



### Development

Retention of renovation works to an existing dwelling. Permission to construct extension, new entrance, septic tank and percolation area and all associated site works.

### Location

Shanavagh, Ballydehob, Co. Cork.

### Planning Authority

West Cork County Council

### Planning Authority Reg. Ref.

256349

### Applicant(s)

Joan O' Leary

### Type of Application

Retention and Permission

### Planning Authority Decision

Refuse Permission

### Type of Appeal

First Party Normal Planning Appeal

### Appellant(s)

Joan O' Leary

### Observer(s)

None

### Date of Site Inspection

9<sup>th</sup> April 2026

### Inspector

Matthew McRedmond

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## 1.0 Site Location and Description

- 1.1. The subject site is located approximately 1km south of Ballydehob village and 14km west of Skibereen in County Cork. The site is 0.19ha in area and is located to the northwest side of local road known as Church Road or L-4415-75. The site is in a primarily rural area with limited rural housing in the vicinity, the nearest being a dwelling located approximately 120m to the northeast.
- 1.2. The subject site is currently accessed from a rural/farm entrance and contains an existing single storey stone structure that has been refurbished to include repointing of stone work and provision of a new roof. Existing hedgerows with additional planting internal to the subject site are located along the southern, roadside boundary of the site.

## 2.0 Proposed Development

- 2.1. The proposed development consists of two elements:
  - Retention permission for the renovation works to existing building on site (44.6sqm to be retained) including repointing of stonework and construction of new roof; and
  - Permission for demolition of existing lean-to structure (9.7sqm), construction of a new single storey extension to existing building (44.6sqm), new site entrance from public road and installation of septic tank and all associated site works.

## 3.0 Planning Authority Decision

### 3.1. Decision

- 3.1.1. On the 19<sup>th</sup> December 2025, Cork County Council Refused permission for the proposed development for the following 2no. reasons:
  1. *The proposed development is located within a highly scenic area of High Value Landscape Area, as set out in the County Development Plan 2022. The policy objectives of the County Development Plan include Objective RP5-30 Redevelopment or replacement of an Uninhabitable or Ruinous dwelling, that can allow for the sensitive renovation and conservation of a derelict dwelling providing*

*always this is subject to normal proper planning and sustainable development considerations. The structure in situ was previously a ruin that was not substantially intact at the time of the last application in 2022 (Ref 22/615) and has been rebuilt without any planning permission in place as unauthorised development and together with an unauthorised increase in height of the ridge, it is considered that the works undertaken are tantamount to the erection of a new dwellinghouse within an area of High Value Landscape area. Furthermore, the Planning Authority has concerns regarding the removal of mature vegetation undertaken. Accordingly, the development to be retained and the development proposed would materially contravene the objective RP 5-30 of the Cork County Development Plan 2022 and would therefore be contrary to the proper planning and sustainable development of the area.*

- 2. The proposed development is located in an area of High Value Landscape and within a rural area categorised as a Tourism and Rural Diversification Area, as designated in the Cork County Development Plan 2022. The objective RP 5-1 seeks to discourage urban generated housing in rural areas and under the objectives RP 5-2 and RP 5-5, the Plan seeks to facilitate those persons with a rural generated housing need, subject to certain criterion being met. The development to be retained has resulted in the erection of an unauthorised dwellinghouse within a Tourism and Rural Diversification Area without any substantiated local rural housing need and, on the basis of the information submitted with the application, the Planning Authority is not satisfied that the applicant has demonstrated that she complies with any one of the categories of housing need set down in RP 5-5. Accordingly, to permit the development to be retained would contravene materially the objectives RP 5-2 and RP 5-5 of the Cork County Development Plan and the Section 28 Ministerial Guidelines Sustainable Rural Housing Guidelines for Planning Authorities and the National Planning Framework and would, therefore, be contrary to the proper planning and sustainable development of the area.*

### **3.2. Planning Authority Reports**

#### Planning Reports

3.2.1. The Local Authority planning report had regard to the location of the site, planning history, national and local policy and to the referral responses received. The basis of the Planning Authority's decision includes:

- **Area Planner's Report:** Noted planning history of the site that identified the previous ruinous state of the existing structure on site. Referenced the planning policy relevant to the proposal including rural housing need requirements and RP 5-30 in relation to the refurbishment of derelict dwellings and associated criteria. Warning Letter is noted as being issued to the applicant in relation to the unauthorised works, and that the subject application is ultimately a response to those unauthorised works investigations and decision.
- Proposed demolition and wrap around design are not supported and it is noted the applicant has no intrinsic links to this rural area, despite land ownership. This is contrary to policies RP 5-2 and 5-5 in relation to urban and rural generated housing needs. Reference to 2009 Google street images that show the structure as not being substantially intact. PA report concludes the building was not substantially intact prior to unauthorised works. No evidence to support the previous use of this structure as a dwelling. Proposed demolition and extension would have a negative effect on this High Value Landscape and is contrary to Objectives GI-14-9 and GI-14-10. All of the above supported the recommendation to refuse permission.
- **Senior Executive Planner's Report:** Report is consistent and concurs with Area Planner's recommendation to refuse permission and sets out a similar refusal reason. Accepts the building was in previous residential use and notes that it is not the intention of the settlement policy objectives of the Development plan generally to prevent such development and a ruinous dwelling still in place is defined as a structure formerly used as a dwelling, with the main walls substantially intact. However, the proposal did not satisfy the criteria under RP 5-30 as structure was not substantially intact as evidenced by previous application at the subject site and is tantamount to the construction of a new dwelling.

3.2.2. Other Technical Reports

- **Area Engineer** –Sewage disposal acceptable. Sightlines from proposed entrance acceptable. Recommended that revised site layout is shown to allow appropriate sightlines of 90m from farm track to the west of the site.

- **Ecology** – Recommended a bat survey report and a biodiversity lead landscape plan for the site. No impacts on European sites.
- **Archaeology** – Report by applicant’s archaeologist acceptable and complies with Objective HE 16-6. No further requirements noted.
- **Heritage Unit** – Notes works undertaken and accepts they have been done in line with heritage best practice methods and intrinsic heritage value of site has been preserved. Recommends permission subject to conditions.

