



Inspector's Report

PL-500626-CK-26

Development	Construction of a new dwelling house, a new vehicular entrance and all associated site works.
Location	Camden Road, Crosshaven, Co.Cork.
Planning Authority	Cork County Council
Planning Authority Reg. Ref.	254887
Applicant(s)	Edward Vaughan
Type of Application	Permission
Planning Authority Decision	Grant Permission + Conditions
Type of Appeal	First Party Normal Planning Appeal
Appellant(s)	Edward Vaughan
Observer(s)	None
Date of Site Inspection	31 st March 2026
Inspector	Carol Smyth

1.0 Site Location and Description

- 1.1. The appeal site is located within the administrative boundary of Cork County Council. The site is located on the Camden Road, Crosshaven, a settlement within Cork Harbour approximately 15 km to the southeast of Cork City. The subject site is located within a residential area to the northeast of the village. The area is elevated overlooking the harbour and is characterised by a variety of housing types of differing scales.
- 1.2. The site has a stated area of 0.06 hectares and is vacant and overgrown. In terms of topography the site drops circa 10 metres from Camden Road to the northern boundary towards the harbour.

2.0 Proposed Development

- 2.1. Permission for the construction of a two-storey dwelling, a new vehicular entrance and all associated site works.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority issued a decision to grant permission on the 9th December 2025, subject to 16 no. conditions.

3.1.1. Conditions

Condition No. 3 required amendments to the design of the dwelling as follows:

3. The design of the dwelling shall be amended in the following respects:-

- a) the balcony/terrace shall be set into the floorspace of the dwelling. The western side of the balcony/terrace shall consist of a block wall which is flush with the western building line/ western elevation along the entire length of the balcony/terrace.
- b) the roof of the dwelling shall extend over the balcony to enclose the same within the dwelling.
- c) the dining room window on the west elevation shall be omitted in entirety and, before any development commences, or, at the discretion of the Planning Authority,

within such further period or periods of time as it may nominate in writing, revised drawings making provision for the above requirements shall be submitted to and agreed with the Planning Authority.

Reason: In the interests of visual amenity.

3.2. **Planning Authority Reports**

3.2.1. Area Planners Report

The Area Planners report dated 7th July 2025 raised concerns regarding landscaping, flood risk assessment and design. Further information was requested to address the concerns raised.

The Area Planners Report dated 2nd December 2025 assessed the further information submitted. The revised design proposal was considered generally acceptable. The Area Planner considered that the concerns relating to the balcony and fenestration were not addressed in the further information response and recommended conditions to amend the design of these elements.

3.2.2. Area Engineers Report

Report dated 4th July 2024. Flood risk Assessment required.

3.3. **Prescribed Bodies**

None on file.

3.4. **Third Party Observations**

One third party observation was received in relation to the application. The concerns raised are summarised as follows:

- Proposed low level hedging to the front boundary could hamper sightlines.
- The proposed structure is higher than the building to the west and east and there will be a negative impact on residential and visual amenity.
- The proposed development contravenes policy objective GI 14-13 which seeks to preserve the character of all important views from Scenic Routes. The proposed height of the structure will adversely obstruct and degrade views from the adjoining property.

4.0 Planning History

Cork County Council Reg. Ref. 20/5570

Planning permission granted for construction of dwelling, vehicular entrance and associated site works.

Cork County Council Reg. Ref. 17/5100

Planning permission granted for construction of dwelling along with new vehicular entrance and all associated site works.

Cork County Council Reg. Ref. 14/6005

Outline Planning Permission granted for dwelling and ancillary site development works.

Cork County Council Reg. Ref. 13/6090

Planning permission refused for construction of dwelling and associated site works.

5.0 Policy Context

5.1. Development Plan

- 5.1.1. The site is located within the development boundary of Crosshaven and the Bays as identified in the Cork County Development Plan 2022-2028.
- 5.1.2. The site is zoned 'Existing Residential/Mixed Residential/Other Uses' Policy Objective 'ZU-18-9' applies.
- 5.1.3. Objective ZU 18-9- New residential development should normally respect the pattern and grain of existing urban development in the surrounding area.
- 5.1.4. Section 18.3.3 – Existing Residential/ Mixed Residential/Other Uses, sets out that the objective for this zoning is to conserve and enhance the quality and character of established residential communities and protect their amenities. Infill developments, extensions, and the refurbishment of existing dwellings will be considered where they are appropriate to the character and pattern of development in the area and do not significantly affect the amenities of surrounding properties.

