viewed from the coastal path/cliff walk.

- 8.2.4. The applicant submitted photomontages as part of the application, further information response to the planning authority and as part of their response to the grounds of appeal. On the basis of my site observations and review of the submitted drawings and photomontages, I am satisfied that the proposed building would not rise above the tree line and that its visibility from the cliff walk or other public viewpoints to the south would be very limited due to the separation distance involved and intervening vegetation and topography. Having regard to the proposed landscaping and retained northern boundary treatment, I am satisfied also that the visibility of the proposed building from the public road would be limited and would not result in a material impact on the character of the wider area.
- 8.2.5. As part of their response to the Planning Authority's request for further information, the applicant submitted a photomontage view showing the proposed wind turbines and PV solar panels from the local road to the south.
- 8.2.6. The turbines and panels would be located on the hillside to the northeast of Sprayfield House, upslope and to the west of the cliff walk. Figures 13-12 and 13-3 of the Development Plan indicate the suitability of all parts of the County for commercial wind energy projects. The subject site is located in an area marked as 'Important Landscape – High' and 'Normally discouraged'. The associated Policy Objective ET 13-8 makes it clear that commercial wind energy developments will be discouraged in these areas. As the proposed development is for private use, serving a single residential property, I consider that the proposed turbines can be considered in this location.
- 8.2.7. The details of the proposed wind turbines submitted at application stage show that they comprise 10no. units at 1.25m in height and 0.5m in diameter. Two mini wind turbine control panels are also proposed, of 1m in height, positioned along the hedge to the north of the panels. In views from the public road and Courtaparteen to the south, they would not break the skyline. Although they would be visible from part of the cliff walk, given their limited height and diameter, spread out arrangement and the separation distance involved, I do not consider that they would result in a

significant impact on views from the cliff walk, the public road or Courtaughteen. The site plans submitted with the application indicate that a fence or enclosure may be proposed around the panels, though no details of its height or appearance have been submitted. In the case of a grant of permission, details of any fence could be secured by condition.

8.2.8. The proposed PV array consists of 14no. arrays of 18no. panels each (256no. panels in total), arranged west to east over an area of c. 1,140sqm within an agricultural field to the south of Sprayfield House. The top of the panels would be c. 1.7m above ground level. Underground cabling would run north from the PV array to Sprayfield House. Ground levels within the field in which the panels would be located rises from north to south, from c. 23.0m to over 58.5m. The panels would be located on the slope between levels 31.5m and 43.0m. This would reduce their visibility in views from the public road to the south, which is at higher ground level, as illustrated in the photomontage view, submitted to the planning authority on the 2nd October 2025. Although the ground levels in the field fall away to the north, from the field boundary they rise again north and west towards the public road. Consequently, due to the limited height of the panels, the position of the PV array at lower ground level to the wider topography to the north and west and the separation distance to the nearest public roads to the north and west, I consider that the visibility of the panels from these areas would be limited and would not result in a material impact on the local landscape character.

8.2.9. The grounds of appeal raised the potential for reflection from the PV panels to impact on local landscape character. A Glint and Glare Assessment was submitted with the applicant's appeal response. The submitted report does not examine potential impacts on local landscape character explicitly, however there are a number of points made which can assist with this assessment. Firstly, it is stated in Section 7.2 that the proposed panels would be glazed with an anti-reflective coating, which substantially reduces the intensity of the glare. Secondly, the report states that glint and glare, if any, arising from the proposed PV panel array would only be noticeable from points facing from south-west to north-west of the panels. As the cliff walk is located to the northeast of the panels and Kilroan church and graveyard is located to the southeast, these amenities would not be affected by glint/glare from the panels. Three residential properties to the northwest of the PV

array are assessed in the report for potential impact. In this regard the report concludes that the proposal is unlikely to result in any glint or glare that would prove hazardous to residential use activities. The report also concludes that the proposed PV array would not result in impacts on route receptors in the surrounding environment. Having regard to these factors, I am satisfied that the proposed PV array would not result in material negative impacts on local landscape character due to reflectivity.