### 3.3. **Prescribed Bodies**

- 3.3.1. **Transport Infrastructure Ireland:** Recommends that the Planning Authority has regard to national policy in relation to affecting national roads.

### 3.4. **Third Party Observations**

- 3.4.1. None.

## 4.0 **Planning History**

- 4.1. **Cork County Council Planning Ref. 22/615:** Permission refused by Cork County Council to refurbish ruined dwelling and include alterations and extensions to same. Permission was refused on the basis that the existing structure was not substantially intact and did not consider there to be sufficient evidence that the subject structure was previously in use as a dwelling. This previous decision informed the Planning Authority appraisal of the subject application in terms of the condition of the existing structure on site.

## 5.0 **Policy Context**

### 5.1. **National and Regional Planning Policy**

- 5.1.1. A central aim of national policy (National Planning Framework/NPF) is to recognise the role of the rural countryside as a lived-in landscape and focusing on the requirements of rural economies and rural communities based on “agriculture, forestry, tourism, and rural enterprise while at the same time avoiding ribbon and over-spill development from urban areas and protecting environmental qualities”. The Regional Spatial and Economic Strategy (RSES) reflects the NPF position.

5.1.2. Chapter 5 of the National Planning Framework (NPF) is entitled 'Planning for Diverse Rural Places' and it sets out to Strengthening Ireland's rural fabric and supporting rural communities.

5.1.3. National Policy Objective 67 states the following:

*Support the circular and bio economy including in particular through greater efficiency in land and materials management, promoting the sustainable re-use and refurbishment of existing buildings and structures while conserving cultural and natural heritage, the greater use of renewable resources and by reducing the rate of land use change from urban sprawl and new development.*

## 5.2. **Section 28 Ministerial Guidelines**

5.2.1. Sustainable Rural Housing Guidelines for Planning Authorities (2005) are relevant. The guidelines aim for proper planning of the countryside and a fair balance between accommodating housing needs of rural community and managing areas of acute development pressure.

## 5.3. **Rebuilding Ireland – Action Plan on Housing and Homelessness 2016**

5.3.1. This is a government initiative which identifies the critical need for accelerating housing supply.

## 5.4. **National Biodiversity Action Plan (NBAP) 2023-2030**

5.4.1. The NBAP includes five strategic objectives aimed at addressing existing challenges and new and emerging issues associated with biodiversity loss. Section 59B(1) of the Wildlife (Amendment) Act 2000 (as amended) requires the Commission, as a public body, to have regard to the objectives and targets of the NBAP in the performance of its functions, to the extent that they may affect or relate to the functions of the Commission. The impact of development on biodiversity, including species and habitats, can be assessed at a European, National and Local level and is taken into account in our decision-making having regard to the Habitats and Birds Directives, Environmental Impact Assessment Directive, Water Framework Directive and Marine Strategy Framework Directive, and other relevant legislation, strategy and policy where applicable.

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

The site is not specifically zoned and is located within an area of West Cork designated as High Value Landscape and a Tourism and Rural Diversification Area.

### Sustainable Rural Housing

**Objective RP 5-1: Urban Generated Housing:** Discourage urban-generated housing in rural areas, which should normally take place in the larger urban centres or the towns, villages and other settlements identified in the Settlement Network. Encourage the provision of a mix of house types in towns and villages to provide an alternative to individual housing in the open countryside.

**Objective RP 5-2: Rural Generated Housing:** Sustain and renew established rural communities, by facilitating those with a rural generated housing need to live within their rural community.

The Plan then goes on to define the various rural area types under Section 5.4 of Volume 1 of the Plan.

### Rural Area Type

In terms of rural settlement policy, the site is located within the 'Tourism and Rural Diversification Area'. The Development Plan states (Section 5.4.5) that these rural and coastal parts of the county exhibit characteristics such as evidence of considerable pressure for rural housing, particularly for holiday and second home development. They are more distant from the major urban areas and associated pressure from urban generated housing, have higher housing vacancy rates and evidence of a relatively stable population compared to weaker parts of the county. They have higher levels of environmental and landscape sensitivity and a weaker economic structure with significant opportunities for tourism and rural diversification.

**Objective RP 5-5: Tourism and Rural Diversification Area:** *This rural area has experienced high housing construction rates and above average housing vacancy rates which has led to concerns that a higher demand for holiday and second homes is depriving genuine rural communities the opportunity to meet their own rural generated housing needs. Therefore, in order to make provision for the genuine rural generated housing needs of persons from the local community based on their social and / or economic links to a particular local rural area and to recognise the significant opportunities for tourism and rural diversification that exist in this rural area, it is an*

*objective that applicants must demonstrate that their proposal complies with one of the following categories of housing need:*

*(a) Farmers, their sons and daughters who wish to build a first home for their permanent occupation on the family farm.*

*(b) Persons taking over the ownership and running of a farm on a full-time basis, (or part – time basis where it can be demonstrated that it is the predominant occupation), who wish to build a first home on the farm for their permanent occupation, where no existing dwelling is available for their own use. The proposed dwelling must be associated with the working and active management of the farm.*

*(c) Other persons working full time in farming (or part – time basis where it can be demonstrated that it is the predominant occupation), forestry, inland waterway, marine related occupations or rural based sustainable tourism, for a period of over three years, in the local rural area where they work and in which they propose to build a first home for their permanent occupation.*

*(d) Persons who have spent a substantial period of their lives (i.e. over seven years), living in the local rural area in which they propose to build a first home for their permanent occupation.*

*(e) Persons whose predominant occupation is farming / natural resource related, for a period of over three years, in the local rural area where they work and in which they propose to build a first home for their permanent occupation.*

*(f) Persons whose permanent employment is essential to the delivery of social and community services and intrinsically linked to a particular rural area for a period of over three consecutive years and who can demonstrate an economic and social need to live in the local rural area where they work, within which it is proposed to build a first home for their permanent occupation.*

*(g) Returning emigrants who spent a substantial period of their lives (i.e. over seven years), living in the local rural area in which they propose to build a first home for their permanent occupation, who now wish to return to reside near other immediate family members (mother, father, brother, sister, son, daughter or guardian), to care for elderly immediate family members, to work locally, or to retire. It is not necessary for the applicant to show that they have already returned to Cork, provided they can*