5.1.5. The site is located in a High Value Landscape, Objectives GI 14-9 and GI 14-10 apply.

5.2. **Natural Heritage Designations**

The site is located approximately 760 metres from the Cork Harbour SPA (Site Code: 004030)

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 Appendix A of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

7.0 **The Appeal**

7.1. **Grounds of Appeal**

7.1.1. This is a first party appeal against condition no. 3 of the Planning Authority's decision to grant permission for a two-storey dwelling, a new vehicular entrance and all associated site works. The grounds of appeal seek the omission of Condition No. 3. The grounds of appeal have been summarised as follows:

- Condition No. 3 requires extensive amendments to the design of the dwelling including the enclosure of the balcony/terrace, the introduction of a full height block wall to the western elevation, the extension of the roof to enclose the balcony and the omission of the dining room window.
- The Planning Authority's reason for the condition was in the interest of visual amenity.
- The development as designed gives rise to no adverse visual or residential amenity issues and the reason for the condition is not supported by the site's context.

- The balcony is modest in scale, is recessed into the building and is visually lightweight in appearance and does not appear visually discordant when viewed from the public realm or adjoining lands.
- Given the site's location and context, views of the dwelling will be limited and long distance.
- Many of the adjacent properties have balconies overlooking the harbour.
- Having regard to the orientation, separation distances and level differences across the site there are no overlooking issues or loss of privacy arising from the balcony or the dining room window on the western elevation.
- Given that the balcony is north facing, the omission of the window and the enclosure of the balcony would impact upon the quality of the primary living accommodation and natural light available to the dwelling.
- The condition would negatively impact upon the quality of the design of the façade.
- The balcony is consistent with the established character and pattern of development in the area.

7.2. **Planning Authority Response**

The Planning Authority has no further comment to make on this matter.

7.3. **Observations**

None on file.

8.0 **Assessment**

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

- Visual Amenity
- Residential Amenity

8.2. Visual Amenity

- 8.2.1. The Planning Authority attached condition no. 3 to the grant of permission for the dwelling to address concerns regarding the design. Concerns related to the visual impact of the balcony on the north elevation and overlooking issues from the dining room window on the western elevation. I note that the issue raised in relation to the balcony formed part of the further information request and deemed not satisfactorily addressed in the applicant's response. The overlooking issue regarding the dining room window was raised by the Planning Authority when assessing the further information response. The reason given for imposing the condition was in the interest of visual amenity.
- 8.2.2. Condition no. 3 attached to the grant of permission requires the inclusion of a full height block wall to the western elevation, the extension of the roof to enclose the balcony and the omission of the dining room window. I note that the Planning Authority did not raise any issue regarding the design or visual impact of the dining room window on the west facing elevation, instead referring to impacts on adjoining residential amenity as a result of the window. In this regard I refer the Commission to Section 8.3 below where I have assessed the impacts of the dining room window on the west elevation and concluded that no impacts on adjoining residential amenity would occur.
- 8.2.3. The grounds of appeal contend that the development as designed gives rise to no adverse visual amenity issues given the context of the site. The Appellant sets out that the balcony is recessed into the building, modest in scale and is visually lightweight in appearance and does not appear visually incongruous when viewed from the public realm or adjoining lands. The grounds of appeal further state that given the location of the balcony, views of it from the public realm will be limited and long distance and that many of the adjacent properties have balconies overlooking the harbour.
- 8.2.4. Having visited the site and having regard to the drawings submitted with the planning application and the grounds of appeal I do not consider that the balcony or the dining room window would adversely impact the visual amenity of the area. I note that the balcony is recessed into the building at entry level from Camden Road. I consider that the balcony is proportionate to the scale of the proposed dwelling. I am satisfied

that the balcony is unobtrusive and does not negatively impact the form, scale or overall design quality of the proposed dwelling. I note that the balcony is located to the rear of the property and therefore is not visible from the public realm on Camden Road. Given the steep slope of the site, I am satisfied that the balcony will also not be visible from the rear of the properties along Point Road to the north of the site. I note that the grounds of appeal refer to long distance views of the proposed dwelling from Currabinny on the opposite side of the harbour, however given the separation distance, level of development in Crosshaven and the overall design of the proposal, I do not consider that the development would be visually prominent, and I note that many other properties in the area have similar balconies.

- 8.2.5. Views of the balcony and the dining room window on the western elevation from the adjacent property to the west will be screened by existing vegetation and a timber fence approximately 1.8 metres in height. Given the difference in site levels, the positioning of the adjacent dwelling further north from the proposed dwelling and the mutual boundary treatment, I am satisfied that neither the balcony nor dining room window would negatively impact upon the visual amenity of the adjoining property.
- 8.2.6. To conclude this section, having regard to the location of the balcony to the rear of the proposed dwelling, the topography of the site and the character of the area which comprises differing architectural typologies and styles many of which include balconies overlooking the harbour, I am satisfied that the balcony would not negatively impact on the visual amenity of the area. Furthermore, I consider that the overall design of the dwelling is consistent with the established character and pattern of development in the area.