- 8.2.10. Overall therefore, due to the siting, scale and nature of the proposed development, to the local topography and existing and proposed hedgerow screening, to the separation distance of the proposed renewable energy structures from local public viewpoints including local roads, the Sandycove cliff walk and recorded monuments at Courtaparteen, I am satisfied that the proposed development would not result in material impact on the visual and scenic amenities of this rural and coastal landscape area notwithstanding its designation as a high sensitivity landscape. I therefore conclude that the proposed development is in accordance with Policy Objectives GI 14-9, GI 14-10 and GI 14-12 of the Development Plan, which relate to the protection of landscape character and scenic views.

8.3. Impact on neighbouring residential amenity

- 8.3.1. The third-party grounds of appeal raise concern at the scale of the renewable energy infrastructure proposed, describing it as overdevelopment for a private house, and that it would result in negative impacts on residential amenity due to glint, glare and noise. They also point to a lack of justification for the proposals, that they would be premature, are inconsistent with Development Plan objectives and the Cork Rural House Design Guide.
- 8.3.2. In their response to the grounds of appeal, the applicant states that the proposed renewable energy proposals relate to the use of the main property as a domestic building, that there is no principled planning policy restriction or constraint to the proposal on the basis of its scale and that the renewable energy proposals can be considered acceptable in principle. The applicant also notes that the proposed turbines and PV solar panels will be located a distance from the nearest residential properties, that the noise impact assessment submitted to the planning authority

shows there will be no impact on residential amenity due to noise, that the glint and glare assessment submitted with the appeal statement shows no potential for glare effects upon dwellings or routes, that the photomontage images submitted with the application and appeal indicate no loss of visual amenity and that additional screening could be specified.

- 8.3.3. The Planner's Report describes the proposed 256no. PV panels as being considerably more than normal domestic dwellings, but still small scale compared to a commercial solar farm. They add that they will only be visible from limited vantage points and at considerable distance from adjoining properties. They state that the proposed 12no. turbines of 1.2m height are considered to have minimal impacts on residential properties or the setting and character of Sprayfield, given their scale, size, appearance, location, noise.
- 8.3.4. From my site observations and review of the historical maps included in the Conservation and Heritage Report submitted with PRR 24/4419, and the Historic Landscape Assessment submitted with the applicant's response to the grounds of appeal, I consider that the location of the proposed turbines and PV panels fall outside the curtilage and attendant grounds of Sprayfield House. The existing use of the lands where the proposed renewable energy proposals are to be located is agriculture.
- 8.3.5. The site is located within the Greater Cork Ring Strategic Planning Area, to which Policy Objective CS 2-4 relates. Part (e) of the objective seeks to strengthen and protect the rural communities of the area by encouraging sustainable growth in population, protecting agricultural infrastructure and productivity so that agriculture remains the principal rural land use while part (i) seeks to facilitate the development of renewable energy projects in support of national climate change objectives.
- 8.3.6. Part (d) of Policy Objective ET 13-2 Renewable Energy of the Development Plan promotes the potential of micro renewables where it can be demonstrated that they will not have adverse impacts on the surrounding environment (including water quality), landscape, biodiversity or amenities. I note also NPO 73 of the National Planning Framework (2025 revision) supports the co-location of renewable technologies and complementary land uses, including

agriculture, at appropriate locations which are determined based upon the best available scientific evidence in line with EU and national legislative frameworks.

- 8.3.7. The Draft Revised Wind Energy Development Guidelines 2019 describe micro-generation as generation that is less than 11kW. The Building Services Report submitted as part of the applicant's appeal statement states that the proposed PV array will generate c. 120kW (25kW in December) and the wind turbines will generate c. 100kW. This is substantially above the 11kW described in the Draft Revised Wind Energy Development Guidelines 2019 as the threshold for micro-generation. Notwithstanding, I note a separate category within the Development Plan relating to 'Other Wind Energy Development', in respect of which Section 13.7.2 states that proposals for the generation and consumption of electricity in a single premise will be considered on their merits in all areas of the County.
- 8.3.8. I consider that Policy Objective ET 13-13, relating to Other Wind Energy Development is the key relevant objective for consideration of the proposed wind turbines. It states that such proposals can be considered where significant impacts on residential amenity, nature conservation/protected species/habitats of conservation value, architectural and archaeological heritage and visual quality of the landscape can be avoided.
- 8.3.9. I consider that Policy Objective ET 13-14: Solar farm development, is relevant to the PV array element of the proposals, noting that part (b) of the objective promotes solar energy infrastructure for on-site use, which it states will be considered subject to environmental safeguards and the protection of natural or built heritage features, biodiversity views and prospects. Part (e) states support for the installation of solar collectors and panels for the production of heat or electricity in residential buildings, in line with relevant design criteria.
- 8.3.10. In Sections 8.1 and 8.2 of this report above, I concluded that the proposed renewable energy infrastructure would not result in significant negative impacts on architectural and archaeological heritage and the visual quality of the landscape, including views and prospects. The subject proposals would be located on agricultural lands not subject to any nature conservation designations and unlikely to support protected species or habitats of conservation value.