*show that they genuinely intend taking up permanent residence. With regard to the meaning of 'local rural area', the Development Plan states (at Section 5.4.10) that this is generally defined by reference to the townland, parish, or catchment of the local rural school to which the applicant has a strong social and / or economic link.*

**Objective 5-30 - Redevelopment or replacement of an uninhabitable or ruinous dwelling**

*Encourage proposals for the sensitive renovation, redevelopment, or replacement of existing uninhabitable or ruinous dwellings subject to normal proper planning and sustainable development considerations as well as the requirements of other objectives in this Plan and provided that it satisfies the following criteria:*

- The original walls of the dwelling structure must be substantially intact.*
- The structure must have previously been in use as a dwelling.*
- The development is of an appropriate scale and design (including materials used, relative to the structure being replaced and the location and character of the site.*
- Existing mature landscape features are retained and enhanced, as appropriate.*
- No damage shall be caused to sites used by protected wildlife.*
- Proposals must be acceptable in terms of public health and traffic safety”*

5.5.1. Section 5.12.2 of the Development Plan states *'In the interests of clarity, the provisions of Objective RP 5-2 (i.e. the 'Rural Generated Housing Need' requirement) and Objective RP 5-25 (i.e. Occupancy Clause) will not apply to development that comes within the terms of RP 5-30'.*

**Objective RP 5-31: New Uses for disused or derelict farm buildings**

*Encourage the sensitive refurbishment and conversion of suitable disused or derelict traditional farm buildings, built using traditional methods and materials, and other suitable historic buildings such as mills and churches, for residential purposes, community, or commercial uses (including social enterprise) where appropriate, subject to normal planning considerations, while ensuring that the re-use is compatible with environmental and heritage protection.*

**Landscape Objective GI 14-9:**

- 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.*

**Objective HE 16-19 – Vernacular Heritage**, seeks to:

- 'a) Protect, maintain and enhance the established character, forms, features and setting of vernacular buildings, farmyards and settlements and the contribution they make to our architectural, archaeological, historical, social and cultural heritage and to local character and sense of place.*
- b) Cork County Council encourages best conservation practice in the renovation and maintenance of vernacular buildings including thatched structures through the use of specialist conservation professionals and craft persons. Development proposals shall be accompanied by appropriate documentation compiled by experienced conservation consultant.*
- c) There will generally be a presumption in favour of the retention of vernacular buildings and encouragement of the retention and re use of vernacular buildings subject to normal planning considerations, while ensuring that the re-use is compatible with environmental and heritage protection.'*

## **5.6. Natural Heritage Designations**

- 5.6.1. The subject site is not located within any designated site. The closest Natura 2000 site is Roaringwater Bay and Islands SAC (Site Code:000101), approx. 150m to east. The nearest part of Sheep's Head to Toe Head SPA (Site Code 004156) is approx. 9.8km to the southeast.

## 6.0 EIA Screening

6.1.1. 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

7.1.1. A First-Party appeal has been submitted against the decision of Cork County Council to refuse permission for the proposed development.

7.1.2. The grounds of the appeal can be summarised as follows:

- The Planning Authority has failed to correctly assess the condition of the existing walls of building, based on updated evidence presented, including site photos, google image comparisons and letters from neighbours.
- All available information was not correctly considered and assessed, including conservation report.
- Conclusions made in relation to condition of building in 2022 were inaccurate, due to vegetation covering and surrounding the building. This is a key point as to why the Planning Authority should not have referred to the previous refusal of permission, including submissions on the earlier application, which have proven to be fraudulent. Other submissions on the 2022 application were simple boundary queries, and the area planner was incorrect to use these submissions as evidence to support the condition of the existing building in relation to the subject proposal.
- Incorrect conclusions in relation to negative impacts on mature landscape features.

- Ridge line of building has not been raised, as incorrectly stated by the PA. Statement from carpenter who undertook works is appended to the appeal.
- RP 5-30 allows for redevelopment or replacement of a ruinous building, which suggest a change in ridgeline or indeed change to the building is not a reason to refuse permission under RP 5-30.
- Proposal fully complies with Objective RP 5-30 based on:
  - Existing walls intact as per submitted Heritage Impact Assessment (HIA) and inspection report by Concept Design, some door lintels had collapsed with 97% of walls considered to be intact. Photo evidence and letters from third parties support this assertion.
  - Structure has not been completely rebuilt as claimed by PA and has only had stone work repointed and new roof constructed. No comparison between subject proposal and enforcement case SKB2011 and ABP-315898-23, nor to application 24/518, ABP-321414-24 at Schull, or application ABP-308335-20, 20/281 at Gortnacrusha.
  - Subject proposal at Shanavagh is very sympathetic to the existing building at the site and not similar at all to the size and scale of the proposal refused permission under Ref. 20/281 at Gortnacrusha.
  - Submitted HIA confirms the structure is a pre-1842 domestic vernacular building of local significance. It is noted the PA Senior Executive Planner agreed with this view.
  - Very modest extension proposed, which represents an appropriate scale and design. Net increase of 24sqm with the majority consisting of the link corridor to the rear. Appellant would accept an alternative design if appropriate.
  - Diseased ash trees were removed from the site for safety purposes in 2024. Appellant is happy to provide additional biodiversity led planting if required.

- PA Ecologist concerns in relation to the 'low' suitability of the structure for roosting bats. The applicant can provide a bat survey and implement any recommended mitigation measures.
- No issues raised by the PA Area Engineer. Requested sightlines for adjoining farm track can be provided. All 6 criteria of RP 5-30 are therefore met. Any heavy-duty trees, birch and rowan, that were planted to replace diseased ash trees, have been planted 3-3.4m inside the road edge to allow for sightlines. A new hedgerow approximately 120m in length is also planted between the existing roadside ditch and the new trees. New planting compensates for diseased trees removed. Native species only have been planted on site with no Griselinia as claimed in Area Planners report.
- Requirements of Objective RP 5-2 (Rural Generated Housing need) and RP 5-25 (occupancy clause) will not apply to development that comes within the terms of RP 5-30 and therefore reason for refusal no. 2 is entirely refuted as the proposal complies with RP 5-30.
- Ahboy River is located 80m south of the site and is not the Aboody River to the north of the site as incorrectly claimed by the PA.
- Tree removal was undertaken for public safety reasons and at the request of the Area Engineer from the PA at the time. A supporting statement from Tree Surgeon in relation to disease within felled trees is appended to the appeal.
- Appeal provides a chronology of the planning history of the site including from pre-planning stage on the previous reason for refusal under Ref. 22/615, issuing of warning letters in relation to unauthorised development, felling of trees and to the most recent refusal of permission.