8.3. Residential Amenity

- 8.3.1. While not given as the reason for attaching condition no. 3, the Planning Authority considered that the dining room window on the western elevation would negatively impact the adjacent property to the west and should therefore be omitted to prevent overlooking. Some concerns were also raised in terms of overlooking from the balcony.
- 8.3.2. The grounds of appeal contend that the development gives rise to no adverse residential amenity issues and that there are no overlooking issues or loss of privacy arising from the balcony or the dining room window on the western elevation.

- 8.3.3. The adjacent property is located a stated 10.4 metres to the west of the side elevation of the proposed dwelling. The dining room window on the western elevation and the balcony on the northern elevation are located at entry level from Camden Road. I note that the adjacent property to the west is positioned further to the north on the site and rotated slightly away from the proposed dwelling. Having regard to the orientation of the proposed dwelling, separation distances, the existing mutual timber boundary fence circa 1.8 metres in height, and existing vegetation, I am satisfied that neither the window nor the balcony would negatively impact upon the adjacent property to the west. Furthermore, having regard to the slope of the site and resulting differences in site levels, I am satisfied that the development would not negatively impact upon the properties on Point Road to the north of the site.
- 8.3.4. The grounds of appeal contend that the omission of the window and the enclosure of the balcony would impact upon the quality of the primary living accommodation and natural light available to the dwelling. Having regard to the north/south aspect of the site, with views of the harbour to the north, I consider that the enclosure of the balcony with a wall on the western elevation and the extension of the roof over would negatively impact upon the daylight available to the main living space of the proposed dwelling. This would negatively impact upon the residential amenity of future occupants.
- 8.3.5. To conclude, I am satisfied that neither the balcony nor the window on the west facing elevation would negatively cause undue overlooking of the adjoining property. Furthermore, I consider that imposing condition no. 3 would negatively impact on the residential amenity of the future occupants of the dwelling.

9.0 **AA Screening**

- 9.1. The proposed development comprises a dwelling on a small infill site of 0.06 ha in an established urban area. No nature conservation concerns were raised in the planning appeal.
- 9.2. Having considered the nature, small scale and location of the project, and taking account of the screening determination of the Planning Authority, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European Site.

9.3. I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Appropriate Assessment, therefore, is not required.

10.0 Water Framework Directive

10.1. The subject site is located in an established residential area which adjoins Cork Harbour IE_SW_060_0000 and Kilnaglery River IE_SW_19K620850. The subject site is located c. 100 metres to the south of Cork Harbour and c. 1.2 km to the east of Kilnaglery River.

10.2. The proposed development comprises a dwelling on a small infill site of 0.06 ha.

10.3. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the small scale and nature and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively.

11.0 Recommendation

Having regard to the nature of the condition which is the subject of the appeal and based on the reasons and considerations set out below, I am satisfied that the determination by the Commission of the relevant application as if it had been made to it in the first instance would not be warranted and recommend that the said Council be directed under subsection (1) of Section 139 of the Planning and Development

Act, 2000 to REMOVE Condition No. 3 for the reason and considerations set out below.

12.0 Reasons and Considerations

Having regard to the nature and scale of the proposed development, the orientation and topography of the site and the pattern of development in the area, it is considered that the modifications to the proposed development, as required by the planning authority in its imposition of Condition No. 3 are not warranted. The proposed development, with the omission of this condition, would not have a significant impact on the residential or visual amenities of the area, and would, therefore be in accordance with the proper planning and sustainable development of the area.

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

Carol Smyth

Planning Inspector

21st April 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-500626-CK-26
Proposed Development Summary	Construction of a dwelling, a new vehicular entrance and all associated site works.
Development Address	Camden Road, Crosshaven, 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?	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q.2.
	<input type="checkbox"/> 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)?	
<input checked="" type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
<input type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	

<p>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?</p>	
<p><input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.</p>	<p>I</p>
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required</p>	
<p><input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	<p>Class 10(b)(i) Construction of more than 500 dwelling units – Sub Threshold</p>
<p>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)?</p>	
<p>Yes <input type="checkbox"/></p>	<p>Screening Determination required (Complete Form 3)</p>
<p>No <input checked="" type="checkbox"/></p>	<p>Pre-screening determination conclusion remains as above (Q1 to Q3)</p>

Inspector: _____

Date: _____

Appendix 2: Form 2 - EIA Preliminary Examination

Case Reference	PL-500626-CK-26
Proposed Development Summary	Construction of a new dwelling house, a new vehicular entrance and all associated site works.
Development Address	Camden Road, Crosshaven, Co.Cork.
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	Construction of a dwelling, and all associated site works. The size of the development is not exceptional. The development would not be exceptional in the context. The development would not result in the production of significant waste, emissions, or pollutants
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,	The location is a suburban environment, in a built-up area. The development would not have the potential to significantly impact on an ecologically sensitive site or location.

cultural or archaeological significance).	
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	There are no real likelihood of significant effects on the environment.
Conclusion	
There is no real likelihood of significant effects on the environment.	EIA is not required.

Inspector: _____ **Date:** _____