- 8.3.11. In response to a further information request from the planning authority, the applicant submitted a Noise Impact Assessment Report on the 2nd October 2025. This report considers the proposed wind turbines and the AC condenser within the proposed detached domestic building as potential noise pollution sources. The report identifies 10. residential receptors, all located to the north and west of the site. A background noise survey, based on two monitoring stations installed on the site boundaries to the north and west of the proposed turbine location, informed the assessment. The assessment identifies that the average increase in noise exposure during day and night conditions due to the proposed development would be very low, less than 5dB, and therefore unlikely to give rise to noise nuisance complaints. The report therefore concludes that the proposed development would comply with the EPA's Guidance Note for Noise: Licence Applications, Surveys and Assessments in Relation to Scheduled Activities (NG4, January 2016). On the basis of this report and the drawings and other details on file, I am satisfied that the proposed development would not result in a material impact on residential amenity due to noise emissions.
- 8.3.12. As part of applicant's response to the grounds of appeal, a Glint and Glare Assessment Report was submitted. The Assessment utilises the Solar Glare Hazard Analysis Tool (SGHAT), which is a standard tool for measuring the ocular impact of proposed solar energy systems. This assessment identifies three residential dwellings (receptors), all located to the northwest of the PV array at a distance of 310-350m, which may be affected by glare caused by the PV panels. The study identifies that there is no potential for any of the receptors to experience 'Yellow Glare', which is deemed hazardous, while there is low potential for some low levels of reflectance ('Green Glare') to receptors SR1 (an appellant in this case) and SR2. The report concludes that the level of glare experienced by these receptors would not be hazardous and would be of an acceptable level. The report notes other relevant factors, including: the orientation of the panels east-west, at an angle to the residential dwellings; the impact of intervening screening in reducing glare, which is not factored into the model; and the anti-reflective coating applied to the panels. On the basis of this report and the drawings and other details on file, I am satisfied that the proposed development would not result in a material impact on residential amenity due to glint and glare.

8.3.13. A further point raised in the grounds of appeal in relation to the proposed renewables is that their scale has not been justified and that they would be premature pending the construction of the proposed detached building and future phases of development indicated in the non-statutory masterplan for the site. The application documents include a Building Services Outline Description Report. This report explains that the site is currently served by a 12/16kVA single phase ESB supply and that the ESB can upgrade the supply to 60kVA 3 phase supply. The estimated power supply requirement for the current and potential future proposals on the site is 150kVA. The report estimates that the proposed renewable energy installations would provide 65-75% of the overall estate's energy requirements. I have considered the proposed renewable energy proposals against the relevant policy objectives of the Development Plan above and have concluded that they are acceptable in that regard. I note that the proposals would not meet all of the energy requirements of the existing and potential future development on site. Therefore, if the energy requirements of the site were revised down, the proposed renewable energy installations could provide a greater proportion of demand. Therefore, I do not consider that they would be premature.

8.3.14. In respect of construction-related impacts, A Construction and Environmental Management Plan (CEMP) was submitted as part of the application, which includes measures to mitigate the impacts of the construction stage including in respect of dust, noise, air quality, pollution control and traffic management. The Plan includes measures related to the proposed detached domestic building, but its scope does not include the proposed renewable energy installations and soakpit. Also, the hours of working set out in the report are 7am-7pm Monday to Saturday. In the event of a grant of planning permission, a revised CEMP should be required by condition to address the scope of the Plan and reduce working hours on Saturdays in the interest of residential amenity, particularly noting the proximity of the existing residential dwelling to the site of the proposed detached building. The separate Engineer's Report submitted with the application states that the excavated soil (11,000m³) is intended to be used on site for landscape features. If the soil were removed from site, it would require a significant number of HGV trips. In the event of a grant of permission, a condition should be attached requiring that any soil is retained on site.