## **7.2. Planning Authority Response**

7.2.1. None on file.

## **7.3. Observations**

7.3.1. None on file.

## 8.0 Assessment

8.1. Having examined the application details and all other documentation on file, including all the submissions received in relation to the appeal, 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:

- Redevelopment of Ruinous Dwelling
- Rural Housing Need
- Landscape Impacts

### 8.2. Policy Compliance

8.2.1. The decision of the Planning Authority (PA) referred to the location of the site in a High Value Landscape as set out in the County Development Plan 2022, and non-compliant nature of the proposal with objective RP 5-30 of the Plan. This is attributed primarily to the subject structure not being substantially intact and the unauthorised works which form the retention element of the application being tantamount to the construction of a new dwelling in a high value landscape area. Removal of mature vegetation is also referenced in the reason for refusal.

8.2.2. The First Party appeal has set out that the PA has not assessed the available information correctly and the existing structure was 97% intact, prior to the works undertaken. Any vegetation removal was attributed to health and safety concerns, and replacement planting is submitted as compensating for any mature tree removal.

8.2.3. I consider the criteria under objective RP 5-30 to apply specifically to this proposal to redevelopment of a previously ruinous structure. This objective seeks to encourage sensitive development subject to specific criteria as well as being moderated by normal proper planning and development considerations. I have assessed the subject proposal against the six specific criteria under the objective as follows:

#### **1. The original walls of the dwelling structure must be substantially intact:**

The First-Party appeal refers to the submitted Heritage Impact Assessment (HIA), supporting photographs and letters from neighbouring landowners claiming that the walls of the existing structure were substantially intact for the purposes of providing a new dwelling, prior to any works been undertaken.

I have had regard to the submitted details of the appeal, including photographs taken following the removal of vegetation within and surrounding the existing structure. I accept the photographs provided with the 2022 application (Ref. 22/615) from both the applicant and the PA, make it difficult to fully ascertain the condition of the remaining walls within the structure at that stage. I note the alleged unauthorised works to the structure, which I consider to be a separate enforcement process that is not specifically relevant to the consideration of the subject appeal, and in any case, the applicant has sought retention permission for these works. The revised details submitted with the subject application and appeal serve to clarify the condition of existing walls in my opinion. I note the Google images from 2009 submitted by the applicant and am satisfied that with a roof in place at that stage as shown on the submitted photographs, there would have been walls in place to support the roof structure. Sometime between 2009 and 2022 the previous galvanise sheet roof collapsed and additional overgrowth occurred.

I note the reservations of the planning authority; however, I consider that for a single storey structure which retains 2no. gable walls, an internal load bearing wall and door and window openings, provide a clearly discernible dwelling type structure as shown in the photographs submitted. Subject to meeting conditions adhering to a method statement in this regard, I consider the proposal meets with the requirements of this criterion and that the walls of the building were substantially intact prior to the unauthorised repointing and roof works undertaken. I am satisfied the ridge height of remaining walls have not been significantly altered to enhance the intact nature of the existing structure and note the general acceptability of the works undertaken from a conservation perspective and which are consistent with the original form of the building.

In terms of a method statement for the conservation works, I recommend details in relation to insulation and services as suggested by the PA Conservation Officer are requested within any applicable condition to be attached.

**2. The structure must have previously been in use as a dwelling:**

The applicant has submitted a Heritage Impact Assessment (HIA) that reviews census data and historical maps to ascertain the potential previous uses of the

subject structure. 1901 and 1911 Census information suggests a residential occupancy of the dwelling of unusual arrangement with 6no. windows. The building is identified as a two-room vernacular structure and it is clear to me from the evidence presented that the structure was capable of being used as a dwelling, although the absence of a hearth and chimney are noted. It is further concluded in the HIA that a central, open fire within a room was not uncommon in these structures in the past, and the opposing door openings are indicative of residential use.

I note the report from the Senior Executive Planner of the PA accepts the use of the building as a former dwelling.

I have had regard to the need for increased housing supply as set out under 'Rebuilding Ireland – an Action Plan for Homelessness' and do not find any evidence to categorically rule out the use of this structure as a dwelling in the past and find that the proposed structure can contribute to housing supply in this context. The applicant provides a number of references to historical maps and census information that are feasible as representing the previous use of the structure as a dwelling. Although it is historical evidence being relied upon, I am conscious that the need for increased housing supply requires a range of solutions, including the redevelopment of ruinous buildings, as is provided for within the County Development Plan. I do not find any evidence contrary to that presented by the applicant, and I am satisfied that the requirement of 'previously been in use as a dwelling' is complied with in this instance.

**3. The development is of an appropriate scale and design (including materials used), relative to the structure being replaced and the location and character of the site.**

The planning authority were not accepting of the scale proposed. It is also considered likely by the PA that permission for the subject proposal will pave the way for a more substantial scale of development at this site. I note from the drawings and works undertaken, the proposal is modest in scale, and the original structure is to be re-instated by relocating the existing lean-to, which I am satisfied is consistent with the original form. The extension (34sqm) wraps around in a subordinate manner to the side and rear of the dwelling and provides an

internal link to each room within the dwelling. This will provide a modest 78sqm one-bedroom dwelling. The site is mature and well screened, with additional new planting now in place and has the capacity to visually assimilate this modest structure into the landscape. The structure is single story, will present a side gable to the road, which is consistent with vernacular architectural rural dwelling treatment, and I welcome this variety of rural dwelling design, particularly at locations of high value landscapes, such as this area of west Cork. Accordingly, I consider these criteria to be met. Any further extension would be assessed on its own merits, and I do not propose to speculate on what may occur in the future, as I am satisfied with the scale and design as currently proposed.

**4. Existing mature landscape features are retained and enhanced, as appropriate.**

I note the concerns of the PA in relation to the removal of mature trees from the site and the impacts this has had on the landscape values of the site. I have had regard to the details submitted with the appeal including the claim that mature trees were removed due to Ash dieback disease and in the interests of public safety, as they were located at the road edge.