8.3.15. Overall, subject to conditions identified above, I consider that the proposed development would not result in material impacts on neighbouring residential amenity. I also note that the proposed renewable energy installations would not result in significant impacts on nature conservation/protected species/habitats of conservation value, architectural and archaeological heritage and visual quality of the landscape and therefore would be in accordance with Policy Objectives ET 13-13 and ET 13-14 of the Development Plan. Noting also the support for renewable energy generation within the Greater Cork Ring Strategic Planning Area under Policy Objective CS2-4 of the Development Plan and its co-location with complementary land uses, including agriculture, set out in NPO 70 and NPO73 of the National Planning Framework, as well as the support for installation of solar panels for electricity production in residential buildings set out in Policy Objective ET13-14 and the 'open to consideration' approach to on-site energy generation from wind energy set out in Policy Objective ET13-13, I consider that the proposed renewable energy installations would be acceptable having regard to the policies and objectives of the Development Plan.

8.4. Other issues

Other development on the site

8.4.1. The grounds of appeal raise concern at the cumulative impact of development on site, including development approved under 24/4911 and future phases of the masterplan for the site. Related to this concern is the scale of proposed renewable energy installations, which are sized to support the energy demands of future development on site, and could be considered premature in this regard. I note that a masterplan, outlining four phases of development on site, was submitted with PRR 24/4911. I am satisfied that this masterplan was indicative only and I have not given any weight to potential future development on site, which does not have the benefit of planning permission, as part of my assessment.

Landowner consent – new issue

8.5. This issue was not raised by the appellants in their grounds of appeal, however I consider that it should be addressed in the interests of the completeness of the assessment of this appeal. The route of the cabling connecting the proposed PV

solar array to Sprayfield House is shown on the PV and Mini Turbine Areas layout plan (DKP drawing ref. E) as routing partially through lands outside the application site boundary, which are annotated on other plans submitted with the application as being 'neighbouring land'. The completed application form indicates that the applicant is the owner of the application site. No letter of consent from any third party landowner was submitted with the application. On the basis of the information on file it is not clear that the applicant has sufficient legal interest over all of the lands required to carry out the proposed PV solar array and ancillary works or the consent of the relevant landowner to submit a planning application in relation to same. A refusal of permission is recommended on this basis in relation to the proposed PV solar array. This is a new issue and the Commission may wish to seek the views of the parties. However, having regard to the other substantive reasons for refusal set out below, it may not be considered necessary to pursue the matter.

9.0 AA Screening

- 9.1. I have considered the proposed development at Sprayfield House in light of the requirements S177U of the Planning and Development Act 2000 as amended.
- 9.2. The subject site is located 4.7km from the nearest European Site. The nearest European Site(s) are:
 - Sovereign Islands SPA (004124) c. 4.7km to the east
 - Old Head of Kinsale SPA (004021) c. 5.54km to the south
 - Courtmacsherry Estuary SAC (001230) c. 9.14km to the west
 - Courtmacsherry Bay SPA (004219) c. 9.14km to the west
 - Seven Heads SPA (004191) c. 12.02km to the southwest
- 9.3. The proposed development comprises the construction of a detached building for domestic use ancillary to the main dwelling and the development of on-site renewable energy infrastructure including the provision of 14 no. ground mounted arrays, each with 18 no. photovoltaic panels, and 12 no. mini wind turbines of 1.25 metres in height, together with landscaping, boundary treatment and drainage works.
- 9.4. No nature conservation concerns were raised in the planning appeal.

9.5. 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 scale and nature of works e.g. small scale and nature of the development.
- The location-distance from nearest European sites and lack of connections.
- Taking into account screening report/determination by LPA.

9.6. I conclude that 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.

9.7. Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

10.0 Water Framework Directive

10.1. An assessment of the proposed development has been undertaken with regard to the objectives set out in Article 4 of the EU Water Framework Directive.

10.2. The White Strand _010 stream runs east through the site, discharging to Kinsale Harbour (IE_SW_080_0000). The site is underlain by the Bandon groundwater body (IE_SW_G_086). Each of these waterbodies have the WFD status 'Good' status, and are not categorised as being 'at risk'.