I refer to the following two objectives of the Development Plan:

- Objective HE 16-19 seeks to protect, maintain and enhance the established character, forms, features and setting of vernacular buildings.
- Objective GI 14-9 which seeks to discourage proposals necessitating the removal of extensive amounts of trees hedgerows and historical walls or other distinctive features,

I have had regard to the submitted photo documentation and letter from the applicant's tree surgeon that confirms the trees were removed due to extensive ash dieback disease. Other vegetation removed within the site includes overgrowth in and around the existing structure that was cleared prior to the unauthorised redevelopment of the structure. I am satisfied that a reasoned justification has been provided by the applicant for the removal of existing trees. I note all of this specific information may not have been before the PA in their determination of this application and I note the additional native planting that has

taken place on site along the roadside boundary and around the entrance to the existing structure. I note some of the roadside boundary would require removal for the provision of the proposed site access, but I am satisfied that additional planting could be conditioned by way of a final site landscape plan, if permission is granted.

The amount of hedgerow that would require removal is not excessive, being approximately 10m in a length of 120m roadside boundary. I consider this vegetation loss can be compensated within the extensive green areas of the site. I further note that in light of the vegetation removal already undertaken at the site, the development as currently proposed would not significantly impact the character of the site or the vernacular building and with a considered landscape plan, can contribute to local biodiversity at this location and enhance the setting of the original structure. Based on the submitted details, I consider that this criterion has been met and is consistent with Objectives HE 16-9 and GI 14-9.

#### **5. No damage shall be caused to sites used by protected wildlife.**

Subject to best practice in terms of retaining the hedgerow and boundaries and installation of a septic tank and treatment area which is demonstrated to be compliant and acceptable to the PA Area Engineer, I consider criteria in this regard can be met.

I note the concerns of the PA Ecologist in relation to the potential for bat roosting within the reconstituted roof of the structure and noted activity of Lesser Horseshow Bat in the wider area. The PA ecologist notes the 'low' probability of bat roosting within the site but recommended that a bat survey be sought by way of further information. This information was not sought by the PA as the proposal was refused for other reasons. The applicant has submitted in the appeal that they can provide a bat survey prior to the commencement of development.

I note the subject site is largely devoid of mature trees that might be suitable for roosting bats given the recent removal of diseased ash trees. I note the tree line outside the northern boundary of the site that could potentially be of value to foraging or commuting bats, particularly the Annex II bat species, Lesser Horseshoe Bat. I note from NPWS biodiversity mapping that the Ballydehob area is identified as a 1km vector due to a single LHB recorded in 2001. I have

considered the potential for the reconstructed roof as a potential roost location and conclude that it would be disproportionate to accept this as a likely roost location given the timeline of works to the structure and the low records of LHB in this area. However, LHB is an Annex II species that requires appropriate protection and I recommend a condition is attached to any grant of permission to require a bat survey by a qualified expert, prior to the commencement of works, to include recommended mitigation measures if any bat species are identified at the subject site and obtainment of a derogation licence if necessary. I consider this to provide for the precautionary principle and would adequately ensure the prevention of impacts to protected wildlife.

**6. Proposals must be acceptable in terms of public health and traffic safety.**

The subject site is currently accessed via an existing farm/agricultural laneway to the west, with a proposed new access point and parking area proposed as part of the overall development. The applicant has submitted that mature trees were removed on safety grounds and new hedgerow was planted 3-3.4m from the existing hedgerow. I note from my site visit that the existing hedgerow has been managed and is not excessively high so that it would detract from road safety and visibility for the existing farm track. I note the report of the PA Area Engineer that noted sightlines were acceptable for the subject site at 90m and that visibility from the existing farm track should be confirmed and maintained. I conclude that this may be confirmed by way of condition with any grant of permission.

I note the submission of a site suitability assessment and a bored well, septic tank and percolation area proposed. This arrangement was acceptable to the Area Engineer, and I have no evidence before me to depart from that conclusion. I therefore consider the proposed development would be acceptable in terms of public health and traffic safety.

8.2.4. In addition to the above, I note the provisions of Objective RP 5-31 that allows for new uses for disused or derelict farm buildings. Although I do not find this to be applicable in this instance as there has been sufficient evidence presented to confirm the subject structure was previously in use as a dwelling, the objective points to further support for bringing disused and derelict structures into residential use. In my

opinion, this further supports the case for the redevelopment of the subject structure for residential use as set out in Development Plan policy.

### **8.3. Rural Housing Need**

- 8.3.1. The Planning Authority made reference to RP 5-2 and RP 5-5 in their decision to refuse permission and note the absence of a substantiated rural housing need, which is required since the proposal failed to meet the requirements of objective RP 5-30.
- 8.3.2. The First Party appeal submits that these objectives do not apply as the Development Plan expressly provides that these objectives do not apply if the requirements of Objective RP 5-30 are met.
- 8.3.3. I have given consideration to the need to make provision for genuine rural generated housing needs and to protect this 'Tourism and Rural Diversification Area' from inappropriate development that does not comply with acceptable planning and sustainable development standards. I note the Planning Authority provided specific reference to preventing the establishment of an inappropriate precedent in relation to the redevelopment of derelict structures, and appropriately, link this to the requirements set out under Objective RP 5-30.
- 8.3.4. Any proposal for housing in a rural area must comply with relevant 'normal planning and sustainable development' considerations, and while the applicant has not provided for rural need requirements, I am satisfied the subject proposal is consistent with the requirements of Objective 5-30 as set out above. This removes the requirement for the applicant to comply with Objective 5-2 of the Plan and as this objective is not triggered, the requirements of Objective 5-5 also do not apply. I therefore consider that Reason for Refusal No. 2 can be dismissed.

## **9.0 AA Screening**

- 9.1.1. Having reviewed the details on file and having regard to the nature and scale of the proposed development, the location of the site within a rural area, the absence of strong ecological and/ or hydrological connections, and the physical separation distances to European Sites, I consider the potential of likely significant effects on European Sites arising from the proposed development, alone or in combination effects, can be reasonably excluded.

9.1.2. Please refer to the attached appendices for detailed Stage 1 Appropriate Assessment.

## **10.0 Water Framework Directive**

10.1.1. I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives based on the mitigation measures, drainage arrangements and management of surface water as set out in the proposed development. Please see WFD Assessment attached at Appendix 3 of this report.

## **11.0 Recommendation**

11.1.1. I recommend that permission for the development be granted for the following reasons and considerations.

## **12.0 Reasons and Considerations**

12.1.1. Having regard to the objectives of the Cork County Development Plan 2022-2028, the nature, scale and design of the development which is consistent with Objectives 5-30, for the redevelopment of a ruinous structure, Objectives HE 16-19 and GI 14-9, which maintains the landscape character of the area and of the vernacular structure, it is considered that, subject to compliance with the conditions set out below, the proposed development would not adversely impact the character of the area or be seriously injurious to the visual or residential amenities of the area, and would be acceptable in terms of traffic safety and convenience. It is considered that the proposed development would therefore be in accordance with the proper planning and sustainable development of the area.

## 13.0 Conditions

1.	<p>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 31<sup>st</sup> day of October 2025, and as submitted to An Coimisiun Pleanala on 23<sup>rd</sup> January 2026 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.</p> <p><b>Reason:</b> In the interest of clarity.</p>
2.	<p>Prior to the recommencement of development on the vernacular structure the applicant/developer shall submit, for the written agreement of the planning authority an outline method statement for any proposed energy retrofit works/insulation works. This is to include</p> <p>(a) How the applicant intends provide for interventions required for the introduction of necessary services and/or energy retrofit works.</p> <p>b) In preparing this statement the applicant shall have due regard to “Improving energy efficiency in traditional buildings a guide for specifiers and installers” 2023 DHLGH.</p> <p><b>Reason:</b> Reason For the protection of the Architectural Heritage in line with the national vernacular strategy and NBHS guidelines.</p>
3.	<p>Details of the materials, colours and textures of all the external finishes to the proposed development, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p><b>Reason:</b> In the interest of visual amenity.</p>

4.	<p>Details in relation to the design and construction of the proposed entrance to the site shall comply with the detailed requirements of the planning authority for such works and services.</p> <p>Prior to commencement of development, drawings and details in accordance with this condition shall be submitted for the written agreement of the planning authority.</p> <p><b>Reason:</b> In the interest of traffic safety and visual amenity.</p>
5.	<p>Sightlines shall be agreed in writing with the Planning Authority prior to the commencement of development. Sight distance triangles shall be maintained and kept free from vegetation or other obstructions that would reduce the minimum visibility required.</p> <p><b>Reason:</b> In the interest of traffic safety.</p>
6.	<p>The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:</p> <p>(a) A plan to scale of not less than 1:500 showing –</p> <p>(i) Existing trees and hedgerows, specifying which are proposed for retention as features of the site landscaping and which are being replaced</p> <p>(ii) The measures to be put in place for the protection of relevant landscape features during the construction period</p> <p>(iii) The species, variety, number, size and locations of all proposed trees and shrubs which shall comprise predominantly native species such as mountain ash, birch, willow, sycamore, pine, oak, hawthorn, holly, hazel, beech or alder and which shall not include prunus species</p> <p>(iv) Details of screen planting which shall not include cupressocyparis x leylandii</p> <p>(v) Details of roadside/street planting which shall not include prunus species</p>

	<p>(c) A timescale for implementation</p> <p>All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.</p> <p><b>Reason:</b> In order to assimilate the proposal into the surrounding rural landscape, to provide biodiversity and in the interest of visual amenity.</p>
7.	<p>Prior the commencement of works, trees and buildings with bat roosting potential shall be surveyed by a suitably qualified Ecologist who is appropriately qualified and experienced in undertaking bat surveys and in line with best practice at the appropriate time of year to confirm the absence of roosting bats. In the event that a previously undetected bat roost is identified and is likely to be disturbed, the applicant shall acquire a derogation under Regulation 54 of the European Communities (Bird and Natural Habitats) Regulations 2011 prior to the commencement of the relevant works. Prior to the removal of trees and/or works to building, the bat survey results, methodologies for felling/works and any derogations shall be submitted for the written agreement of the planning authority.</p> <p><b>Reason:</b> In the interests of wildlife protection.</p>
8.	<p>(a) The septic tank/wastewater treatment system hereby permitted shall be installed in accordance with the recommendations included within the site characterisation report submitted with this application and shall be in accordance with the standards set out in the document entitled “Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent <math>\leq 10</math>)” – Environmental Protection Agency, 2021.</p> <p>(b) Treated effluent from the septic tank/ wastewater treatment system shall be discharged to a percolation area/ polishing filter which shall be provided</p>

	<p>in accordance with the standards set out in the document entitled “Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent <math>\leq 10</math>)” – Environmental Protection Agency, 2021.</p> <p>(c) Within three months of the first occupation of the dwelling, the developer shall submit a report to the planning authority from a suitably qualified person (with professional indemnity insurance) certifying that the septic tank/ wastewater treatment system and associated works is constructed and operating in accordance with the standards set out in the Environmental Protection Agency document referred to above.</p> <p><b>Reason:</b> In the interest of public health and to prevent water pollution</p>
9.	<p>Prior to commencement of development, details of the proposed surface water drainage measures shall be submitted to and agreed in writing with the planning authority and shall comply with the requirements of the planning authority for such works.</p> <p><b>Reason:</b> In the interests of traffic safety and to prevent flooding or pollution.</p>
10.	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.</p>

<b>Reason:</b> It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.
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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.”