10.3. All storm water within the curtilage of the property is proposed to be collected and discharged to soakpits on site. Foulwater will be treated by the on-site wastewater treatment system approved under PRR 24/4911, in compliance with current EPA standards.

10.4. Having considered the nature, scale, and location of the proposed development, it is concluded that the proposal will not result in any risk of deterioration in the status of any water body, including surface waters (rivers and lakes), groundwater, transitional waters, or coastal waters. This applies to both qualitative and quantitative status, and in respect of temporary and permanent effects. In addition, the proposed development will not adversely affect the achievement of established environmental objectives, including the protection, maintenance, and improvement of water body status, as required under the Directive.

10.5. Accordingly, the proposed development is considered to be compliant with the requirements of Article 4.

11.0 Recommendation

11.1. I recommend a SPLIT Decision, to grant the proposed wind turbines soakaway and to refuse the detached building, PV array and associated works.

Recommendation A

I recommend that planning permission is REFUSED for: '1) the removal of existing tennis court, 2) the construction of a detached building comprising of storage and gallery space, gym and leisure facilities including lap pool and padel and tennis courts at roof level, in addition to access lift and pavilion area, 3) the provision of 14 no. ground mounted arrays, each with 18 no. photovoltaic panels; 4) the construction of a temporary vehicular access for construction access purposes, 5) on site landscaping including the provision of planting and paving and 6) all associated and ancillary site development works, including ducting, electrical infrastructure and boundary treatment works', for the following reasons and considerations:

1. Having regard to the significant scale, footprint and elevated position of the proposed detached building relative to Sprayfield House, which is listed on the NIAH with a rating of 'Regional', to the level of excavation and retaining features required to accommodate the structure and to its position extending east of Sprayfield House, on lands which presently form part of the landscape setting to Sprayfield House, it is considered that the proposed development would seriously detract from the architectural character and setting of Sprayfield House and would set an undesirable precedent for other similar development in the vicinity. The proposed development would therefore be contrary to Policy Objective HE 16-15 which seeks to protect all structures on the NIAH from adverse impacts and to Policy Objective HE 16-21 which encourages new buildings that respect the character, pattern and tradition of existing places, materials and built forms that fit appropriately into the landscape of the Cork County Development Plan 2022-2028 and to the proper planning and sustainable development of the area.

2. On the basis of the details submitted with the planning application and appeal, the proposed PV solar array, by virtue of the indicated cable route, is reliant on works located outside the site of this planning application and the applicant's ownership and for which no letter of consent from the landowner for the submission of the planning application has been submitted. In these circumstances, it is considered that the Board is precluded from giving further consideration to the granting of permission for the development the subject of the application.

Recommendation B

I recommend that planning permission is GRANTED for '12 no. mini wind turbines of 1.25 metres in height, the provision of an additional on-site soakaway and ancillary site development works', for the following reasons and considerations and subject to the conditions set out further below:

Reasons and considerations:

It is considered that, subject to compliance with the conditions set out below, the proposed mini wind turbines and additional on-site soakaway would be in accordance with national, and regional renewable energy policies and with the provisions of the Cork County Development Plan 2022-2028, in particularly Policy Objectives ET 13-13 Other Wind Energy Development, CS2-4 Greater Cork Ring Strategic Planning Area and RP 5-23: Servicing Single Houses (and ancillary development) in Rural Areas, of the Cork County Development Plan 2022-2028, would not result in significant impacts on residential amenity, nature conservation/protected species/habitats of conservation value, architectural and archaeological heritage, visual quality of the landscape and public health. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 2nd day of October 2025, except as may otherwise be required in order to comply with the following conditions. Where

such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. (a) Permission for the 12no. wind turbines and ancillary structures shall be for a period of 30 years from the date of the first commissioning of the turbines. All structures, including foundations, shall then be removed and the site reinstated unless, prior to the end of that period, planning permission shall have been granted for their retention for a further period.
(b) Prior to the commencement of development, a detailed Site Restoration Plan providing for the removal of the turbines and all ancillary structures, and a timescale for its implementation, shall be submitted to and agreed in writing with the planning authority.
(c) On full or partial decommissioning, or if the wind turbines cease operation for a period of more than one year, the turbines and all ancillary structures shall be dismantled and removed permanently from the site. The site shall be restored in accordance with the agreed Site Restoration Plan and all decommissioned structures shall be removed from the site within six months of decommissioning.

Reason: To enable the planning authority to review the operation of the wind turbines over the stated time period, having regard to the circumstances then prevailing, and in the interest of landscape restoration upon cessation of the project.

3. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and surface water management.

4. Prior to the commencement of development, details of any proposed fencing or enclosure around the proposed wind turbines shall be submitted to the planning authority for written agreement.

Reason: In the interest of clarity and visual amenity.

5. Site development and building works shall be carried out between the hours of 07.00 to 19.00 Mondays to Fridays inclusive, between 08.00 to 14.00 on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

6. (a) No artificial lighting shall be installed or operated on site unless authorised by a prior grant of planning permission.
(b) Cables within the site shall be located underground.

Reason: In the interest of visual amenity.

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 me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.

Suzanne White

Planning Inspector

21st July 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL.500332-CK-25
Proposed Development Summary	The proposed development will consist of the construction of a detached building for domestic use ancillary to the main dwelling and the development of on-site renewable energy infrastructure. The proposed development will comprise of: 1) the removal of existing tennis court, 2) the construction of a detached building comprising of storage and gallery space, gym and leisure facilities including lap pool and padel and tennis courts at roof level, in addition to access lift and pavilion area, 3) the provision of 14 no. ground mounted arrays, each with 18 no. photovoltaic panels; 4) 12 no. mini wind turbines of 1.25 metres in height, 5) the provision of an additional on-site soakaway, 6) the construction of a temporary vehicular access for construction access purposes, 7) on site landscaping including the provision of planting and paving and 8) all associated and ancillary site development works, including ducting, electrical infrastructure and boundary treatment works.
Development Address	Sprayfield House, Ballynabooly, Sandycove, 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?	☒ Yes, it is a 'Project'. Proceed to Q.2.
	☐ No, No further action required.
(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)	
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
☒ No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
☐ No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	

☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
☒ Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	3. (a) Industrial installations for the production of electricity, steam and hot water not included in Part 1 of this Schedule with a heat output of 300 megawatts or more. The proposed development is domestic rather than industrial and would have a heat output of 220kW. 3.(i) Installations for the harnessing of wind power for energy production (wind farms) with more than 5 turbines or having a total output greater than 5 megawatts. The proposed energy production is 100kW.
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 ☐	
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: Suzanne White **Date:** 21st July 2026

Appendix 2: Form 2 - EIA Preliminary Examination

Case Reference	PL.500332-CK-25
Proposed Development Summary	The proposed development will consist of the construction of a detached building for domestic use ancillary to the main dwelling and the development of on-site renewable energy infrastructure. The proposed development will comprise of: 1) the removal of existing tennis court, 2) the construction of a detached building comprising of storage and gallery space, gym and leisure facilities including lap pool and padel and tennis courts at roof level, in addition to access lift and pavilion area, 3) the provision of 14 no. ground mounted arrays, each with 18 no. photovoltaic panels; 4) 12 no. mini wind turbines of 1.25 metres in height, 5) the provision of an additional on-site soakaway, 6) the construction of a temporary vehicular access for construction access purposes, 7) on site landscaping including the provision of planting and paving and 8) all associated and ancillary site development works, including ducting, electrical infrastructure and boundary treatment works.
Development Address	Sprayfield House, Ballynabooly, Sandycove, 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	The proposed development follows an earlier phase of development on the same site, concerned with the renovation and extension of the existing dwelling Sprayfield House. The two projects combined would be

(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).	significantly below the thresholds of any relevant CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended). The development, singularly and combined with the earlier phase of work on site, has a modest footprint, requires limited demolition works, does not require the use of substantial natural resources, or give rise to significant risk of pollution or nuisance. The development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change. It presents no risks to human health.
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	The development is situated in a rural area on lands which comprise improved agricultural land, which is abundant in the area, and the curtilage of an existing residential dwelling. The development is removed from sensitive natural habitats, centres of population and designated sites.
Types and characteristics of potential impacts	Having regard to the modest nature of the proposed development, its location removed from sensitive habitats/features, likely limited magnitude and spatial extent of effects, and absence of in combination effects,

(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 potential for significant effects on the environmental factors listed in section 171A of the Act.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.

Inspector: Suzanne White

Date: 21st July 2026