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Matthew McRedmond  
Senior Planning Inspector

21<sup>st</sup> April 2026

### Appendix 1: Form 1 EIA Pre-Screening

<b>Case Reference</b>	<b>PL-500693-WC-25</b>
<b>Proposed Development Summary</b>	<p><b>Retention permission for stone repointing and construction of new roof.</b></p> <p><b>Permission for new dwelling and all associated site works.</b></p>
<b>Development Address</b>	<b>Shanavagh, Ballydehob, Co. Cork</b>
<b>IN ALL CASES CHECK BOX / OR LEAVE BLANK</b>	
<b>1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?</b>	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q.2.
	<input type="checkbox"/> No, No further action required.
<p>(For the purposes of the Directive, "Project" means:</p> <ul style="list-style-type: none"> <li>- The execution of construction works or of other installations or schemes,</li> <li>- Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)</li> </ul>	

<b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. <b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
<b>3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?</b>	
<input 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. <b>No Screening required.</b>	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. <b>EIA is Mandatory. No Screening Required</b>	
<input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.	<b>Schedule 5, Part 2, 10 (b) (i) Construction of more than 500 dwelling units</b>  <b>Proposal is substantially less than the threshold</b>

<p><b>Preliminary examination required. (Form 2)</b></p> <p><b>OR</b></p> <p><b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b></p>	
<p><b>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</b></p>	
<p>Yes <input type="checkbox"/></p>	<p><b>Screening Determination required (Complete Form 3)</b></p>
<p>No <input checked="" type="checkbox"/></p>	<p><b>Pre-screening determination conclusion remains as above (Q1 to Q3)</b></p>

Inspector: \_\_\_\_\_

Date: \_\_\_\_\_

## Appendix 2: Form 2 - EIA Preliminary Examination

<b>Case Reference</b>	PL-500693-WC-26
<b>Proposed Development Summary</b>	<p><b>Retention permission for stone repointing and construction of new roof.</b></p> <p><b>Permission for new dwelling and all associated site works.</b></p>
<b>Development Address</b>	Shanavagh, Ballydehob, Co. Cork
<p><b>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</b></p>	
<p><b>Characteristics of proposed development</b></p> <p>(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).</p>	<ul style="list-style-type: none"> <li>- <b>Proposed residential use is compatible with other uses in area,</b></li> <li>- <b>Modest size and intensity of development</b></li> <li>- <b>No significant use of natural resources or production of waste</b></li> <li>- <b>No significant risk of pollution or nuisance</b></li> <li>- <b>No significant risk of accidents / disasters to human health</b></li> </ul>
<p><b>Location of development</b></p> <p>(The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use,</p>	<ul style="list-style-type: none"> <li>- <b>Located within rural area/Tourism and Rural Diversification</b></li> <li>- <b>Local ecology only on site</b></li> <li>- <b>Vernacular Structure restored using best practice methodologies (not Protected Structure)</b></li> </ul>

<p>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).</p>	<ul style="list-style-type: none"> <li>- <b>No water features at the site</b></li> <li>- <b>No designated sites at this location</b></li> </ul>
<p><b>Types and characteristics of potential impacts</b></p> <p>(Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).</p>	<p><b>Having regard to the following:</b></p> <ul style="list-style-type: none"> <li>- <b>Nature and scale of the development,</b></li> <li>- <b>Lack of significant environmental sensitivities on the site,</b></li> <li>- <b>Absence of significant in combination effects,</b></li> </ul> <p><b>there is no potential for significant effects on the environmental factors listed in section 171A of the Act.</b></p>
<p><b>Conclusion</b></p>	
<p><b>Likelihood of Significant Effects</b></p>	<p><b>Conclusion in respect of EIA</b></p>
<p><b>There is no real likelihood of significant</b></p>	<p><b>EIA is not required.</b></p> <p><b>Include the following paragraph under EIA Screening (a separate heading) in the Inspectors report.</b></p>

<b>effects on the environment.</b>	
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**Inspector:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**DP/ADP:** \_\_\_\_\_ **Date:** \_\_\_\_\_

(only where Schedule 7A information or EIAR required)

## Appendix 3: AA Screening Determination

### Test for likely significant effects

Screening for Appropriate Assessment Test for likely significant effects				
<b>Step 1: Description of the project and local site characteristics</b>				
<b>Brief description of project</b>	Retention of works, proposed dwelling and all associated works			
<b>Brief description of development site characteristics and potential impact mechanisms</b>	Small domestic development on 0.19ha site. Site in undeveloped natural grass / pastoral state, existing natural boundaries, located c. 150m to European site, potential impact on ground water from effluent disposal and disposal of surface water, significant amount of native planting proposed. Roaringwater Bay and Islands SAC (Site Code:000101), approx. 150m to east. The nearest part of Sheep's Head to Toe Head SPA (Site Code 004156) is approx. 9.8km			
<b>Screening report</b>	No.			
<b>Natura Impact Statement</b>	No.			
<b>Relevant submissions</b>	No submissions relevant to AA issues.			
<b>Step 2. Identification of relevant European sites using the Source-pathway-receptor model</b>				
Two European sites are identified as being located within a potential zone of influence of the proposed development as detailed in Table 1 below. I note that no further range of European Sites is necessary for consideration in relation to this proposed development.				
<b>Table 1:</b>				
European Site (code)	Qualifying interests <sup>1</sup> Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections <sup>2</sup>	Consider further in screening <sup>3</sup> Y/N
Roaringwater Bay and Islands SAC (000101)	Large shallow inlets and bays [1160]  Reefs [1170]  Vegetated sea cliffs of the Atlantic and Baltic coasts [1230]	<b>150m east</b>	<b>Yes, proximity and potential surface water run off to SAC</b>	<b>Y</b>

	<p>European dry heaths [4030]</p> <p>Submerged or partially submerged sea caves [8330]</p> <p>Phocoena phocoena (Harbour Porpoise) [1351]</p> <p>Lutra lutra (Otter) [1355]</p> <p>Halichoerus grypus (Grey Seal) [1364]</p> <p><a href="#">Roaringwater Bay and Islands SAC   National Parks &amp; Wildlife Service</a></p>			
<p>Sheep's Head to Toe Head SPA (Site Code 004156)</p>	<p>Peregrine (Falco peregrinus) [A103]</p> <p>Chough (Pyrrhocorax pyrrhocorax) [A346]</p> <p><a href="#">Sheep's Head to Toe Head SPA   National Parks &amp; Wildlife Service</a></p>	<p><b>9.8km southeast</b></p>	<p><b>No. no hydrological or physical connection to SPA.</b></p>	<p><b>N</b></p>
<p><sup>1</sup> Summary description / <b>cross reference to NPWS website</b> is acceptable at this stage in the report</p> <p><sup>2</sup> Based on source-pathway-receptor: Direct/ indirect/ tentative/ none, via surface water/ ground water/ air/ use of habitats by mobile species</p> <p><sup>3</sup>if no connections: N</p>				
<p>Given the proximity of the site to Roaringwater Bay and Islands SAC, potential effects could occur due to surface water run off during construction and operation and foul water discharge during operation, will require management to avoid impacts on SAC.</p> <p>Significant effects from other pathways have been ruled out i.e., habitat loss, spread of invasive species, impacts from noise and disturbance.</p> <p>Potential impacts to Sheep's Head to Toe Head SPA are ruled out due to separation distances and absence of connections to the SPA.</p>				
<p><b>Step 3. Describe the likely effects of the project (if any, alone <u>or</u> in combination) on European Sites</b></p> <p>The proposed development will not result in any direct effects on the Sheep's Head to Toe Head SPA or to Roaringwater Bay and Islands SAC. However, due to the application of the precautionary principle, impacts generated by the construction and operation of the proposed development require consideration to the SAC, due to proximity.</p>				

Sources of impact and likely significant effects are detailed in the table below.

**AA Screening matrix**

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
<p><b>Site 1: Roaringwater Bay and Islands SAC (Site Code: 000101)</b>            QI list:            As above</p>	<p>Direct:            No direct impacts within the SAC.</p> <p>Indirect:</p> <p>Localised, temporary, low magnitude impacts from noise, dust and construction related emissions.</p> <p>Localized, low magnitude impacts on water quality (pollution and sedimentation) from surface water disposal from development and from on site effluent disposal.</p> <p>Removal of vegetation on site.</p>	<p>Having regard to</p> <ul style="list-style-type: none"> <li>- the domestic nature and small scale of development proposed,</li> <li>- lack of direct connections or pathways,</li> <li>- the distance to receiving features,</li> <li>- normal best construction practices,</li> <li>- disposal of uncontaminated storm water to ground,</li> <li>- disposal of effluent on site to normal EPA CoP standards,</li> </ul> <p>it is highly unlikely that the proposed development could generate impacts of a magnitude that could affect habitat quality or QI species of the SPA.</p> <p>No significant disturbance to birds that may occasionally use the existing vegetation on the site.</p> <p>Low risk to SAC related to any minor construction related emissions.</p> <p>Low risk of surface or ground water borne pollutants or sediments reaching the SAC.</p> <p>Conservation objectives would not be undermined.</p>
	<p><b>Likelihood of significant effects from proposed development (alone): N</b></p>	

	<b>If No, is there likelihood of significant effects occurring in combination with other plans or projects? The proposed development will not result in any effects that could contribute to an additive effect with other developments in the area.</b>
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**Step 4 Conclude if the proposed development could result in likely significant effects on a European site**

The construction or operation of the proposed development will not result in impacts that could affect the conservation objectives of the Roaringwater Bay and Islands SAC. Due to distance and lack of meaningful ecological connections there will be no changes in ecological functions due to any construction related emissions or disturbance. There will be no direct or ex-situ effects from disturbance on mobile species during construction or operation of the proposed development. No mitigation measures beyond normal standard construction mitigation and drainage works are required to come to these conclusions.

**Screening Determination**

**Finding of no likely significant effects**

Having carried out Screening for Appropriate Assessment of the project in accordance with Section 177U of the Planning and Development Act 2000 (as amended), I conclude that that the project individually or in combination with other plans or projects would not be likely to give rise to significant effects on European Sites within the surrounding area namely, Roaringwater Bay and Islands SAC, Sheep’s Head to Toe Head SPA or any other European site, in view of the sites Conservation Objectives, and Appropriate Assessment (and submission of a NIS) is not therefore required.

This determination is based on:

- The relatively minor scale of the development and lack of impact mechanisms that could significantly affect a European Site
- Distance from and weak indirect connections to the European sites
- No ex-situ impacts

## Appendix 4 – WFD Assessment

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
<b>An Comisiúin Pleanála ref. no.</b>	PL-500693-WC-26	<b>Townland, address</b>	Shanavagh, Ballydehob, Co. Cork
<b>Description of project</b>	Retention for refurbishment works, construction of a dwelling and all associated site works		
<b>Brief site description, relevant to WFD Screening,</b>	Site is undeveloped pastoral land in a rural area No water features on the site or adjacent to the site. Site not located within a flood zone area. Site rises steeply and bank and ditches along roadside boundary. Site is c. 150m to Roaringwater Bay and is within the WFD Catchment of Bandon-Ilen		
<b>Proposed surface water details</b>	Surface water to on site soakaway		
<b>Proposed water supply source &amp; available capacity</b>	Uisce Eireann mains water connection		
<b>Proposed wastewater treatment system &amp; available capacity, other issues</b>	Onsite wastewater treatment system		
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection			

Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface runoff, drainage, groundwater)	
River	C100m south	SHANAVAGH_010 Code: IE_SW_20S360700	Good	Review	None Identified	Potential surface water runoff	
Coastal	C. 150m east	Roaring Water Bay IE_SW_140_0000	Good	Not at Risk	None Identified	Potential Surface water Runoff	
Groundwater	Underlying site	Skibereen-Clonakilty Code: IE_SW_G_085	Good	Not at risk	None identified	Surface water drainage to ground Effluent treatment and disposal to ground	
<b>Step 3: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.</b>							
<b>CONSTRUCTION PHASE</b>							
No.	Component	Waterbody receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	<b>Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.</b>

	Surface	BUTLERSTOWN_030 Code:IE_SW_19B060800)	Surface run off	pollution and sedimentation	standard best practice construction	No	Screened out
	Coastal	Roaring Water Bay IE_SW_140_0000	Surface water	Pollution and sedimentation	Standard best practice construction	No	Screened Out
	Ground	Ballinhassig East Code:IE_SW_G_004	underground	Pollution, ground filtration	standard best practice construction	No	Screened out
<b>OPERATIONAL PHASE</b>							
3.	Surface	BUTLERSTOWN_030 Code:IE_SW_19B060800)	Surface run off	pollution and sedimentation	Onsite drainage and soakaways	No	Screened out
	Coastal	Roaring Water Bay IE_SW_140_0000	Surface run off	Pollution and sedimentation	On site drainage and soakaways	No	Screened Out
4.	Ground	Ballinhassig East Code:IE_SW_G_004	underground	pollution and ground filtration	On site drainage to BRE standards, WWTS to EPA CoP standards	No	Screened out
<b>DECOMMISSIONING PHASE</b>							
5.	NA						